

OUTLINE DEVELOPMENT PLAN



LOTS 25, 770 AND 9002, PINK LAKE WEST SHIRE OF ESPERANCE

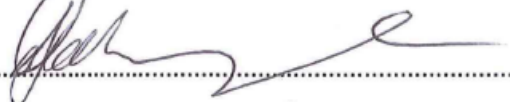
Number ESPE/2015/1

This Structure Plan (Number ESPE/2015/1) is prepared under the provisions of the Shire of Esperance Local Planning Scheme No 23.

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

9 March 2016.....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:


.....Witness

9 March 2016.....Date

9 MARCH 2026.....Date of Expiry

NEW EXPIRY DATE: 19 OCTOBER 2027

Modifications

Modification No.	Description of Modification	Date Endorsed by Council	Date endorsed by WAPC

EXECUTIVE SUMMARY

The Pink Lake West Outline Development Plan covers Lots 25 Keenan Road, 770 Spencer Road and 9002 Eleven Mile Beach Road, Esperance. The site is located 12km west of the Esperance town centre, north west of Pink Lake (also known as Spencer Lake).

The subject land is within in Precinct 24 - Pink Lake West of the Shire of Esperance Local Planning Strategy (ELPS) which is the focus for Rural Residential development. The Outline Development Plan (ODP) for Pink Lake West provides the framework for incremental subdivision and development of 237 Rural Living lots ranging from 1 to 4.3ha.

The ODP responds to the site characteristics and the identified constraints and opportunities. The road layout and lot configuration take account of topography, vegetation, proximity to Pink lake and the need for protection of the groundwater resource. The proposal gives due consideration to fire safety, flora protection, amenity, land capability, effluent disposal and servicing. The Plan provides for connectivity and linkages with adjoining and possible future subdivisions. The ODP allows for staged land release. The creation of Rural Living Lots adds to the variety of housing choice in and around Esperance and will help satisfy the demand associated with future population growth of the town.

This Outline Development Plan has been prepared in accordance with the Shire of Esperance Local Planning Strategy requirements. The term Outline Development Plan is the same as a 'Structure Plan' within contemporary planning terminology.

The ODP area is approximately 377ha in size. Lot 25 is 168.53ha and Lot 770 is 127.6ha. Lot 9002 is 80.467ha.

Item	Data	Structure Plan Ref. (section no.)
Total Area covered by the Structure Plan	376.6ha	2.1
Area of Rural Living land use	376.6ha	ODP
Total Estimated Lot Yield	237	ODP
Estimated number of new dwellings	233	3.1 (a)
Estimated population	513	@ 2.2 persons per household (ABS)

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PART ONE - IMPLEMENTATION

DEVELOPMENT REQUIREMENTS

Buildings are to be setback from lot boundaries as follows:
10m from internal subdivisional roads
50m from Spencer Road
7.5m from side and rear

Variations, if warranted due to the topography, lot shape, protection of vegetation and or site characteristics, may be considered at the discretion of Council.

Buildings, fences and tree removal are precluded within the Development Exclusion/Vegetation Protection Areas identified on the ODP.

On those lots containing areas of Ridge Line / Vegetation Retention, buildings, effluent disposal systems and 20m wide Building Protection Zones are to be confined to a Development Envelope of not more than 6000sqm. Unless previously designated and/or identified by survey the Development Envelope is to be determined on-site, at the time of development approval.

As scheme water is not available the proponent shall demonstrate at the development stage how they will supply their own water needs. Water storage tank/s of not less than 120kl are to be provided (as set out in Clause 5.18.1 of LPS23). Potable water may be sourced from rainwater harvesting, an approved underground bore or well [DoW Licensing requirements and limitations apply].

On-site effluent disposal shall be the responsibility of the individual landowner. For those lots identified on the ODP as possibly requiring ATUs or nutrient absorbing systems further on-site testing at the time of development may be warranted to determine the appropriate type and location of effluent disposal system and to verify minimum clearances to groundwater are achieved.

VEGETATION

50% of the vegetation is to be retained across the site in accordance with the Shire of Esperance Local Planning Strategy objectives for the precinct. The significant ridgelines function as green corridors and are to remain vegetated to protect from erosion of ridges. Clearing of vegetation is precluded from development exclusion areas. Development on remaining vegetated lots is to occur off the ridgelines to protect vegetation and to avoid the need for clearing of ridgelines as a result of fire protection measures for buildings. The pattern of subdivision of vegetated lots with ridgelines may be subject to change depending on detailed planning and design at that stage and compliance with avoiding development on ridgelines and minimising clearing for bushfire management. A local development plan will be required for the identified lots.

P2 Water Reserve / SCA 4

- 2ha minimum lot size.
- ATU's required.
- Keeping of livestock precluded.
- Part 6.8 of LPS 23 applies.
- WQPN no 25 is applicable.
- Relevant requirements of the Esperance Water Reserve Drinking Water Plan apply.

Indicative site only. Possible corner store / small scale business subject to development approval and compliance with relevant scheme and statutory requirements.

BASIC RAW MATERIALS

Ongoing operation of the small scale lime and sand pit will occur in the short to medium term. The subdivider shall re-contour and stabilise the sand extraction area in the southern portion of Lot 9002, prior to the transfer to a new owner.

BUSH FIRE SAFETY

The Bush Fire Hazard Assessment for the site is Moderate in accordance with 'Planning for Bush Fire Protection' Edition 2 2010 the ODP area is classified as Bush Fire Prone and as such 'Australian Standard 3959 Construction of Buildings in Bushfire Fire Prone Areas' will apply. A Bushfire Management Plan has been prepared for the ODP which prescribes building protection zones and hazard separation zones for the lots.

Possible future access links. Road reserve to be ceded at subdivision, timing and extent of construction subject to adjoining development.

The final design and layout of these lots will be subject to demonstrating to the capacity of the lots to accommodate the intended development and fire management requirements, particularly clearing and setbacks while avoiding development and clearing of ridgelines.

