

WESTERN AUSTRALIAN PLANNING COMMISSION

STRUCTURE PLAN

**Lots 3, 4, 111, 112 & 113 Brumby Place;
Lots 1, 101 & 102 Exmoor Drive; and
Lots 103, 104, 105, 107 & 108 Boodjidup Road,
Margaret River**

July 2018

Amended September 2020



Proposed Structure Plan

**Lots 3, 4, 111, 112 and 113 Brumby Place; Lots 1, 101 and 102 Exmoor Drive; and
Lots 103, 104, 105, 107 and 108 Boodjidup Road, 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:

17 SEPTEMBER 2020

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

17 September 2020

Date

17 September 2030

Date of Expiry

Proposed Structure Plan

Lots 3, 4, 111, 112 and 113 Brumby Place; Lots 1, 101 and 102 Exmoor Drive; and

Lots 103, 104, 105, 107 and 108 Boodjidup Road, Margaret River.

TABLE OF AMENDMENTS

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

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'). The Structure Plan relates to the following properties:

- Lots 3, 4, 111, 112 and 113 Brumby Place;
- Lots 1, 101 and 102 Exmoor Drive; and
- Lots 103, 104, 105, 107 and 108 Boodjidup Road.

Ten of the thirteen existing lots are proposed to be subdivided to create a total of 23 lots, with a minimum lot size of 1ha. Three (3) of the lots are included in the Structure Plan (at the Shire's instruction) however due to lack of participation by those owners the Structure Plan does not indicate subdivision as this would be subject to further work to verify suitability. Three other lots are also marked within the general structure plan area given those lots were included in the rezoning objective by the Shire.

Halsall & Associates Town Planning Consultants have been engaged by the owners ten (10) of the subject lots to prepare a Scheme Amendment to Local Planning Scheme No.1 ("the Scheme") and this associated Structure Plan to provide the mechanism to permit subdivision. These are the lots with proposed subdivision boundaries indicated.

The general provisions for the Rural Residential Zone within Local Planning Scheme No.1 state that except as otherwise approved, the minimum lot size for land within the zone is three (3) hectares. The Shire requires an amendment to the Scheme to allow the smaller lot sizes of 1ha. Schedule 7 provisions and an associated Structure Plan are the recommended mechanisms to implement subdivision.

It is necessary to introduce specific provisions under Schedule 7 primarily to permit smaller lot sizes and include a Structure Plan with notations to address matters relevant to the subdivision of the subject lots. Identification of the relevant lots within the provisions of Schedule 7 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 locality and strong support from most the landowners with potential to subdivide has been received. Within the locality, only the owners of Lots 2 and 106 have indicated they do not wish to participate in any respect

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**Lots 3, 4, 111, 112 and 113 Brumby Place; Lots 1, 101 and 102 Exmoor Drive; and
Lots 103, 104, 105, 107 and 108 Boodjidup Road, Margaret River.**

although as stated above the Shire required inclusion of those lots in the zoning proposal. Later and prior to initiation of the amendment and structure plan, the Shire indicated lot 110 Waler Place should be included in the amendment.

Proposed Structure Plan

Lots 3, 4, 111, 112 and 113 Brumby Place; Lots 1, 101 and 102 Exmoor Drive; and

Lots 103, 104, 105, 107 and 108 Boodjidup Road, Margaret River.

EXECUTIVE SUMMARY TABLE

Item	Data	Structure Plan Ref. (section no.)
Total area covered by the Structure Plan	Approximately 41 hectares	
Area of each land use proposed:	Lot yield: 25 lots minimum one hectare from original 13 lots	
Rural Residential	Minimum lot size one (1) hectare	
Estimated number of additional dwellings	Total 12	
Estimated percentage of natural area	15%	

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1.0 PART 1 – IMPLEMENTATION

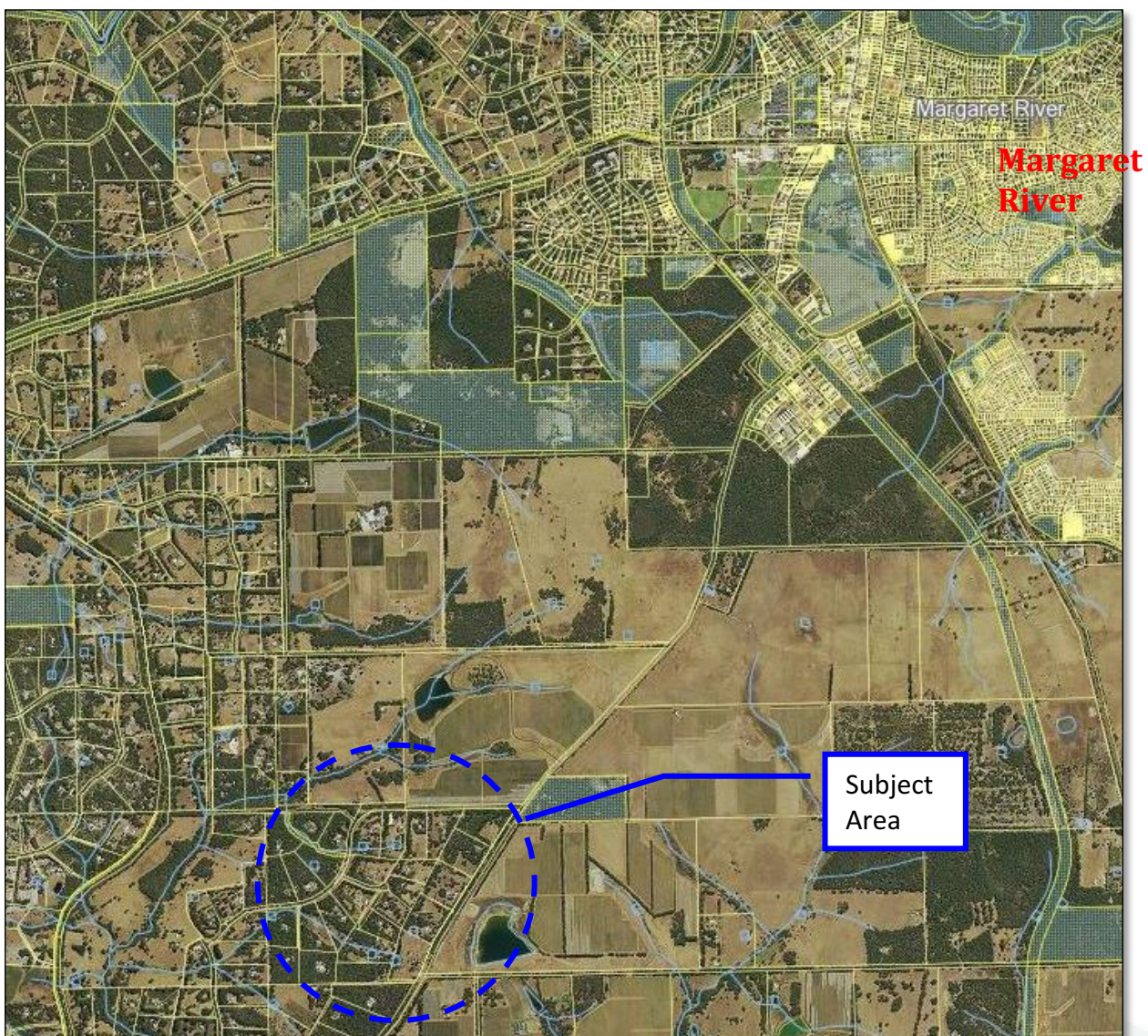
1.1 Structure Plan Area

The Exmoor Drive area is located within the general Rural Residential locality to the south west of the Margaret River town site. The area is provided with primary access to the district road network from Boodjidup Road which connects the locality back to Margaret River Townsite some 2.5km to the north east.

The relationship of the subject site within the locality is evident in Figure 1 below.

Figure 1 - Location of site within the locality

Source: Shire of Augusta - Margaret River



The structure plan proposal relates to 13 existing lots within the Exmoor Drive/Brumby Place/Boodjidup Road area. The subject lots are:

- Lots 3, 4, 111, 112 and 113 Brumby Place;
- Lots 1, 101 and 102 Exmoor Drive; and
- Lots 103, 104, 105, 107 and 108 Boodjidup Road, Margaret River.

The lots are shown on Figure 2 below. As can be seen on Figure 2, the relevant lots are generally contiguous and are accessed from the existing road network.

The history of this part of the Margaret River district indicates that the land has been predominantly cleared in the past and used for farming purposes, particularly grazing. Much of the vegetation within the area has been planted by the original subdivider and subsequent landowners. Properties outside the structure plan area, to the south and west, are more densely vegetated with remnant vegetation.

Most of the subject lots are two to three hectares in area however those lots fronting Boodjidup Road are generally four hectares in area.

These characteristics of the site are evident in Figure 2 below.