Buildings and Effluent Systems to be setback a minimum of 50m from Spencer Road. Landscape buffer to be provided along Spencer Road

LEGEND

	Subject Land		Ridge Line /Vegetation Area Retention
	Existing Lot Boundaries		Ridge Line Continuation
	Proposed Lot Boundaries		Indicative Corner Store / Deli
	Proposed Road Closure		Water Tank For Fire Fighting
	Spencer Road Setback		Road Connectors
	Existing Dwellings		House Sites Requiring Specific Fire Management Plans
	Existing Sheds		Priority 2 Water Supply
	Development Exclusion / Vegetation Protection Area		ATU's Required

ORIG A3
SCALE 1:15000
0 100 200 300 400 500

1 DESCRIPTION OF THE OUTLINE DEVELOPMENT PLAN AREA

The Pink Lake West Outline Development Plan (ODP) area comprises Lots 25 Keenan Road, 770 Spencer Road and 9002 Eleven Mile Beach Road, Esperance.

2. OPERATION

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

3. STAGING PLAN

An indicative staging plan is provided, nominating optional stages for subdivision. Stages 1 and 2 are likely to proceed immediately to take advantage of pre-existing electrical connections and services provided by the subdivider and frontage to constructed roads. The timing and land release of lots and the remaining stages will largely be driven by market forces. The subdivider will provide roads and power to individual lots and communal emergency water supplies in accordance with the Bush Fire Management Plan; there are no key infrastructure triggers.

4. SUBDIVISION AND DEVELOPMENT REQUIREMENTS

- i) The Shire of Esperance may request the Commission impose a condition at the time of subdivision requiring Notifications on Title regarding the absence of reticulated water and sewer.
- ii) The Shire of Esperance may request the Commission impose a condition at the time of subdivision requiring Notifications on Title regarding the Bush Fire Management Plan and AS3959 construction standards;
- iii) On-site effluent disposal shall be the responsibility of the individual landowner. The disposal of effluent shall be by way of an approved wastewater system installed and maintained in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, the Code of Practice for the Design Manufacture Installation and Operation of ATUs Serving Single Dwellings, all relevant statutes, Clause 67 (o) Part 9, Schedule 2 the Planning and Development (Local Planning Schemes) Regulations 2015 and Clause 5.14 of Shire of Esperance Local Planning Scheme No. 23 (LPS23).

- iv) For those lots identified on the ODP as possibly requiring ATUs or nutrient absorbing systems further on-site testing at the time of development may be warranted to determine the appropriate type and location of effluent disposal system and to verify minimum clearances to groundwater are achieved.
- v) As reticulated scheme water is not available, the proponent shall demonstrate at the time of development application how they will supply their own water needs, based on proposed roof/rainwater catchment area and storage capacity in accordance with Clause 5.13.5 of LPS23 or using the WAPC Rainwater calculator.
- vi) No dwelling shall be constructed and occupied unless it is connected to potable water supply with a minimum of 120kl storage capacity, or has an alternative that is acceptable to the local government. Proposals involving groundwater abstraction to provide for indoor and outdoor use may be referred to the Department of Water.
- vii) Future buildings and fire management requirements on individual lots shall generally be confined to Development Envelope of not more than 6000m² to minimise broad scale clearing of vegetation or development on sensitive ridgelines;
- viii) prospective purchasers are to be advised regarding restrictions on horses and stock on the lots;
- ix) All development, other than fencing, driveways and landscape screening is to be setback a minimum of 50m from the Spencer Road frontage of applicable Lots;
- x) A rehabilitation plan for the lime sand pit will be required prior to subdivision clearance of the subject lot.

5. ADDITIONAL INFORMATION

Basic Raw Materials

Ongoing operation of the small-scale lime and sand pit will occur in the short to medium term. The subdivider is to re-contour, stabilise and remediate the lime sand extraction area in the southern portion of Lot 9002, as a condition of subdivision, prior to the transfer to a new owner.

PART TWO – EXPLANATORY SECTION

1 INTRODUCTION

The purpose of this report is to provide background information in support of the proposed Outline Development Plan (ODP) for Lots 25 Keenan Road, 770 Spencer Road and 9002 Eleven Mile Beach Road, Esperance.

The subject land is within in Precinct 24 - Pink Lake West of the Shire of Esperance Local Planning Strategy (ELPS). This proposal is in accordance with the ELPS, and is consistent with decisions by the Council for the Shire of Esperance and the Western Australian Planning Commission (WAPC) to support Rural Living developments, rezoning and subdivisions in the immediate vicinity.

Lots 25, 770 and 9002 are zoned Rural Residential under the Shire of Esperance Local Planning Scheme No. 23 (LPS23). The Scheme Maps show the subject land to be within Special Control Area 5 - Wetlands of Significance and Lake Warden Recovery Catchment. The southern portion of the site is also identified on the Scheme Maps as being within Special Control Area 4 P2 - Public Drinking Water Source Protection Area.

Subdivision of the land can only occur once an ODP has been prepared for the property. This report provides the planning context and rationale for the accompanying ODP which responds to the opportunities and constraints of the site.

This ODP has been prepared in response to the site characteristics including vegetation, topography and proximity to Pink Lake. Lot sizes across the site range from 1 through to 4 ha, taking account of the identified management issues and the need to ensure protection of the nearby wetlands and the groundwater resource.