Figure 2 - Subject site

Source: Shire of Augusta-Margaret River



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 to this proposal because individual land owners will be able to subdivide independently of each other at their choice. 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 the Exmoor Drive area and Schedule 7 - RR38. Subdivision will be guided by the Structure Plan contained at Appendix 1. Specific provisions guiding development of the area are as follows:

1. SUBDIVISION SHALL BE GENERALLY IN ACCORDANCE WITH THE ENDORSED STRUCTURE PLAN.
2. LANDSCAPE SCREENING TO BE IMPLEMENTED AT SUBDIVISION STAGE TO THE SATISFACTION OF THE SHIRE OF AUGUSTA-MARGARET RIVER.
3. SUBDIVISION AND DEVELOPMENT IS TO COMPLY WITH AN AGREED FIRE MANAGEMENT PLAN.
4. BATTLEAXE LEGS AND CROSSOVERS ARE TO BE CONSTRUCTED TO SHIRE SPECIFICATIONS AT SUBDIVISION STAGE.
5. ACCESS TO BOODJIDUP ROAD IS TO BE VIA A CO-JOINT ARRANGEMENT EITHER BY REMOVING A SECTION OF PAW OR PROVIDING A PUBLIC ROAD RESERVE NIB OR COMMON PROPERTY VIA A STRATA PROPOSAL.
6. EXISTING BUFFER PLANTING ALONG THE NORTHERN AND EASTERN PARTS OF THE STRUCTURE PLAN AREA IS TO BE MAINTAINED AND ENHANCED AT SUBDIVISION WHERE NECESSARY.
7. SUBDIVISION IS CONDITIONAL UPON PREPARATION AND IMPLEMENTATION OF A FAUNA MANAGEMENT PLAN.
8. BOUNDARIES THROUGH BUSHLAND ARE NOT TO BE FENCED AND ONLY FIRE PROOF BOUNDARY MARKERS MAY BE INSTALLED WHERE VEGETATION IS NOT AFFECTED. ON LOTS WITH NATIVE VEGETATION, FENCING OF BUILDING ENVELOPES OR CLEARED AREAS IS PERMITTED ONLY.
9. ONSITE EFFLUENT DISPOSAL AT DEVELOPMENT STAGE IS TO BE GUIDED BY THE INVESTIGATIONS OF THE EFFLUENT CAPABILITY AND WINTERWATER TABLE REPORTS APPENDED TO THE STRUCTURE PLAN REPORT. WHERE LESS THAN 1.2 METRES OF FREE DRAINING SOILS EXIST ALTERNATIVE TREATMENT UNITS MAY BE REQUIRED. INDIVIDUAL ASSESSMENTS SHALL BE PROVIDED AT DEVELOPMENT STAGE.
10. ANY MODIFICATION OF THIS STRUCTURE PLAN TO RE-SUBDIVIDE LOTS 112 BRUMBY PLACE AND LOTS 105-106 BOODJIDUP ROAD, SHALL GIVE CONSIDERATION TO PROVIDING AN EMERGENCY ACCESS WAY BETWEEN BRUMBY PLACE AND BOODJIDUP ROAD. WHERE POSSIBLE, THE EMERGENCY ACCESS WAY SHOULD BE COORDINATED AND INTEGRATED WITH ANY PROPOSED BATTLE-AXE LEGS AND/OR DRIVEWAY'S, AND FORM ONE ACCESS ONTO BOODJIDUP ROAD.

11. WHERE POSSIBLE, EMERGENCY ACCESS WAYS SHOULD BE COORDINATED AND INTEGRATED WITH ANY ADJOINING PROPOSED BATTLE-AXE LEGS AND/OR DRIVEWAYS TO FORM ONE ACCESS ONTO A PUBLIC ROAD.

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

1.4.1 Land Use Permissibility – Zoning

In accordance with section 87 of the *Planning and Development Act 2005* the Minister for Planning approved the Shire of Augusta Margaret River Local Planning Scheme Amendment No. 58 on the 4th August 2020. This will allow for further subdivision to be guided by the Structure Plan in accordance with the provisions under Schedule 7 'RR-38' of the Scheme.

1.4.2 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').

Subdivision within the Rural Residential zone will be guided by the Structure Plan as it will be referenced at Schedule 7.

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.

1.4.3 Other Requirements

Servicing Considerations

The development will include extension of existing power services with underground connections supplied. Reticulated water and sewerage services are not available. Water supply will be provided the use of water tanks. Onsite effluent disposal systems can be utilised as is demonstrated in the supporting report to this

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Lots 103, 104, 105, 107 and 108 Boodjidup Road, Margaret River.

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 because of the Bushfire Management Plan recommendations.

Appendix A - Structure Plan



LEGEND


- APPLICATION BOUNDARY
- PROPOSED BOUNDARY
- PROPOSED BUILDING ENVELOPE
- RECIPROCAL RIGHTS OF ACCESS
- EMERGENCY ACCESSWAY
- * ALTERNATIVE TREATMENT UNIT POTENTIALLY REQUIRED
- STRATEGIC FIREBREAK
- EXISTING VINEYARD BUFFER
- PROPOSED PLANTING

This concept has been prepared for the purpose of meeting client specifications. The drawing does not constitute an invitation, agreement or contract (or any part thereof) of any kind whatsoever.

Although care has been taken on the compilation of this document by Halsall & Associates, all parties associated with the proposed property development disclaim any responsibility for any errors or omissions. The right is reserved to change the plan at any time.

Liability is expressly disclaimed by Halsall & Associates for any loss or damage which may be sustained by any person acting on any visual impression gained from this drawing.

All areas and dimensions shown on this drawing are subject to final survey.


 0 40 80 120 160
 metres

LEIGHTON
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Title: **PROPOSED STRUCTURE PLAN - EXMOOR DRIVE AREA, MARGARET RIVER**
LOTS 3, 4, 111, 112 & 113 BRUMBY PLACE; LOTS 1, 101 & 102 EXMOOR DRIVE; LOTS 103, 104, 105, 107 & 108 BOODJIDUP ROAD, MARGARET RIVER

Date: **September 2020**

Scale: **1:4,000@A3**

Revision No: **M**

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Rural & Urban Subdivisions
 Development Applications
 Structure Planning
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PART 2 - EXPLANATORY REPORT

2.1 Planning Background

2.1.1 Introduction and Purpose

Halsall & Associates have been engaged by the owners of the 10 lots within the subject land (excluding owners of Lots 1, 112 and 105) in the Exmoor Drive area of Margaret River to prepare this Structure Plan to provide a mechanism for consideration of subdivision of the relevant lots. The Shire has included lots 2, 106 and 110 within the zoning however the Structure Plan is silent on such 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 7 provisions and associated Structure Plan are the recommended mechanism. It is necessary to introduce specific provisions under Schedule 7 primarily to include the Structure to address matters apparent because of the proposal to re-subdivide the subject lots. Identification of the relevant lots within the provisions of Schedule 7 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 locality and strong support from almost all the landowners with potential was been received. The owners of Lot 106 and Lot 2 indicated they do not wish to participate in the proposal in any respect however the Shire included those lots in the Scheme Amendment. Owners of Lots 1, 112 and 105 had no objection being included in the Scheme Amendment but did not wish to have any objectives identified within the Structure Plan. The Shire included Lots 2, 106 and 110 at initiations stage.

2.2 Land Description

2.2.1 Location

Exmoor Drive is located within the Rural Residential areas to the south west of the Margaret River town site. The area is provided with primary access from Boodjidup Road a district level distributor road to the

Margaret River townsite about 2.5 km to the north east along with Glenellie and Harrington Roads providing connections to Caves Road. Exmoor Drive and Brumby Place are sealed, local roads.

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 of between 2ha and 4ha are reflective of the previous Town Planning Scheme No.11 (originally gazette in 1985) provisions which have generally been carried over into Local Planning Scheme No.1.