2 BACKGROUND

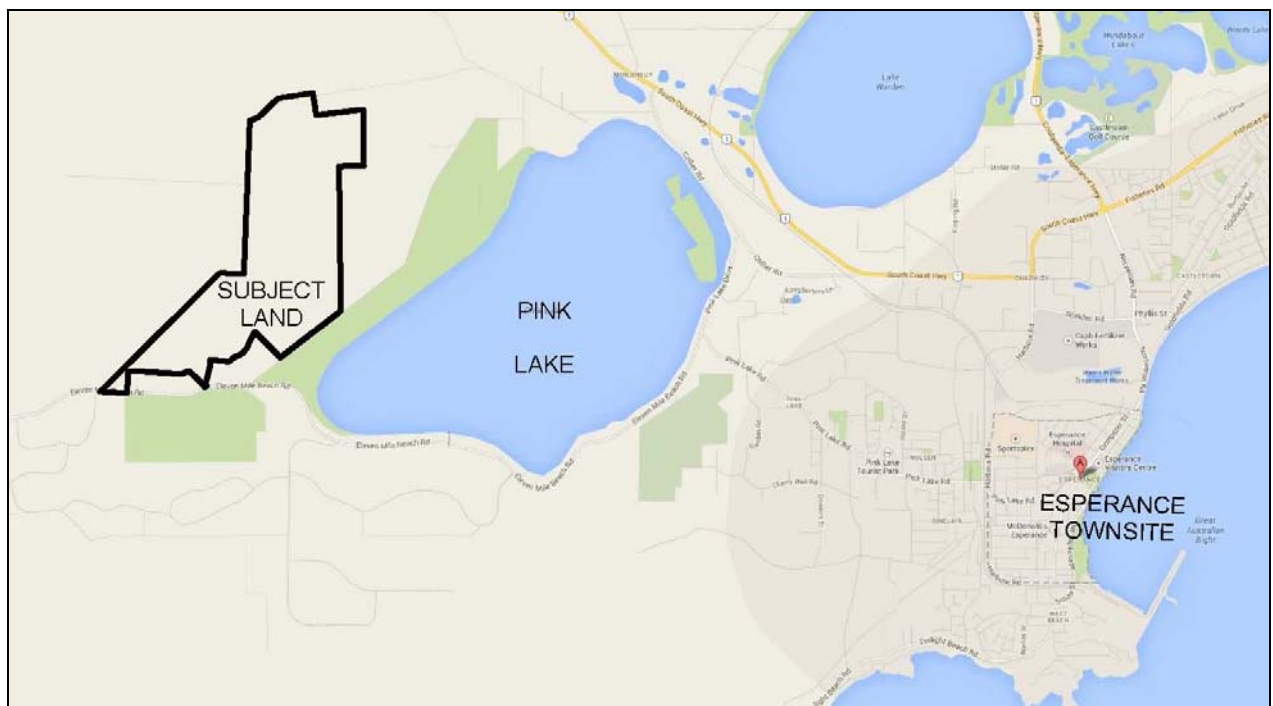
2.1 Location & Area

The subject site is located 12km west of the Esperance town centre, north west of Pink Lake (also known as Spencer Lake).

Lot 25 has frontage to Keenan Road along its western and northern boundaries. Lot 770 is bounded by Keenan Road to the north west and Spencer Road to the south east. Lot 9002 is bounded by Keenan Road along the full length of the north west boundary. It has frontage to Eleven Mile Beach Road at two points; a battle-axe leg providing access to the main dwelling and 265m along the southern boundary.

Eleven Mile Beach Road is sealed and connects east to Esperance. Keenan Road is constructed to gravel standard. Spencer Road is partially constructed.

The subject site is 376.6 ha in size. Lot 25 is 168.53ha and Lot 770 is 127.6ha. Lot 9002 is the balance of land from a previous subdivision and is 80.467ha. Nine 5-6ha Rural Living lots were excised from the original land holding.



Location Plan

2.2 Site Description and Adjoining Uses

The site comprises undulating dune ridges with intervening pastured swales on stabilised calcerous sands. The property has been cleared and developed for rural purposes, predominantly livestock grazing. Remnant vegetation remains on the main ridges and there are areas of regrowth. Extensive planting of Karri (*Eucalyptus diversicolor*), Red flowering yellow gum - *Eucalyptus Leucoxylon Rosea* or Large-fruited Yellow Gum (*Eucalyptus Leucoxilyn* ssp. *Megalocarpa*) and WA Peppermint (*Agonis flexuosa*) has been undertaken. The trees in the former plantation/arboretum adjacent to the south eastern boundary of Lot 770 are under pruned and the area is maintained in a parkland cleared state.



Lot 25 contains a dwelling, located in the south west corner and a rural shed adjacent to Keenan Road near the northern lot boundary.

Lot 770 contains a dwelling house, associated outbuildings, a rural shed and steel stock yards. Access is via Spencer Road.

Lot 9002 contains two dwelling houses, associated outbuildings and rural sheds. The main residence is accessed via Eleven Mile Beach Road and the second dwelling is accessed via Keenan Road. The lot contains a small-scale sand and lime (soft rock) pit. This is a low key, intermittent, non-commercial operation. The material is used for local/on-site access tracks and farm management purposes, with occasional historic use on adjoining local road maintenance. Hours of operation are very limited and the activity has minimal impacts. It does not involve blasting or crushing and does not require heavy machinery. It is owned and operated by the landowner/subdivider. The resource is almost exhausted and remediation is progressively undertaken by the current land owner/manager.

There are a number of crossovers and the network of farm management tracks across the subject land also serve as firebreaks and compartment boundaries.

Water for livestock is provided in a number of soaks and dams strategically located within pastured swales.

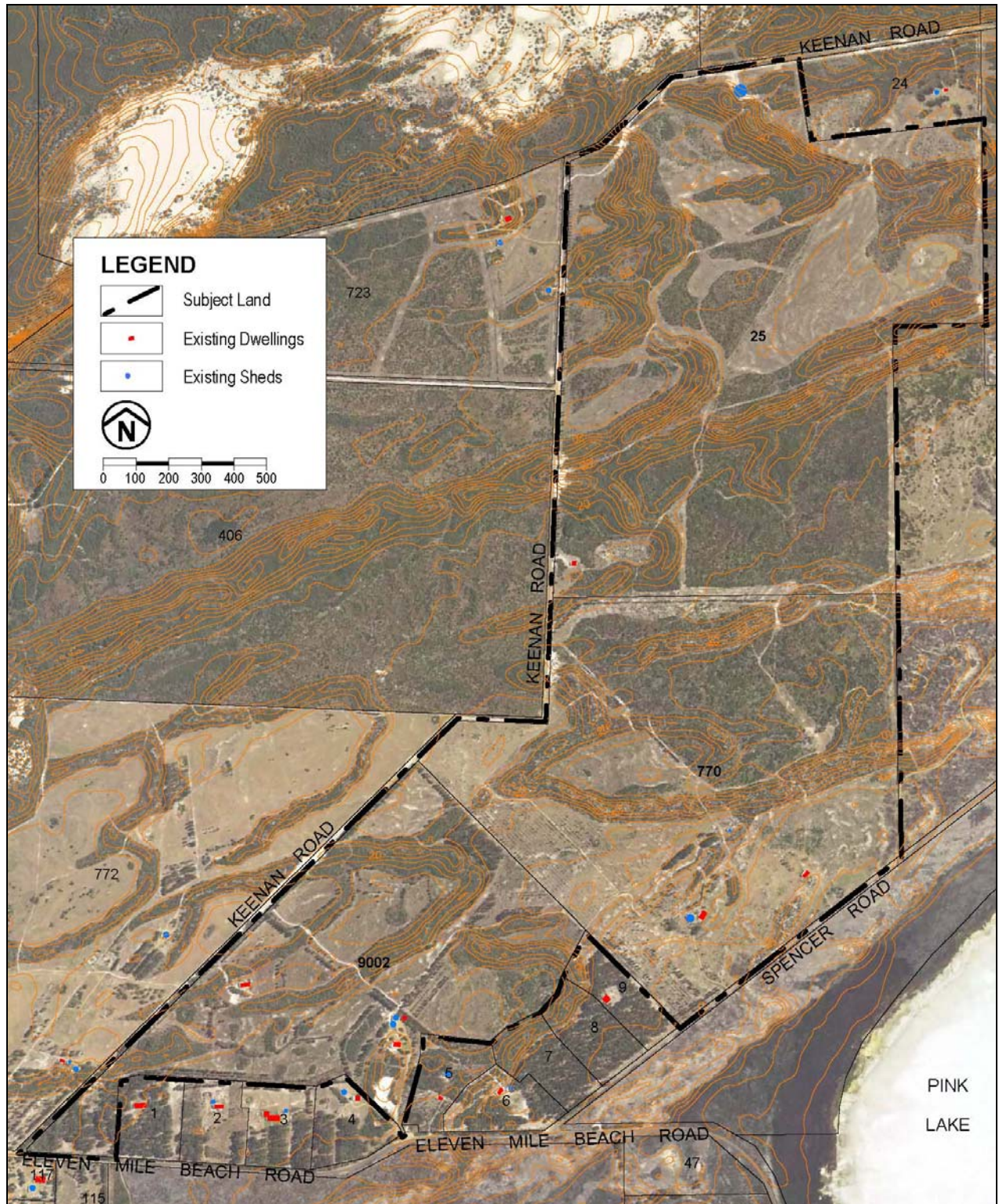
The adjoining freehold properties are zoned Rural Residential. Those to the south of Lot 9002 range in size from 5 – 7ha and are used for Rural Living. The remainder of the adjoining lots generally range in size from 50 to 200ha. Cleared areas are used for rural purposes.

The freehold lots south of Eleven Mile Beach Road are zoned Rural Residential 2, and have been developed accordingly.

Portion of the site lies on the Esperance Water Resource; Lot 9002 is designated as a Priority 2 Water Source Protection Area, as are the lots to the south and west.

The Reserves further to the west and south are designated Priority 1 Public Drinking Water Source Area. The Butty sub-area of the Esperance Groundwater Area contains Water Corporation Production Bores and Wellhead protection zones. In addition to relevant statutes and Policies, the specific requirements set out in the Esperance Water Reserve drinking water source protection plan are applicable. The coastal escarpment to the south is a Priority 3 Public Drinking Water Source Area.

The Crown land is designated as 'Parks, Recreation and Conservation – Local' on LPS23 Maps.
Pink Lake is designated as 'Wetlands of Significance'.

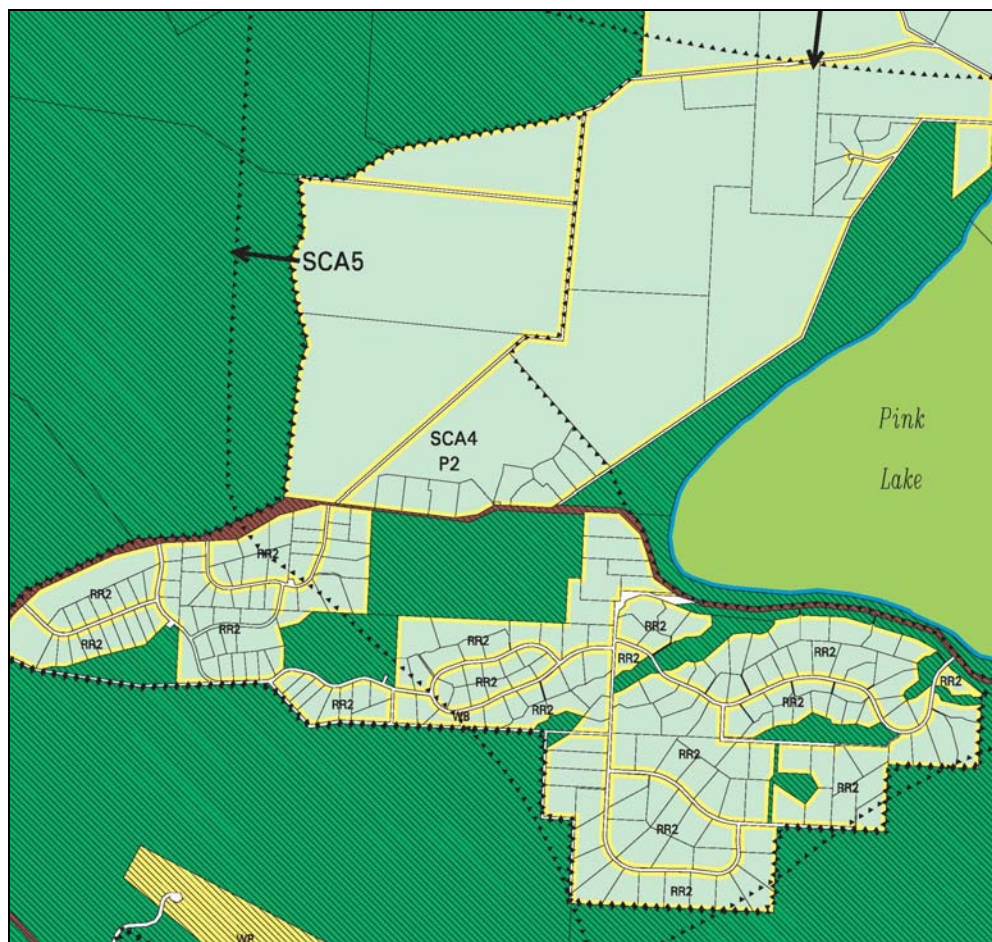


Site Plan

3 PLANNING CONTEXT

3.1 Local Planning Scheme No. 23

The subject land is zoned 'Rural Residential' under the Shire of Esperance Local Planning Scheme No. 23 (LPS23). The Scheme was gazetted in February 2010.