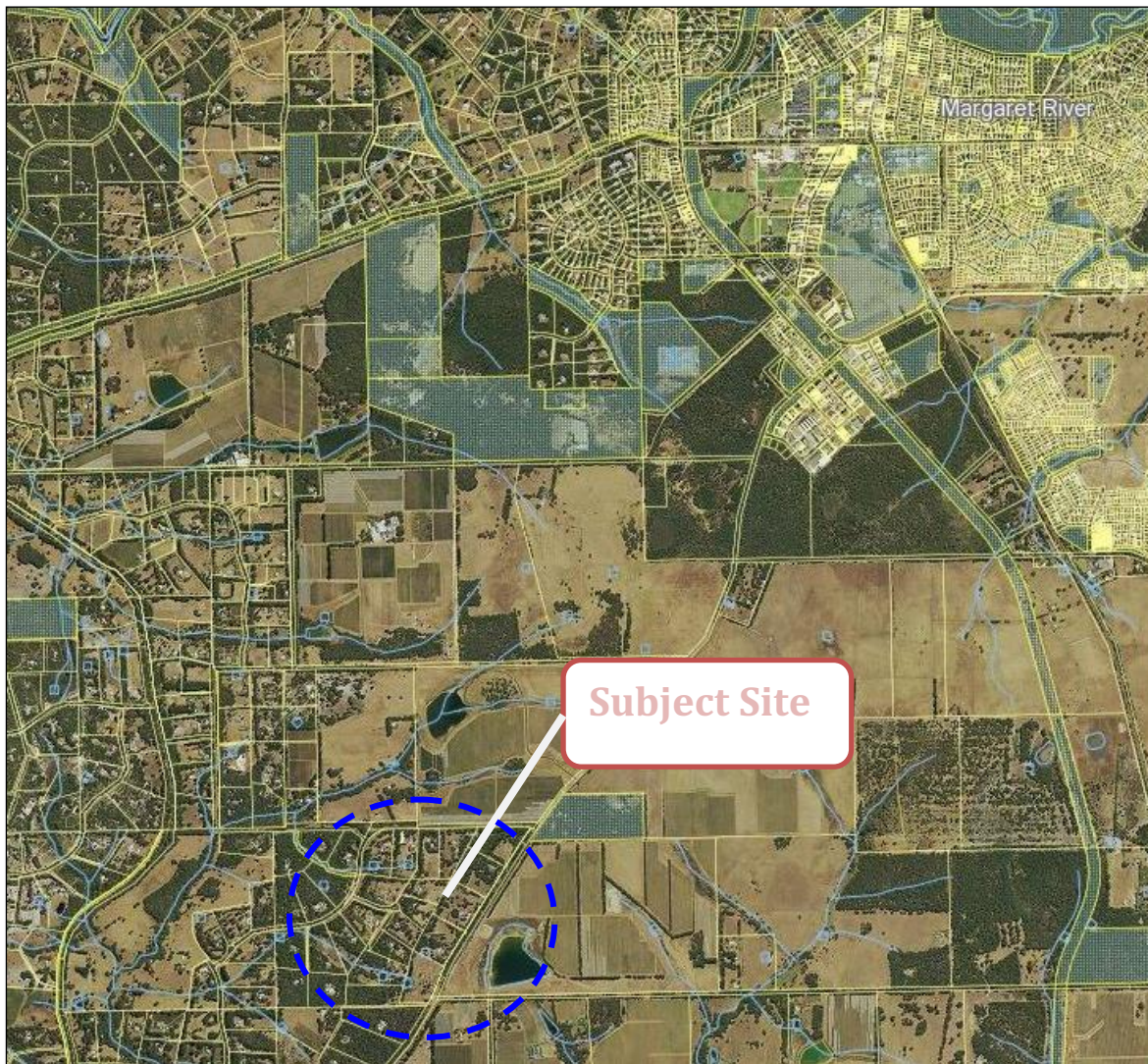
To the south, west and north land uses are generally rural residential nature. Immediately to the north and east are the commercial level vineyards of Xanadu and Voyager. A large dam used by the Voyager operations is immediately to the east and prominent on Figure 1 below.

Vegetation has been maintained along the Boodjidup Road and Exmoor Drive frontage to screen and buffer the vineyard operations. This screening will be augmented as shown on the Structure Plan.

The location of the subject site within the locality is evident in Figure 1 below.

Figure 1 - Location of site within the locality

Source: Shire of Augusta - Margaret River



2.2.2 Area and Land Use

The Scheme Amendment relates to sixteen specific lots within the Exmoor Drive locality in Margaret River.

The Structure Plan includes:

- Lots 3, 4, 110, 111, 112 and 113 Waler/Brumby Place;
- Lots 1, 2, 101 and 102 Exmoor Drive; and
- Lots 103, 104, 105, 106, 107 and 108 Boodjidup Road

Figure 2 - Subject Site



Source: Shire of Augusta-Margaret River

As can be viewed at Figure 2 above, the subject area is predominantly cleared and was previously used for farming purposes. Much of the existing vegetation on the subject lots is not native vegetation but is planted landscaping mostly introduced since the existing lots were created. Also evident is the fact that lots adjoining the area to the south and west contain native vegetation.

Detailed investigations referred to in a later section in relation to floristic characteristics, provides further information.

Most lots within the area contain dwellings and associated outbuildings. The area is serviced with overhead power and telecommunications services. Reticulated water and sewerage services are not available.

The soil conditions can support onsite effluent disposal; this is documented in a detailed investigation referenced in a later section.

The contours of the area are generally flat with minor undulations on a site by site basis.

2.2.3 Legal Description and Ownership

The legal description of the lots affected by this Structure Plan are as described in 2.1.1 above. These lots are all individually owned by various families most of which reside on the property.

The proposed subdivision of each lot is explained as follows:

Lot 3 Brumby Place

This site is currently occupied by a substantial dwelling in the central parts and is predominantly cleared with some landscape belt planting around the periphery. The proposal intends to establish three lots of around one hectare in area all accessed directly from Brumby Place/Exmoor Drive. The alignment of boundaries and the location of building envelopes are to protect vegetation and maintain existing access to the central lot along the existing landscaped driveway.

Lot 4 Brumby Place

This site is again predominantly cleared with vegetation around the periphery most of which is landscaping. A substantial dwelling exists in the north east and the intention is to create two lots 1ha and 2ha respectively with the larger lot accommodating existing development. The site has frontage to Waler Place to the east, Exmoor to the west and Brumby Place to the north and access to the lots can be taken from this network accordingly. The western lot can access Exmoor Drive.

Lot 111 Brumby Place

This site is approximately 2.3 hectares in area and predominantly cleared with a dwelling in western parts. This is again surrounded by landscape planting. The intention is to create a vacant 1.2 hectare lot in the east with a building envelope in a cleared section. Access to this would be direct from the cul-de-sac head of Brumby Place.

Lot 112 Brumby Place

This lot has an existing dwelling located on the north western portion of the site and has direct frontage and access to the cul-de-sac head of Brumby Place. There is boundary planting along all boundaries which is more dense toward the front setback area of the lot. Similar to Lot 1 Exmoor Drive and Lot 112 Boodjidup Road, the subdivision of this lot is subject to further investigations and site responsive design.

Lot 113 Brumby Place

This site is just over two hectares in area and access via battleaxe from the northern end of Brumby Place. The site is predominantly cleared save for landscaping again around the dwelling and periphery and the intention is to establish two lots each just over one hectare in area. This will therefore create a building envelope in the east in a cleared area. To connect with the emergency access way to be established within Lot 101, the battleaxe arrangement within this site will connect the emergency access way to the north thus creating an improved access/ egress arrangement for fire management purposes between Brumby Place, Exmoor Drive and Boodjidup Road. The alignment of this access way is to be maintained in private ownership and protected by easement.

Lot 1 Exmoor Drive

This lot is occupied by an existing dwelling and outbuildings to the northern extent of the lot. There is scattered vegetation on the southern portion of the site and a creek-line and wet areas including a small dam. Subdivision of this lot is subject to further investigations and site responsive design.

Lot 101 Exmoor Drive

This lot is occupied by an existing dwelling in the north with landscape buffer protecting this from the vineyards on the north side of Exmoor Drive. Paddock areas exist to the south and adequate areas available to provide two one hectare lots serviced by co-joint battleaxe arrangement. This battleaxe arrangement can also serve the dual purpose of providing fire emergency access way connection through to the south to Brumby Place. This presents a positive aspect to re-subdivision of the area.

Lot 102 Exmoor Drive

This lot is also occupied by a dwelling in the northern parts with landscape buffering from vineyards to the north. There is some native vegetation to the east of the existing dwelling and a paddock area to the south which presents as an ideal opportunity for a second dwelling. Whilst the subject site is more than three

hectares, to respect the nature of the site and the native vegetation that it contains, only two lots are proposed with a battleaxe access adjacent to the emergency access way proposed within Lot 101. This presents as a benefit for fire management and access to the proposed vacant lot. Emergency access is also shown across the southern boundary connecting to Boodjidup Road through lot 104 providing another good fire planning outcome for the area because of the Structure Plan process.

Lot 103 Boodjidup Road

This lot has an area of native vegetation in the western parts along with landscape belts along the northern and eastern boundaries established to provide additional buffers from adjoining agricultural uses. A dwelling previously existed in the eastern parts (but no longer exists) and the subdivision proposes to subdivide into two lots only where both envelopes can occupy cleared areas in eastern parts. Access to both lots can be taken from Exmoor Drive in the north thus avoiding Boodjidup Road access. Landscaping is also proposed between envelopes from amenity purposes.

Lot 104 Boodjidup Road

This lot also has native vegetation in the western parts and a dwelling in the north east. Landscaping exists along the eastern boundary as a buffer to adjoining lots agricultural to the east and there is an established olive grove in the south in an existing cleared area. The proposal intends to subdivide the lot into two thus only creating one additional building envelope within the olive grove area some of which would be removed. Access to the site is currently throttled by a public access way (PAW) in the south east corner and the intention is to establish a nib of road reserve or common property to provide access to both lots from a co-joint access point where the PAW does not exist. As such, the existing driveway and crossover point onto Boodjidup Road would be utilised for access to two dwellings. Whilst this lot is over four hectares in area and could therefore potentially be subdivided into four lots, a subdivision into two respects the access from Boodjidup Road as well as the vegetation in the west.

Lot 105 Boodjidup Road

This lot has an existing dwelling located in the south eastern corner of the lot. There is a buffer along Boodjidup Road to the adjoining agricultural areas to the east with the remainder of the site predominately cleared of vegetation with scattered trees and visual buffers to the adjoining lots. Similar to Lot 1 Exmoor Drive, the subdivision of this lot is subject to further investigations and site responsive design.

Lot 107 Boodjidup Road

This lot is predominantly cleared with a substantial dwelling in central parts. There is also some landscaping along Boodjidup Road however this can be bolstered to increase the buffer function from adjoining agricultural to the east. Access to the site is currently throttled by a PAW to the north east corner of the site. As is proposed for Lot 104 the intention is to create a nib of road reserve or common property where co-joint access can be supplied to two lots with the northern lot proposed at approximately 1.29 hectares. This would be a predominantly vacant site and therefore landscape planting is proposed along the northern and southern boundaries. Again whilst the site is approximately four hectares in area and could be subdivided into more lots, the respect to limiting access to Boodjidup Road has rendered the proposal is for only one additional lot.