Extract of Scheme Map

As set out in Part 4.2.8 of LPS23, the objectives of the Rural Residential Zone are to:

- a) provide for large lots primarily for single residential development whilst ensuring development does not have a detrimental impact on environmental or landscape values including vegetation, wetlands and drinking water supply.
- b) ensure development is residential in nature, limiting additional uses to those that are minor in nature or incidental to the residential use; and
- c) direct and control the design and staging of rural residential subdivision to prevent premature demand of services and facilities.

The property also falls within Special Control Area 5: Wetlands of Significance and Lake Warden Recovery Catchment Special Control Area 5 (SCA 5). The provisions of Part 6.9 of LPS23 are applicable. The purpose of SCA 5 is to provide guidance for the land use and development within the catchments of significance.

The objectives of SCA 5 are to:

- a) ensure that the use and development of affected land is compatible with and does not detrimentally affect the SCA 5 wetlands;
- b) encourage retention and planting of native vegetation and properly managed perennial pasture;
- c) encourage fencing and rehabilitation of creek lines; and
- d) discourage subdivision and intensification of development within Department of Environment and Conservation Priority 1 areas due to the risks posed by the shallow water table, flooding, nutrient pollution, domestic animal impact and risks to public health.

As such, drainage management and groundwater related issues have been considered in the preparation of this ODP. The recommendations and findings of the 2014 Water Management Strategy prepared by Landform Research have been used to inform the ODP. Rehabilitation and conservation measures are supported to mitigate land degradation and to protect the nearby wetland.

Although Pink Lake is not listed as a Ramsar site, the significance of the wetlands in the Lake Warden system is understood. Preliminary discussion has been undertaken with the Department of Parks and Wildlife (DPaW) and Department of Water (DoW). The agencies have previously indicated that the main concern relates to whether subdivision and associated Rural Living development will alter hydrology, influence salinity or impact groundwater.

Initial comment is that the environmental considerations are not significant and can be managed. Recommendations include the use of appropriate effluent disposal technology and preclusion of livestock, coupled with additional setbacks for lots adjacent to the foreshore Reserves.

Lot 9002 in the southern portion of the site is identified on the Scheme Maps as Special Control Area 4 (SCA 4) - Public Drinking Water Source Protection Area as it is a Priority 2 PDWSA within Esperance Water Reserve. The objectives within SCA 4 are to:

- a) provide a basis for the protection of public drinking water resources (PDWSA) through the control of land use or development, which has the potential to prejudice the quality of water supplies for public use;
- b) identify land that has been designated as groundwater reserves and surface catchment areas that supply public drinking water;
- c) ensure that any land use does not detrimentally impact on a public drinking water source;
- d) implement Scheme controls that are designed to mitigate any adverse effects on a public drinking water source.

Clause 6.8.4(c)(i) of LPS23 also requires a 2ha minimum lot size within Rural Residential zones in P2 areas.

The provisions of Part 6.8 of LPS23 are applicable. Preliminary conferral has occurred with the DoW. The agency's advice and recommendations have informed the ODP. Issues relating to hydrology, catchments, nutrients and groundwater protection are addressed in the 2014 Land Capability and Geotechnical Assessment and District Water Management Strategy prepared by Landform Research, and discussed below in Parts 5.1 and 5.2 of this report.

3.2 Local Planning Strategy

The endorsed Shire of Esperance Local Planning Strategy (ELPS) is the key planning instrument. The ELPS consists of the Strategy Maps and the Strategy Text. The Plans provide a visual summary of the future direction for land use within the Shire and the Text provides the specific details of how Esperance should develop. Precinct Planning has been used as the method to provide guidance for development, in addition to the other strategies.

Aims and Objectives relevant to this proposal include:

- Ensure there is sufficient and sustainable supply of serviced and suitable land for housing, commercial activities, community facilities, recreation, and open space;
- To provide a variety of housing types and accommodation choices that meet the needs and aspirations of the community of Esperance;
- Ensure the use and development of land does not result in significant adverse impacts on the physical and social environment;
- Protect and enhance the environment and natural resources of the local government district;
- Protect amenity and enhance the quality of urban, rural and coastal environments
- Protect objects and places of outstanding natural, historic, architectural, scientific and cultural (including Aboriginal culture) significance.

More particularly, Part 6.5 – Rural Living:

A. Facilitate rural living development within proximity to Esperance, on land with appropriate characteristics to support this type of development, while ensuring the use does not sterilise broadacre agricultural land or adversely impact upon the Esperance Lakes system. Support this through a two tiered rural living classification system incorporating Rural Residential and Rural Small Holdings.

B. The Pink Lake area to the west of town will be a focus for Rural Residential development.

Parts 6.12.3 Biodiversity, 6.12.4 Fire Risk and Management and 6.12.5 Basic Raw Materials also provides relevant actions and objectives for the ODP area. These include, retention of vegetation on site, ensuring that issues of dune stability and erosion are considered when it is proposed to clear vegetation to minimise fire risk, and the need for a management plan for the extraction and rehabilitation of basic raw material sites prior to the subdivision.

The subject land is within in Precinct 24 - Pink Lake West of the ELPS.

The Objectives of Precinct 24 are:

To facilitate low scale rural small holdings development that it is planned and undertaken in a coordinated manner, taking into account the topography, fire risk, groundwater protection and other environmental constraints in the precinct.

The ELPS sets out the following Strategies for the Precinct:

- Manage low key development of the precinct to ensure that land use is compatible with land capability and suitability recognising the considerable environmental constraints.
- Ensure best practice subdivision design that recognises and addresses the environmental constraints and minimises the need for land clearing.
- Encourage the development of a low key, day to day needs local commercial facility.

This ODP meets the Objectives and Strategies contained in the ELPS.

The first Action listed for Precinct 24 is preparation of an ODP for superblocks within the Precinct prior to subdivision. The ELPS sets out 15 issues that are to be addressed. The following Table lists the issues and summarises how the respective matters are addressed in to ODP.