Lot 108 Boodjidup Road

This lot is currently a battleaxe lot with access directly from Boodjidup Road nearby to the intersection of Gnaraway Road. The landowner advises that the majority of vegetation in the eastern parts is planted and there are some cleared areas in these parts. The intention is to subdivide the site into two with two building envelopes in the predominantly cleared areas accessed with reciprocal rights of access on a split battleaxe arrangement. This form of subdivision would ensure development is within a cleared area closer to the entry point to the site and does not impact on the bushland areas to the west of the site.

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. 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

Proposed Structure Plan

Lots 3, 4, 111, 112 and 113 Brumby Place; Lots 1, 101 and 102 Exmoor Drive; and

Lots 103, 104, 105, 107 and 108 Boodjidup Road, Margaret River.

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 noted that the Structure Plan relevant to this proposal would be assessed under the relevant provisions of the Regulations 2015. It is also recognised 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 subdivision and development;
- Identification that subdivision with respect to Lots 105 and 112 will be subject to further investigation.
- The Structure Plan is silent with respect to lots 2, 106, and 110.

2.3.2 Scheme Amendment No.58

In accordance with section 87 of the *Planning and Development Act 2005* the Minister for Planning approved the Shire of Augusta Margaret River Local Planning Scheme Amendment No. 58 on the 4th August 2020. This will allow for further subdivision to be guided by the Structure Plan in accordance with the provisions under Schedule 7 ‘RR-38’ of the Scheme.

The following was inserted into Schedule 7 -

R-R38	Lots 1, 2, 4, 101, 102 & 103 Exmoor Drive; Lots 3, 112 & 113 Brumby Place; Lot 110 & 111 Waller Place; Lots 104, 105, 106, 107 & 108	1. The local government will not support any proposal to re-subdivide the land until such time as a Structure Plan has been prepared and adopted for the land in accordance with the Scheme or subsequent Structure Plan approved by the Western Australian Planning
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	Boodjidup Road.	<p>Commission, in accordance with the processes set out in part 4 of the deemed provisions.</p> <p>2. Notwithstanding the provisions of Clause 4.21 of the Scheme, the average lot size for any re-subdivision of the land shall not be less than 1hectare.</p>
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Amending the Scheme map to designate Lots 1, 2, 4, 101, 102 & 103 Exmoor Drive; Lots 3, 112 & 113 Brumby Place; Lots 110 & 111 Waller Place; and Lots 104, 105, 106, 107 & 108 Boodjidup Road, Margaret River as Rural Residential ‘RR-38’.

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

The subject lots are zoned Rural Residential under LPS No.1 and 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 7 “Special Provisions for the Rural Residential Zone” lists the mechanisms for land zoned Rural Residential to incorporate special provisions addressing matters relevant to individual sites and providing subdivision and development controls. It is common for these provisions to refer 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.

The changes required to LPS1 to incorporate appropriate zoning provisions supporting future subdivision of the sites are included at 2.3.2 above.

Given the location of the site, the uncomplicated nature of development and the guidance of the Structure Plan, most of ongoing development and subdivision elements are adequately dealt with by the provisions

of the Scheme relevant to the Rural Residential zone. The above referred provisions are 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:

- "a) To limit the extent of land set aside for Rural Residential use to that consistent with the objectives and policies of the LNRSP;*
- b) To recognise that the conservation of the physical, environmental and landscape characteristics of the land is paramount;*
- c) 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;*
- d) To facilitate the conservation of native vegetation and to promote re-vegetation with suitable indigenous species consistent with sound bushfire management practices; and*
- e) 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 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.

Sub-clause 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 7 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 although 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 dictates that an area of 1000m² would be needed; this is readily achievable on the proposed lots.

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 7. 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. The LPS promotes better use of land already committed for Rural Residential with clustered forms of development encouraged to:

- minimise the environmental footprint
- provide for proper fire management planning
- consider retention of landscape values and;
- allow rural pursuits where appropriate.

The strategy outlines that a typical density of one lot per hectare will be considered subject to environmental, landscaping and amenity considerations. Very minor variations to the 1ha lot size are commonly permitted as shown on the structure plan with inconsequential areas of shortfall. 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 portion of the site fronting Boodjidup Road is within Visual Management Area A where developments or changes in use should be invident. While changes may occur, development or change of use should be in a similar form, scale and pattern to existing landscapes.

There are three proposed building envelopes for new lots along Boodjidup Road. These building envelopes are either generally secluded or proposed to be screened with vegetation. It should also be noted that a dwelling will usually be evident but not obvious within Rural Residential lots.

The balance of the subject land is within Visual Management Area B where the LPS proposes that developments or changes in use may be visually apparent but should nevertheless be subordinate to established landscape patterns. Introduced visual elements may be apparent in the landscape but should not be visually dominant.

The existing landscape pattern of the portion of the subject land classified as Visual Management Area B in the LPS, is one of typical rural residential land uses. This includes treed areas, punctuated by dwellings, internal cleared open space and outbuildings. The proposed lots will not alter this landscape pattern; at the density of 1ha lots, the openness and rural residential nature of the area will remain. Additionally, the selection of building envelopes will dictate minimal visual intrusion into the streetscape and broader vistas.

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

“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 to be in evident 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.*

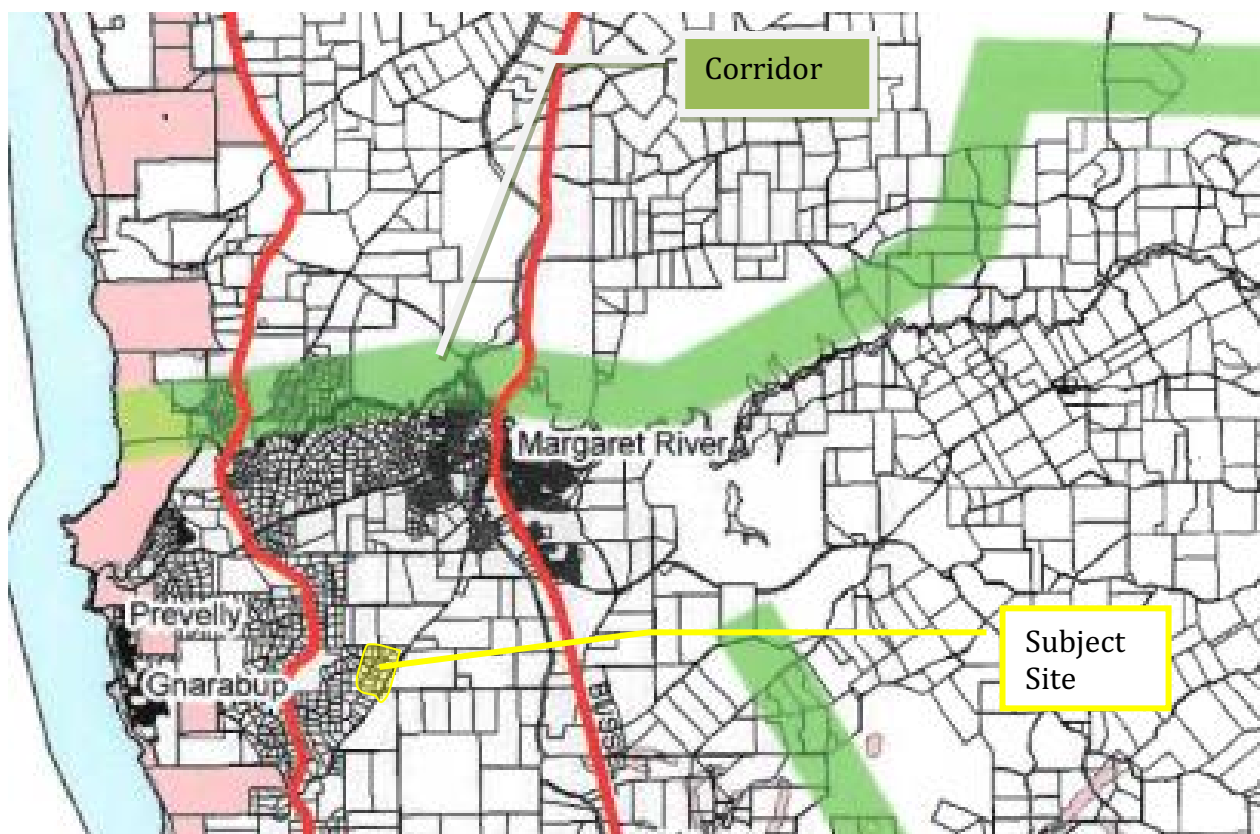
The proposal can be considered consistent with the locational criteria for the following reasons:

- The subject lots are generally not significantly vegetated. The majority of vegetation that currently 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; 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 3 below, is not within an environmental corridor.

Figure 3 - Environmental Corridor locations



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 site is also easily accessible from the public road network not a one way in and out situation in respect to emergency services. The Shire promotes emergency access ways to be on private lots protected by easement as is proposed by the Bushfire Management Plan.

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.

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 unlikely. 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 Exmoor Drive precinct was not identified as having any major constraints and this provided impetus to move forward with the proposal.