Issue	ODP response	Compliance
(i) Measures to protect the Lake Warden Catchment Recovery Area.	<i>Hydrology and Water Management in regard to Lake Warden are addressed in the Land Capability Assessment (Parts 3.0, 4.3 and 9.1) and the Water Management Strategy. The Local Planning Scheme also affords protection through SCA 5</i>	Yes
(ii) Direct impacts to Pink Lake are “buffered” by vegetated Reserves 24511 and 2064, which are gazetted for “conservation of flora and fauna”.	<i>Existing Reserves to be retained; ODP specifies additional setbacks for adjacent lots.</i>	Yes
(iii) Mosaic of “high” capability (flats and swales) and “fair” to “low” capability land (dune ridges).	<i>Lot layout and road network responds to site characteristics, especially land capability</i>	Noted
(iv) Areas identified, as having valuable vegetation and/or high fire risk will be required to be excluded from subdivision or development and suitably protected, as their preservation is important to prevent soil erosion and maintain habitat.	<i>ODP identifies Green Corridors and nominates Development Exclusion/Vegetation Protection Areas</i>	Yes
(v) Areas are susceptible to wind erosion and dune remobilisation if vegetation cover is removed.	<i>Wind erosion risk is discussed in the Capability Assessment (parts 2.2, 5.0 6.1 and Table 2) Subject land is relatively stable; vegetated ridge areas generally excluded from development.</i>	Noted

(vi) The possible presence of basic raw materials (sand, clay, gravel, limestone and hard rock) is to be addressed and every effort should be made to extract significant deposits prior to subdivision. Developers will be encouraged to use suitable material extracted from the site, within the roads of the subdivision. A rehabilitation plan will be required to be submitted and implemented prior to the final clearance of the subdivision being granted. Small-scale extraction operations associated with the construction of a subdivision may be supported if the development of the area is staged. Commercial scale operations adjacent to staged subdivisions will not be supported.	<i>Existing basic raw materials to be utilised prior to subdivision/development. Resource to be utilised on-site for subdivisional works. Buffer and requirement for rehabilitation plan pre-subdivision of this stage is shown on ODP plan and in Part One Implementation.</i>	Yes
(vii) Site-specific hydrogeological and nutrient balance investigations may be required for any larger-scale developments to establish the relationship between groundwater and Pink Lake, and to address any associated risk to its nutrient and biological status.	<i>Part 4.5 of the Water Management Strategy addresses Hydrology. Relevant recommendations are reflected in the ODP.</i>	Yes
(viii) Pink Lake may be considered for listing under the Ramsar Convention.	<i>Noted</i>	Noted
(ix) Fire management plan is to be prepared in association with subdivision design; recommended works (including strategic fire breaks and water tanks) of the plan are to be constructed concurrently with the construction of the lots, with site specific fire management plans being prepared for each individual house at the time a building licence is applied for.	<i>Bush Fire Management Plan prepared for ODP. Community water tank sites nominated. Individual BFMPs required for selected Lots, as designated on ODP.</i>	Yes
(x) Adherence to Department of Water - Water Source Protection Plan for protection of public water supply in relation to licensing requirements, land use activities, lot sizes and septic tank setback distances from well heads.	<i>Priority 2 Area identified on ODP, relevant Guidelines Notated and land use controls specified</i>	Yes
(xi) Land uses that cannot be serviced by a Council approved on-site effluent disposal system will not be permitted.	<i>Effluent disposal requirements achieved through Planning Scheme provisions and ODP.</i>	Noted
(xii) Development proponents to ensure that prospective purchasers are aware that abstraction of groundwater for rural-residential development is likely to be limited to 1 200m ³ per lot per year and may require a license.	<i>Clause 6.8.4 (b) of LPS23 enables the inclusion of Notifications on Titles identifying constraints and limitations associated with Water Source protection.</i>	Appropriate mechanisms in place. Ongoing
(xiii) Dwelling and outbuildings are to be located within pockets of better capability land rather than on sensitive dune ridges; building exclusion zones are to be identified on the plan of subdivision.	<i>ODP specifies use of Development Exclusion Areas and Building Envelopes to take account of vegetation protection, topography and fire safety.</i>	Yes
(xiv) Roads to be constructed / upgraded, including gazetted access roads, in accordance with Council's adopted standards.	<i>ODP provides for road construction, staging and access linkages.</i>	Ongoing
(xv) No extensive or intensive agricultural pursuits or potentially inappropriate land uses will be permitted within the precinct without referral to the Department of Environment and Conservation.	<i>LPS23 prohibits extensive and intensive agricultural uses in the Rural Residential zone. As no livestock is permitted on the lots existing discretionary 'A' uses of stables, rural pursuit, and animal establishment will also not be possible on the lots.</i>	Yes

Subsequent Actions applicable for Precinct 24 are summarised in the following Table

Action, as listed in ELPS – Precinct 24	ODP response	Achieved
➤ Due to the topography and environmental issues within the precinct, lots sizes will vary, to accommodate good subdivision design.	<i>Proposed lot sizes vary in response to site characteristics</i>	Yes
➤ Lot sizes within the precinct in the range of 1ha – 4ha.	<i>Proposed lot sizes range from 1ha to 4.3ha</i>	Yes
➤ An outlined development plan is to be prepared with lots ranging from 1 to 4ha, although larger lots may be appropriate in some areas.	<i>ODP provides for larger lots to protect vegetated ridgelines</i>	Yes
➤ Any outline development plan is to be referred to the Department of Environment and Conservation and the EPA Service Unit.	<i>ODP referred to the Department of Parks and Wildlife (previously Department of Environment and Conservation, and EPA prior to finalisation)</i>	Yes
➤ The “no subdivision area” as illustrated on the Strategy Map may be utilised as a building exclusion zone.	<i>The ODP shows a 50m building setback from Spencer Road</i>	Yes
➤ Provision for a low scale daily needs local commercial facility should be incorporated into the Scheme through an amendment to the Scheme’s additional use schedule, upon a suitable site being identified.	<i>Indicative site for corner store notated on ODP, however any proposal for this use will require a scheme amendment prior to proceeding</i>	Yes

ELPS Plan 2 – Esperance surrounds includes various Notations applicable to Precinct 24. The following Table summarises how the respective matters are addressed in to ODP.