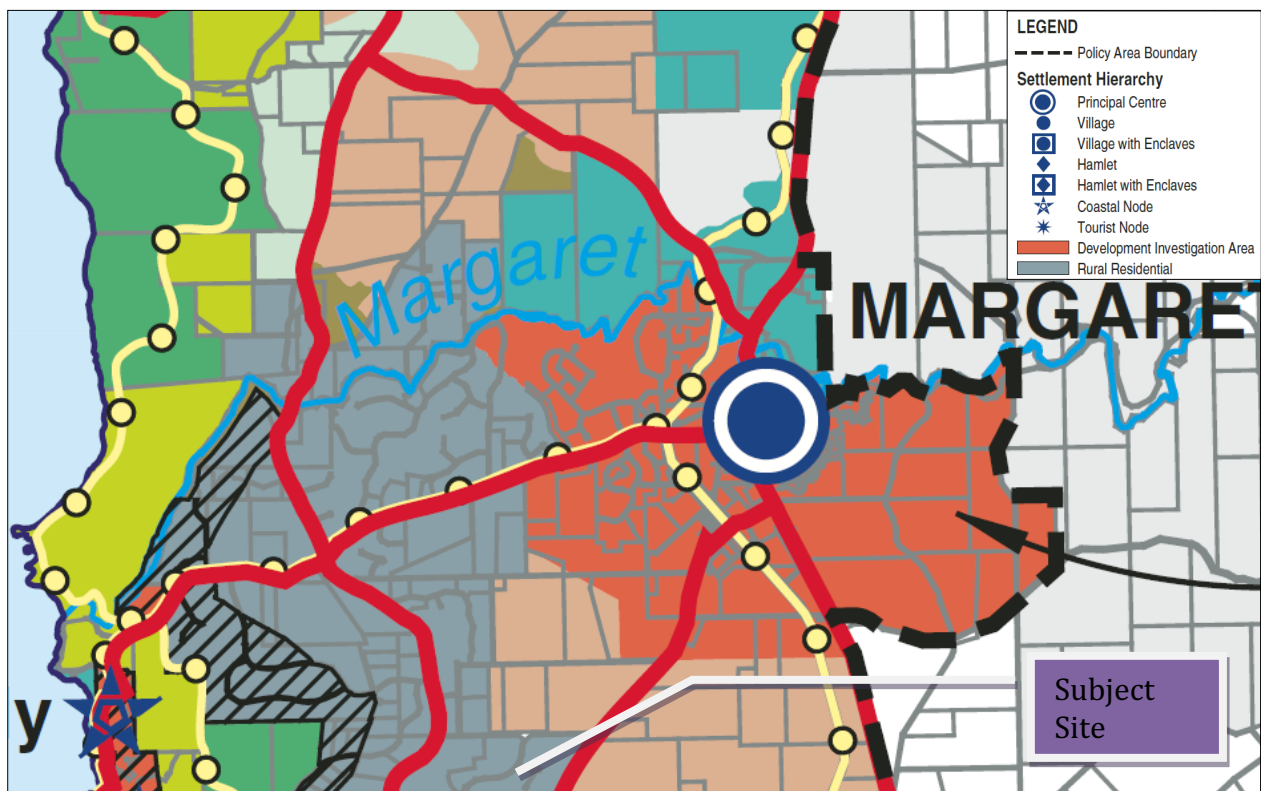
The above appreciation therefore demonstrates the proposal has strong regard for the Local Planning Strategy objectives.

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 4 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.”*

Figure 4 – 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. Also, there have been extensive areas of re-subdivision within the Kevill Road

area, north of Walcliffe Road. It should also be noted that one hectare lots exist in these areas. 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 the Kevill Road area 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;*
- *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 building envelopes being situated in obvious cleared areas and clustered together where sensible. Some additional landscaping to improve amenity and screening 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.

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 2ha to 4ha, most lots are only proposed to be subdivided into two and therefore a lower density that has been previously been permitted 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.

The Local Planning Scheme and Local Planning Strategy refer 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 to support the proposal. The details of this are included at Appendix B and is examined in a later Section 2.6.5 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.

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 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 5 below.

As documented previously, this part of the locality was predominantly cleared in the past and used for farming purposes, particularly grazing. As such, much of the vegetation within the area has been planted by the original subdivider and subsequent landowners. Areas to the south and west are more densely vegetated with remnant and therefore require more careful consideration prior to subdivision as a result.

Most of the subject lots are two to three hectares in area however those lots fronting Boodjidup Road are generally four hectares in area.

The characteristics of the site are evident within the aerial photograph contained at Figure 5 below.

Figure 5 – Aerial photograph - 2013

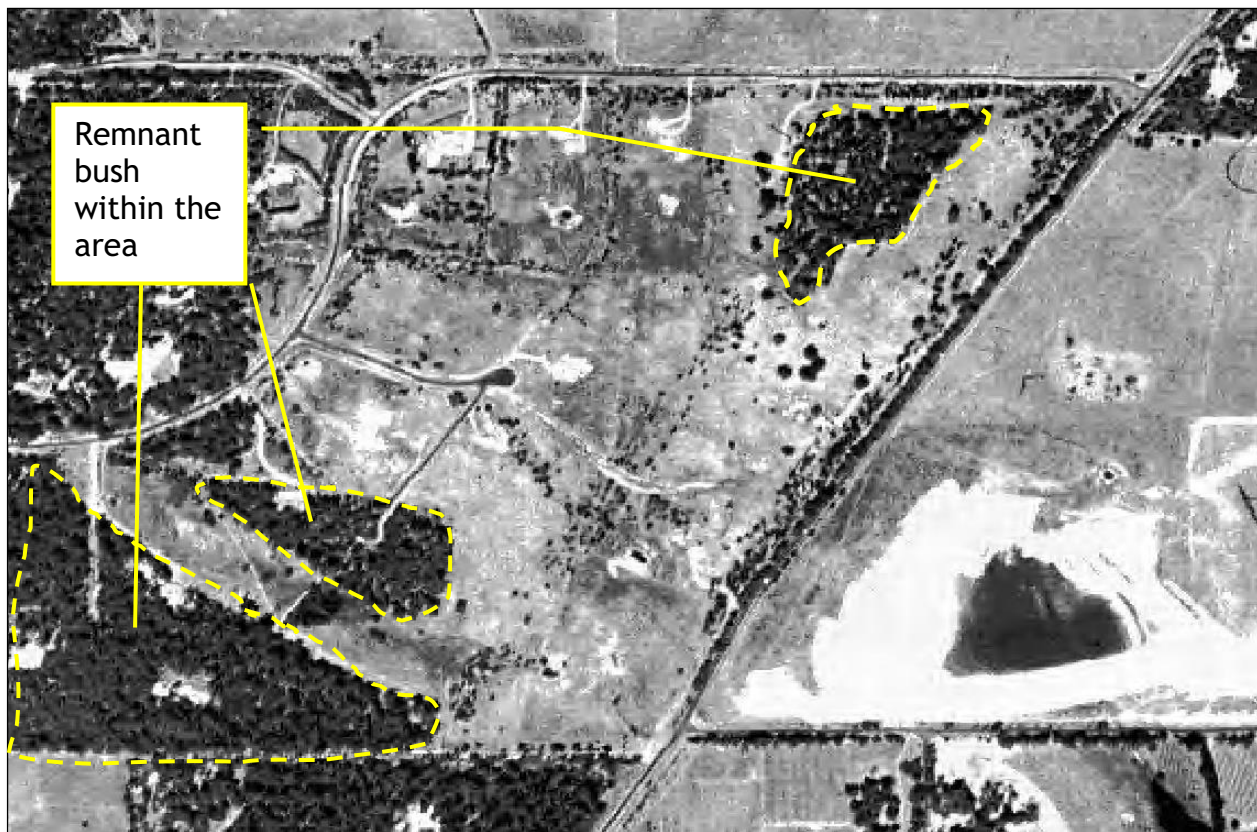


Source: Landgate

As can be viewed at Figure 5 above, the subject area contains extensive sections of cleared pastures and landscaping and tree buffers are evident particularly around boundaries and dwelling sites.

Some remnant vegetation pockets exist notably in the north-east corner and to the south. These are evident from a review of an aerial photograph of the area from 1996 at Figure 6 below.

Figure 6 - Aerial Photograph – 1996



Source : Landgate

Also evident in the 2013 aerial photograph is the location of dwellings located within the subject site and this indicates that all lots the subject of the proposal contain an existing dwelling. From a comparison it is evident what is native bush and the fact that the original subdivision of the area occurred prior to the vineyards to the north and east.

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 Lehman) of Eco Logic Environmental Services was commissioned to undertake this and a report documenting findings is attached.

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

The investigation included a desktop assessment considering relevant government documentation, the soil and landform description of the study area, reconnaissance for flora and vegetation assessment description of mapping of vegetation units, consideration of the location of threatened species or priority species, mapping of the locations of flora and vegetation communities and documenting results of the recommendations on management.