Esperance Local Planning Strategy – Precinct 24 Notation	ODP response	Compliance
• Rural residential area – predominantly 1-4ha	<i>Lot sizes range from 1 – 4.3ha, lot yield across ODP achieves an average of one per 1.25ha.</i>	Yes
• Requires Outline Development Plan	<i>ODP prepared</i>	Yes
• 50% of existing vegetation to be retained	<i>Notated on ODP. The design achieves retention of more than 50 % of vegetation [DPaW 18 March 2015].</i>	Yes
• Areas of high fire risk – Fire Management Plan required.	<i>Bush Fire Hazard Assessment and Bush Fire Management Plan prepared.</i>	Yes
• Extraction of Basic Raw Material prior to subdivision encouraged.	<i>On-going extraction of BRM is provided for by ODP</i>	Yes

4 SITE ASSESSMENT AND CAPABILITY

A comprehensive land capability and environmental assessment has been carried out by Landform Research. An initial study was undertaken in 2006 with more intensive studies and mapping, including water table mapping in 2008. Further assessments, checking and vegetation mapping was completed in 2014. The Environmental Consultant investigated land capability and undertook a geotechnical assessment to determine the potential of the site for rural residential living. A Land Capability and Geotechnical Assessment (incorporating a Vegetation Assessment) and a District Water Management Strategy were prepared. These Reports by Landform Research address existing environmental and general characteristics of the site including geology, soils, hydrology, landscape and biodiversity values, nutrient management and capability. The various studies have been used to inform this Outline Development Plan.

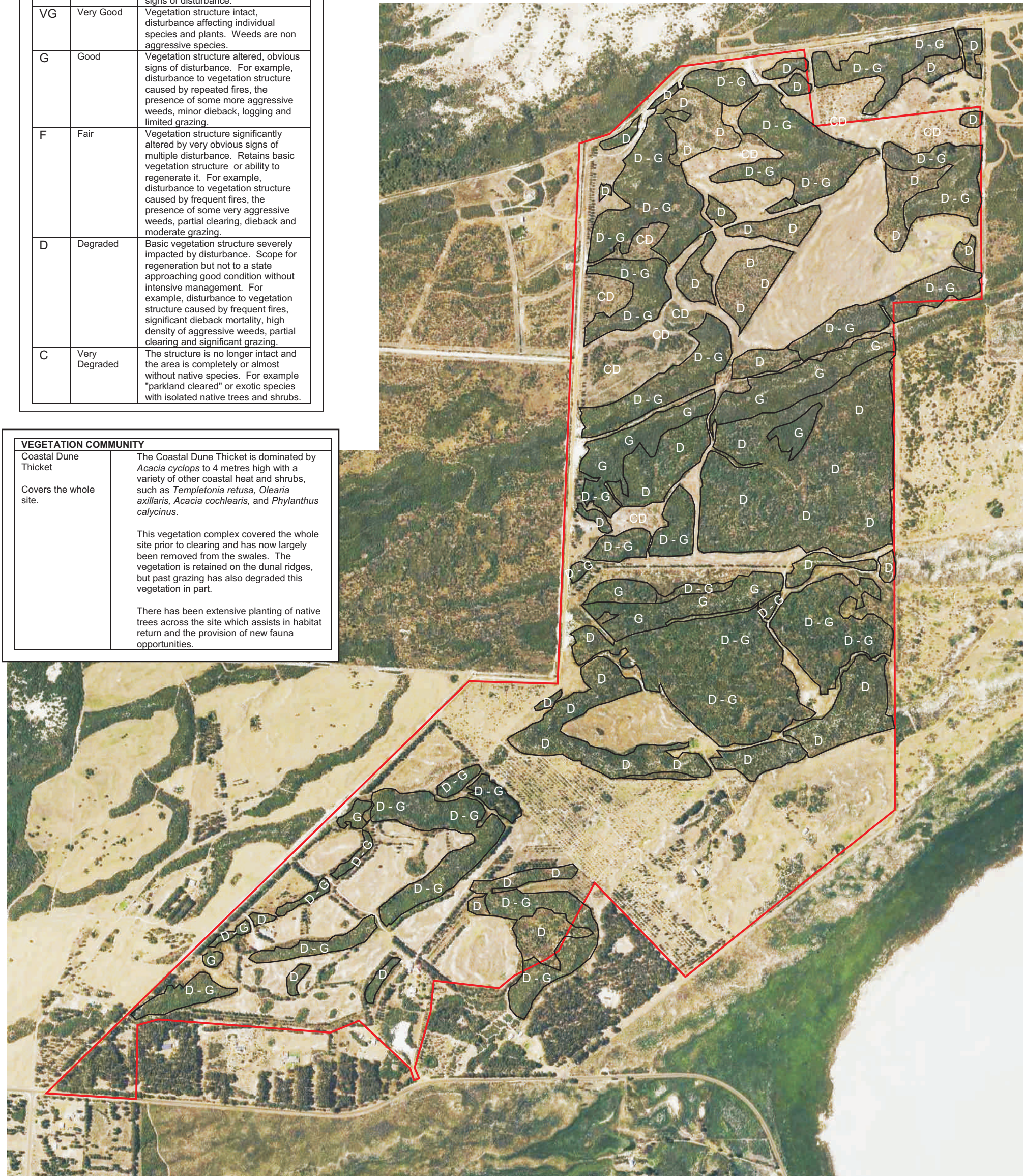
Soils and vegetation were mapped and auger test holes were drilled. In addition to field observations interpretations were made from aerial photography and research of published information.

The vegetation assessment conducted by Landform Research identified the vegetation community as – ‘Coastal Dune Thicket dominated by *Acacia cyclops*’. (Refer page 4 of Vegetation Assessment). No Declared Rare, Priority species or Significant Flora or Threatened or Priority Communities/Complexes were recorded. A total of 31 native species and 21 exotic species were recorded and confirmed during the 2008 and 2014 site investigations. The vegetation on the site is ‘Degraded’ to ‘Completely Degraded’ in the swales. The sand ridges vary from ‘Degraded - Good’ and in some small localised patches ‘Good’. The vegetation shows the influence of previous clearing, grazing and overseeding during use as a rural property. [Refer Landform Research - Figure 8 Vegetation over leaf]

The Capability Assessment confirmed that “there are no capability or geological issues that will prevent subdivision to small rural living lots”. A number of recommendations are made throughout the 2008 and 2014 reports to assist with the planning and development process. The respective Management Recommendations are reflected in the ODP.