The investigation identified a total of 16 discreet native vegetation types in May 2018. All but one of the vegetation types were considered to be either completely degraded or in degraded condition or garden planting. Only one section of open forest within the study area was considered to be in very good condition and this is obviously reflective of the previous generally cleared status of the area. The vegetation in very good condition was located on Lot 102 on the eastern side of the existing house. The report suggested if any clearing is required on the eastern side of this house a targeted spring flora survey is recommended to check any conservation significance such as threatened orchids. It should be noted that this existing house is not a product of the structure plan and the potential query regarding checking for orchids is a matter that the Structure Plan will cause as a benefit not previously necessary. The report documents that threatened ecological communities and priority ecological communities were not identified within the area and a total of 46 flora species from 41 families were recorded including 21 native species and 26 introduced species. No threatened declared rare species were recorded in the study area and it is considered unlikely that significant threatened flora would be present. Small pockets of vegetation within Lots 102, 108 and 110 may contain species of conservation significance and a targeted spring flora could review this.

Conclusions are that proposed access ways, building envelopes and new building envelopes confirm that the majority of vegetation is completely degraded or parkland cleared. The only vegetation in very good condition is within Lot 102 which should be the subject of a targeted spring flora survey if clearing is to occur and vegetation types in the study area do not appear to be representative of threatened ecological communities or protected ecological communities. Further, the caves of the Leeuwin Naturaliste Ridge TEC were not recorded in the study area. No threatened declared rare species were identified and given the

disturbed nature and degraded condition of the majority of the study area it is unlikely that other species will be identified such as orchids.

Recommendations are if vegetation within Lot 102, 108 and 110 are to be impacted by development then a spring survey should be undertaken.

Whilst the existing dwelling on Lot 102 appears to have adequate low fuel zone in place and therefore would not invoke any impact on the vegetation and likewise vegetation within Lot 108 could be checked in the fringe adjacent to the building envelope within proposed Lot 212 and 213. A spring survey is therefore to be arranged for these pockets for surety in spring.

Checking of vegetation within Lot 110 Waler Place is not appropriate as it is not within the Structure Plan area.

2.6.2.1 Targeted Spring Survey 2018

Given the above comments at Section 2.6.2 the Shire required a flora and vegetation assessment to be conducted at spring time and this was undertaken by Eco Logic Environmental Services Pty Ltd. The report is dated 19th October 2018 and is included as an appendix along with the original investigation.

The addendum report resulting in spring time investigations was to take into account proposed building envelopes, fire management buffers, proposed access ways and battleaxes and emergency access ways. The initial assessment was conducted in May 2018 and the follow up targeted spring flora assessment was conducted on 10th October 2018. This was considered to be an adequate time to conduct such a spring survey. All proposed development areas were systematically traversed searching 5 metres either side of the walked transect.

The results of the spring survey were that no threatened declared rare species under section 23(f) of the Western Australian Wildlife Conservation Act 1950 or under the Commonwealth Environmental Protection Biodiversity Act 1999 (EPBC) were recorded within the study area during the assessment. In addition, no Department of Biodiversity, Conservation and Attractions priority listed species were recorded. It was noted that common orchid species were observed.

The conclusion of the spring flora assessment was that this was conducted at the optimal period to identify ephemeral species such as orchids and significant flora in the area. Given the methodology and results the report concluded that it is considered the proposed development footprint will not impact on conservation significant flora in the area.

It should be noted that this investigation included the consideration of the emergency access way connection across to Boodjidup Road but notwithstanding this, the emergency access way was removed from the plan.

2.6.3 Fauna Assessment

A fauna assessment was undertaken over the subject site in June 2018 by Greg Harewood (zoologist). The report documenting the findings is included at Appendix D. The scope of works included a Level 1 fauna survey and this included data base searches, consideration of previous fauna surveys in the area and reviewing publications, undertaking site surveys including fauna habitat, opportunistic fauna investigations and assessment particularly for Western Ring Tailed Possum and Black Cockatoo existence and habitat. The report recognised that most fauna habitats present within the subject site are represented by a mosaic of:

“Degraded/completely degraded areas of totally cleared land or areas of planted indemnic and non-indemnic trees and shrubs. Intact areas of continuous native remnant vegetation are limited primarily to the western half of Lots 103 and 104 and the majority of Lot 108. This habitat comprises marri and jarrah woodland over shrub land of various species.”

Following a detailed investigation, species of interest that were identified as potentially impacted included the three species of Black Cockatoo however impacts were considered to be negligible. This is particularly given the existence of larger trees that may provide habitat could be avoided by future development which is generally contained to cleared areas. It should be noted that larger trees can be retained within low fuel zones and therefore potential impact on habitat can be avoided. Impact on other species such as Phascagale or Quenda was also considered to be negligible although such species were not identified in the survey on site.

Two individual Ring Tailed Possums were identified in the survey and it was identified there could be potential for localised modification/loss off very small areas of possible habitat and management would be advised with respect to this. The proposal is unlikely to impact such habitat but a management plan could be developed to ensure this. Western Pipistrelle was also indicated as a possibility in the area but any impact was deemed negligible.

The recommendations of the report are therefore that planning should aim to avoid clearing vegetation as much as possible which is the case with low fuel zones able to protect habitat trees. Peppermint trees are also generally avoided. The report recommends a strategy to implement a fauna management plan specifically aimed at minimising potential impact on Western Ring Tailed Possums given two individuals were observed within the area however, it should be noted that the location of these individuals were outside building envelopes and low fuel zones can retain habitat trees. The recommendation for a fauna management plan given the findings is common practice and has been employed with respect to another recent proposal.

The findings of the report also indicate the importance of protecting large habitat trees again which is the intent of the proposal and the location of these are again in situations where such trees can be retained within the low fuel zone and avoided by driveways.

The results of the report therefore include a recommendation to include a plan notation to state the following:

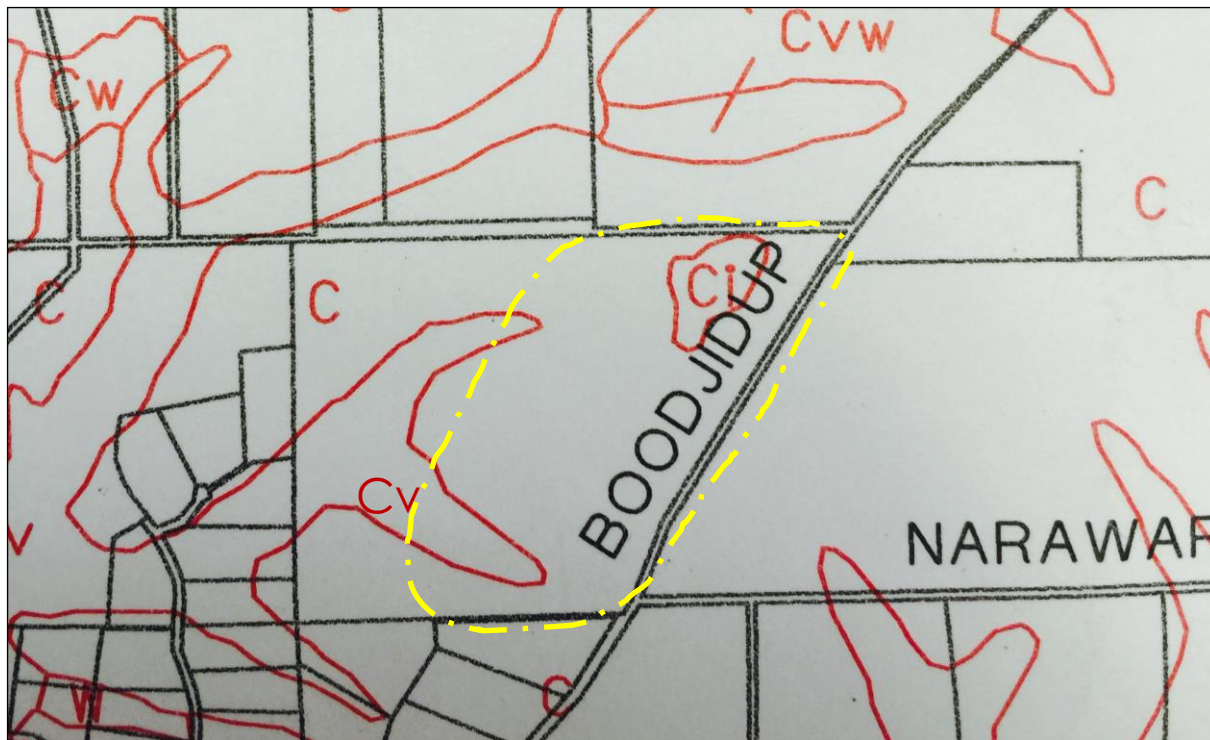
“Subdivision is to be conditional upon preparation and implementation of a Fauna Management Plan”.

This is the same application as has been applied at the Doyle Place Structure Plan where similar considerations applied.

2.6.4 Landform and Soils

The soils of the area are of the Cowaramup Uplands land systems as documented by Tille and Lantzke in the Agriculture WA Land Capability Assessment 1990. An excerpt from the mapping within this document is provided at Figure 7 below.

Figure 7 – Excerpt Tille and Lantszke Land Capability Mapping (1990)



Source: Ag WA 1990

As can be viewed in Figure 7 above the area contains predominantly soils of the Cowaramup Flats and Gentle Slopes classification. There is a very small section of Cowaramup Ironstone Flats which is in the north east of the subject area and this is essentially vegetated. In addition, some soils of the Cowaramup Vales classification exists in the west of the area but again this is generally vegetated within creekline system areas and not influenced by the proposal.

As such, most of the subdivision is proposed to occur within the Cowaramup Flats and Gentle Slopes area which contains soils generally of the Gravelly Duplex (Forest Grove) and Pale Grey Mottled (Mungite) soils.

Appendix 3 of the report outlines physical limitations for housing on small rural lots and for the Cowaramup Flats and Gentle Slopes classifications there are only moderate limitations for soil absorption and minor limitations for trafficability.

It should be noted that significant areas of Rural Residential subdivision particularly to a minimum lot size of one hectare and urban development has occurred within the Cowaramup Flats and Gentle Slopes classification areas. This demonstrates that geotechnically and from an effluent disposal capability perspective that the soil classifications do not create any major concerns.

2.6.5 Bushfire Hazard

A Bushfire Management Plan has been prepared support the proposed consolidation of this area and can be viewed at Attachment 2. Figure 8 below shows the BMP extract. The plan clearly demonstrates that all proposed building envelopes are located within areas rated BAL 29 or below. The BMP includes a new Emergency Access Way (EAW) network shown as a dashed line in Figure 8. The Shire promotes allocation of EAW's in private land protected by easement and so this method is utilised. The following table outlines the aspects required to be implemented at the subdivision stage.

Table 5: Bushfire compliance table

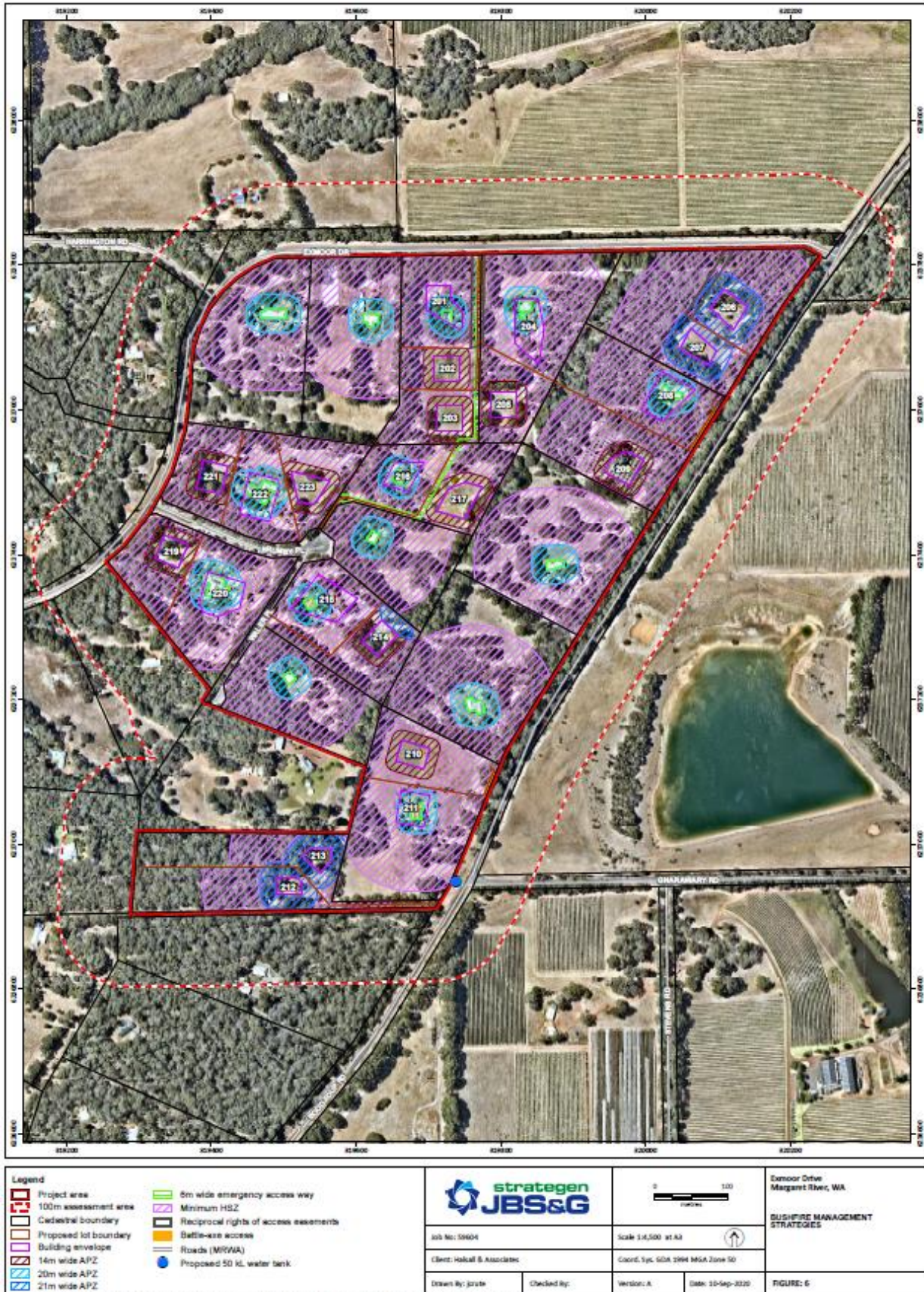
Reference	Action	Timing	Responsibility
BMP 1a (refer to Section 3.1.1)	Create and maintain APZs around building sites to achieve exclusion Clause 2.2.3.2 (f) of AS 3959 and in accordance with Schedule 1 of the Guidelines	Prior to construction of buildings, ongoing thereafter (all year round)	Developer or landowner during development, landowners thereafter
BMP 1b (refer to Section 3.1.1)	If deemed to be required, notification on title is to be placed on Lots 202, 206, 207, 212, 213, 221, 222 and 223 to address establishment and maintenance of overlapping/cross-boundary APZs	On issue of titles (to be confirmed at subdivision stage)	Developer
BMP 1c (refer to Section 3.1.2)	Create and maintain HSZs around APZs to achieve 8 t/ha within bushland fuels all year	Prior to construction of buildings, ongoing thereafter (all year round)	Developer or landowner during development, landowners thereafter
BMP 2a (refer to Section 3.2)	Construct buildings in accordance with AS 3959, either in accordance with this BMP or future reassessment of the BAL to support the building permit stage	At building construction	Landowners / builder
BMP 3a (refer to Section 3.3.1)	Provide emergency access ways as right of way or public access easements in gross with sign posting and any gates unlocked	Following subdivision approval and prior to building construction	Developer or landowner
BMP 3b (refer to Section 3.3.1)	All private driveways longer than 50 m to include: <ul style="list-style-type: none"> • passing bays at every 200 m with a minimum length of 20 m and a minimum width of 2 m (i.e. combined width of the passing bay and constructed drive way to be a minimum 6 m • turn-around areas designed to accommodate type 3.4 fire appliances and to enable them to turn around safely every 500 m (i.e. kerb to kerb 17.5 m) • any bridges or culverts are able to support a minimum weight capacity of 15 tonnes • all-weather surface (i.e. compacted gravel, limestone or sealed). 	Prior to building construction	Developer or landowner
BMP 3c (refer to Section 3.3.1)	Construct battle-axes, private driveways longer than 50 m and emergency access ways in accordance with subdivision approval and relevant technical requirements of the Guidelines	Prior to building construction	Developer or landowner
BMP 3d (refer to Section 3.3.2)	Construct and maintain perimeter lot firebreaks in accordance with the Shire of Augusta-Margaret River annual firebreak notice	Construction following subdivision approval, maintenance ongoing as required	Developer until lot sale, landowners thereafter
BMP 4a (refer to Section 3.4)	Construct and maintain 135 kL rainwater tanks at each dwelling and associated emergency water supply infrastructure	Prior to building construction	Developer or landowner
BMP 4b (refer to Section 3.4)	Construct and maintain 50 kL dedicated firefighting water tank within Boodjidup Drive road reserve	Construction following subdivision approval, maintenance ongoing as required	Developer to construct, Shire to maintain thereafter
BMP 5a (refer to Section 3.5)	Place notification on the Certificates of Title of all proposed lots	At creation of Title	Developer

Reference	Action	Timing	Responsibility
BMP 5b (refer to Section 3.5)	Reassess BALs for proposed buildings to inform individual building permit applications	At the discretion of the Shire or if any changes occur to the location/siting of buildings and/or vegetation class extent which may result in a different BAL being achieved	Developer prior to lot sale or landowner following lot purchase
BMP 5c (refer to Section 3.5)	Undertake ongoing fuel management within existing cleared grassland areas within residential lots to achieve exclusion Clause 2.2.3.2 (f) of AS 3959	Ongoing, all year	Developer or landowner during development, landowners thereafter

Proposed Structure Plan

Lots 3, 4, 111, 112 and 113 Brumby Place; Lots 1, 101 and 102 Exmoor Drive; and
 Lots 103, 104, 105, 107 and 108 Boodjidup Road, Margaret River

Figure 8 – Bushfire Management Strategies Plan



Document Path: W:\Projects\122\Halsall & Associates\2020 Advice and RMP Review\Site area Margaret River\5454\59604\02\010\04\002_Rev_02\0401_07_SF_Measures.mxd

2.6.6 Servicing

The subject area is currently serviced with an overhead power supply from the road networks. Underground connections can be extended to new lots with pillars in style at appropriate locations at subdivision. Similarly, telecommunication services can easily be extended.

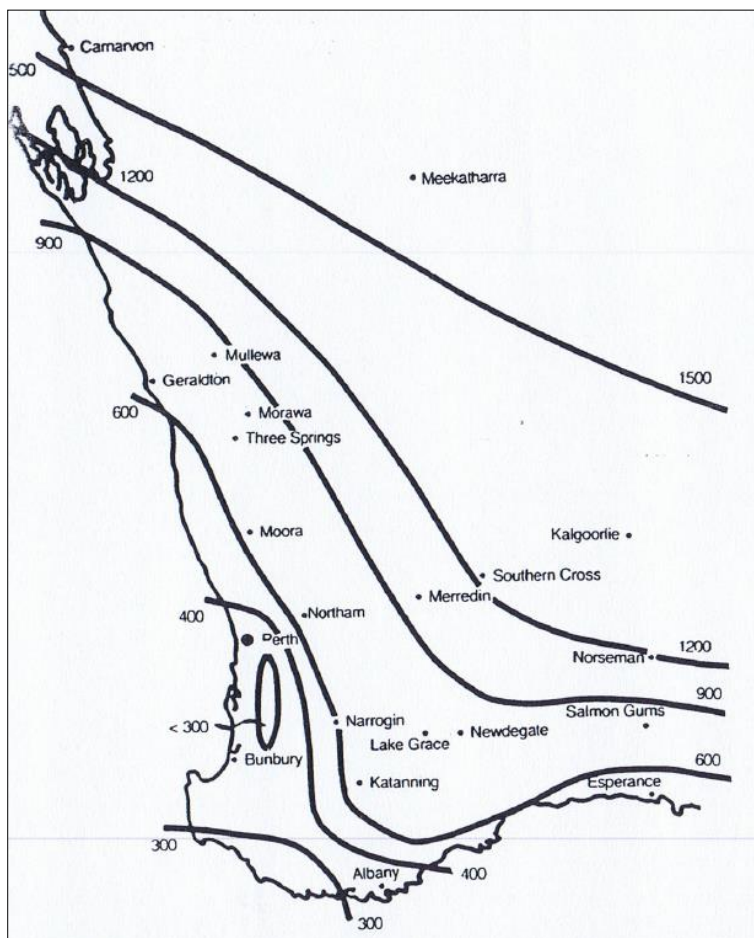
As previously included, water supply is to be provided to each dwelling as is currently the case by installation of a water tank. It is noted that under Clause 4.22.6(f) of the Scheme that *“each dwelling must have a water storage tank as required by Clause 5.22”*. This is so that a dwelling is provided with the minimum capacity of 135,000 litres. Further, *“a roof catchment area of no less than 200m² inclusive of any outbuildings connected to the domestic water storage tank, unless connected to a reticulated scheme water supply”*.

In addition to the above Scheme requirement an analysis of advice from the Western Australian Department of Agriculture has also been undertaken.

Farm Note 84/90 advises that typical house water needs were determined following a detailed survey showed that the average daily in house water use was 150 litres per person per day. Average daily use during February was also generally 20% more than in August. For water supply design purposes, a water demand can be assumed to be within the range of 110 to 180 litres per person per day. The study also indicated that the water use per person decreased as the number of people in the household increased.

The information indicates that in order to provide 600 litres per day for the Margaret River area approximately 300m² of roof catchment is required to supply 90,000 litres of water tank volume in order to have 98% reliability. Given the scheme requires 135,000 litre water tank and a 200m² catchment as required by the scheme this must have been determined as acceptable. Diagrams from Farm Note 84/90 illustrating tank sizes and roof catchment is provided at Figure 9 below for information purposes.

Figure 9 – Water tank supply information



Indicates roof catchment required to support 90,000 litre tank and household requirements

Source: Farmnote No. 84/90 WADA: Source: AgWA

The above information and that contained within the Scheme demonstrates that on site water supply can be sufficient in such situations. It is also noted that the Scheme considered provisions of additional water tank volume for firefighting purposes.

Recent decisions by the Shire and the WAPC have permitted re-subdivision of Rural Residential without the expansion of reticulated water supply. Notable examples of this include at Kevill Road, Margaret River. There are probably two reasons for this flexibility being exercised and the first would be in the interests of sustainability. The second would be due to the fact that the Scheme and available information demonstrates that adequate on site supplies can be obtained from water tanks and roof catchment given the average rainfall of the Margaret River area.

In relation to effluent disposal, it should be noted that the Water Corporation's sewerage system is not located within reasonable proximity. In addition, it is very uncommon for Rural Residential developments to be supplied with such a service. As such it is important for any proposal to demonstrate capability for onsite effluent disposal. In this regard, the existing dwellings in the area and the fact that the soil characteristics are the generally the same for the entire area provides evidence that the site is capable of additional on-site effluent disposal.

To assess the land capability attributes of the area a report was produced by Eco Waste Water Solutions. This was undertaken in May 2018 and further follow up on groundwater conditions occurred after the peak winter rains (see 2.6.6.1 below). The report documents the lots involved and test pits were dug within the vicinity of building envelopes identified within the areas identified on the Structure Plan. The report documents the land characteristics, generally hydrology, climate and vegetation.

A site effluent capability assessment methodology includes assessment of the test pits and consideration of soil content, depth to groundwater table, phosphorous retention index (which was generally very good), proximity to streams/water bodies, depth to rock or imperious clay and other wastewater considerations.

The report concludes that based on all of the facts considered it is concluded that *"the subject site is suitable for onsite domestic wastewater management"*. None of the test pits and therefore proposed building envelopes exhibited major concerns.

The report did qualify that check of depth to groundwater will be undertaken at the wettest time of the year and PVC pipes were left within test pits for this purpose. See section 2.6.6.1 below.

Recommendations are that each site be identified for septic tanks and leach drains unless groundwater table investigations at the wettest time of the year prove that a particular site should be more suited to an ATU. This will be a supplementary report to follow in due course and will become an appendix to the land capability assessment. A copy of the land capability assessment report is attached to this document at Appendix 5.

Servicing of the area as outlined above can be considered acceptable and generally consistent with recent decisions of the Shire and the Western Australian Planning Commission.

2.6.6.1 Winter Wet Investigations

Following on from the original investigations conducted with respect to effluent disposal capability by Eco Wastewater Solutions a further investigation of the area was conducted on 24th August 2018 and again on 14th September 2018. Within these investigations depth to groundwater was tested and it was noted the table had risen across the area in several instances. The GPS coordinates and mapping locations of test pits are provided within the supplementary support included in the appendix to this documentation.

The conclusions of the report stated that in the majority of test pits a sufficient depth to groundwater exists for successful effluent disposal. A relatively high water table found in some areas will require effluent to be treated to a suitable standard prior to land application effluent disposal to minimise potential environmental risk. The report also states *“it should also be noted that the findings of these reports are general in nature and lot specific site and soil evaluation should be carried out prior to any development, to determine the most suitable method of wastewater treatment and the most suitable location for land application effluent disposal of each lot”*.

The follow up report serves to further inform the effluent disposal capability justification for subdivision of the area.

2.6.7 Buffers from Agriculture

As documented previously within this report (and evident from a review of Figures 1, 2 and 5), it should be noted there is intensive agricultural pursuits to the north and east of the area. Notwithstanding this, when those uses were established the Shire required landscape buffers to be established to protect the amenity of existing Rural Residential to the south and west respectively. The area was therefore protected from such uses with buffers because the rural residential (and envelopes) use pre-dated the intensive agriculture. In addition to this, it is noted that the subdividers of the subject area were also required to implement landscape buffers along the northern and eastern extents again to provide a level of separation from preceding agricultural pursuits and the public road network.

The proposal does incorporate introduction of additional dwellings however all of these are in building envelopes which are located a greater distance from intensive agricultural uses than the existing dwellings. This is purposeful because it therefore demonstrates there are no additional issues being introduced by the proposal that require assessment in relation to adequate buffers from agriculture. Obviously the location

of existing development from agricultural pursuits has been considered when the development occurred and when agriculture was introduced to the north and east. It should be noted that vineyards to the north and east were established after the original Rural Residential. Due consideration to separation from agriculture has therefore been given in the past and the separation distances proposed within this proposal are therefore in excess and should be likewise considered appropriate. Provisions in the Scheme also indicate the minimum buffer should be 40 metres with 20 metres of planting which is far exceeded by the proposal.

2.6.8 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.

2.6.9 Coast and Foreshores

The subject site is not located near the coast or a river foreshore.

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.

Proposed Structure Plan

Lots 3, 4, 111, 112 and 113 Brumby Place; Lots 1, 101 and 102 Exmoor Drive; and

Lots 103, 104, 105, 107 and 108 Boodjidup Road, Margaret River.

There are several issues in terms of the future development of the site including consideration of effluent disposal, fire management, flora/fauna, 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.

PART 3 - TECHNICAL APPENDICES INDEX

Appendix No.	Document Title	Date of Document	Referral/approval agency	Summary of documentation modifications
A	Structure Plan	August 2020		
B	Bushfire Management Plan	September 2020		
C	Flora Investigation and Spring Survey	June 2018 October 2018		
D	Fauna Investigation	June 2018		
E	Land Capability Investigation and Winter Wet Investigation	May 2018 Nov 2018		