Key	Condition Scale	Description of Vegetation Condition
E	Excellent	Pristine or nearly so, no obvious signs of disturbance.
VG	Very Good	Vegetation structure intact, disturbance affecting individual species and plants. Weeds are non aggressive species.
G	Good	Vegetation structure altered, obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, minor dieback, logging and limited grazing.
F	Fair	Vegetation structure significantly altered by very obvious signs of multiple disturbance. Retains basic vegetation structure or ability to regenerate it. For example, disturbance to vegetation structure caused by frequent fires, the presence of some very aggressive weeds, partial clearing, dieback and moderate grazing.
D	Degraded	Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management. For example, disturbance to vegetation structure caused by frequent fires, significant dieback mortality, high density of aggressive weeds, partial clearing and significant grazing.
C	Very Degraded	The structure is no longer intact and the area is completely or almost without native species. For example "parkland cleared" or exotic species with isolated native trees and shrubs.

VEGETATION COMMUNITY	
Coastal Dune Thicket	The Coastal Dune Thicket is dominated by <i>Acacia cyclops</i> to 4 metres high with a variety of other coastal heat and shrubs, such as <i>Templetonia retusa</i> , <i>Olearia axillaris</i> , <i>Acacia cochlearis</i> , and <i>Phyllanthus calycinus</i> .
Covers the whole site.	This vegetation complex covered the whole site prior to clearing and has now largely been removed from the swales. The vegetation is retained on the dunal ridges, but past grazing has also degraded this vegetation in part.
	There has been extensive planting of native trees across the site which assists in habitat return and the provision of new fauna opportunities.



VEGETATION

LOTS 9002, 770 and 25, KEENAN ROAD, PINK LAKE

5 PLANNING CONSIDERATION - OPPORTUNITIES AND CONSTRAINTS

Planning considerations, opportunities and site constraints are discussed in the following sections.

5.1 Public Drinking Water Supply Area

Portion of the study area is within Esperance Water Reserve and is a Priority 2 (P2) Public Drinking Water Supply Area (PDWSA). The southern portion of the site, encompassing an area of approx. 80ha is within the P2 PDWSA. There are no well heads within the subject land. Hydrological investigations have been undertaken and in its advice dated 7 August 2012, the DoW advised that “modelling has shown that production bore 43 (29/97) draws water from the aquifer below the subject land.

The northern most 296ha is outside the designated PDWSA. The boundary of the P2 area is reflected on the LPS23 zoning maps and the ODP.

The DoW has prepared the Esperance Water Reserve Drinking Water Source Protection Plan – Report “WRP 134” October 2012. The information within the publication, including the recommendations set out in Part 5 has been taken into consideration in the preparation of this ODP. The guidelines contained in the Department’s Water Quality Protection Notes (WQPN) are applicable. The WAPC’s State Planning Policy 2.7 Public Drinking Water Source Policy and provides the land use planning policy within the Priority 2 area.

As set out in WQPN 76 Land use planning in Public Drinking Water Source Areas, March 2006:

Priority 2 (P2) classification areas are managed to ensure that there is **no increased risk** of water source contamination/ pollution. For P2 areas, the guiding principle is **risk minimisation**.

The Rural Residential zone within LPS23 does not set a minimum lot size, while the ELPS Precinct 24 specifically states 1 to 4ha. However, the SCA 4 sets a lot size of 2ha minimum within P2 Public Drinking Water Source Areas (PDWSA).

SCA 4 also includes reference to the Department of Water's Water Quality Protection Note (WQPN) providing for additional conditions to be placed on lots in P2 areas, such as precluding livestock.

The ODP provides for thirty eight (38) lots within the P2 area.

Indicative support for the averaging of lot sizes has been received from the DoW in correspondence received in August 2012 and December 2013. A draft ODP was provided to the DoW in March 2014 seeking agency support for the general layout and indicative lot yield for the P2 area. The Department confirmed that the proposal met its guidelines and previous advice in terms of lot size and layout.

To mitigate pollution or contamination risk to the water source, all lots within the P2 area are required to be serviced by Alternative Treatment Units. Keeping of livestock is precluded and limitations apply to land uses.

Notations on the ODP reference WQPN 25 and the Esperance Water Reserve Drinking Water Plan. Part 6.8 of LPS23 sets out Objectives, Application Requirements and Development Requirements the Special Control Area 4 – Public Drinking Water Source Protection Area. Notably, the local government may refuse or impose condition on any planning application so as to protect the resource. It may also require registration of a Notification on the Title of any limitations or constraints associated with protection of resources.

Given the site's capability, characteristics and soils type, the controls and provisions set out in LPS23 coupled with DoW requirements ensure adequate protection of the water resource.

5.2 Wetland and Groundwater Buffers

The subject land is separated from Pink Lake by the Spencer Road road reserve and Reserve 24511 (Lot 2064) Conservation of Flora and Fauna. The separation distance from Pink Lake for Lot 770 is generally 250-300m and up to 1km for Lot 25. A 50m wide development exclusion area parallel to Spencer Road is specified on the ODP. As recommended in the Land Capability and Geotechnical Assessment, use of nutrient adsorbing waste water systems is recommended within 200m of Spencer Road, thereby increasing the effective buffer to Pink Lake for nutrient management.

Issues related to hydrology and water management are considered in the 2014 District Water Management Strategy (DWMS) prepared by Landform Research. The issues of Groundwater, Water Use and Sustainability and Stormwater Management are addressed in Section 4.5.6 and Parts 5 and 6 respectively of the DWMS. In recognition of the Microbialite Community fringing the Western edge of Pink Lake, Part 7 discusses Groundwater Management Strategies, with specific reference to potential changes, water balances and nutrient management.

The reports confirm that the subject land can be developed in a manner that manages and does not significantly impact on surface and groundwater or the public drinking water source area. Relevant recommendations contained in the DWMS are reflected in the ODP.

Through the use of Development Exclusion areas, Building Envelopes, land use controls and Notifications, the setback requirements and separation distances of the Department of Water, Department of Parks and Wildlife and Water Corporation are achieved. Furthermore the Objectives, Aims and Policy Measures of SPP 2.9 Water Resources to protect, conserve and enhance water resources, ensure availability and to manage sustainable use have been used to inform and guide this plan and are addressed in the Land Capability and Geotechnical Assessment and Section 4.5 Hydrology and Parts 5 Water Use and Sustainability, 6 Stormwater Management Strategy and 7 Groundwater Management Strategy of the DWMS. More specific Objectives of LPS23 Part 6.9 -SCA 5 Wetlands of Significance and Lake Warden Recovery Catchment Special Control Area are addressed and satisfied.

5.3 Vegetation Retention

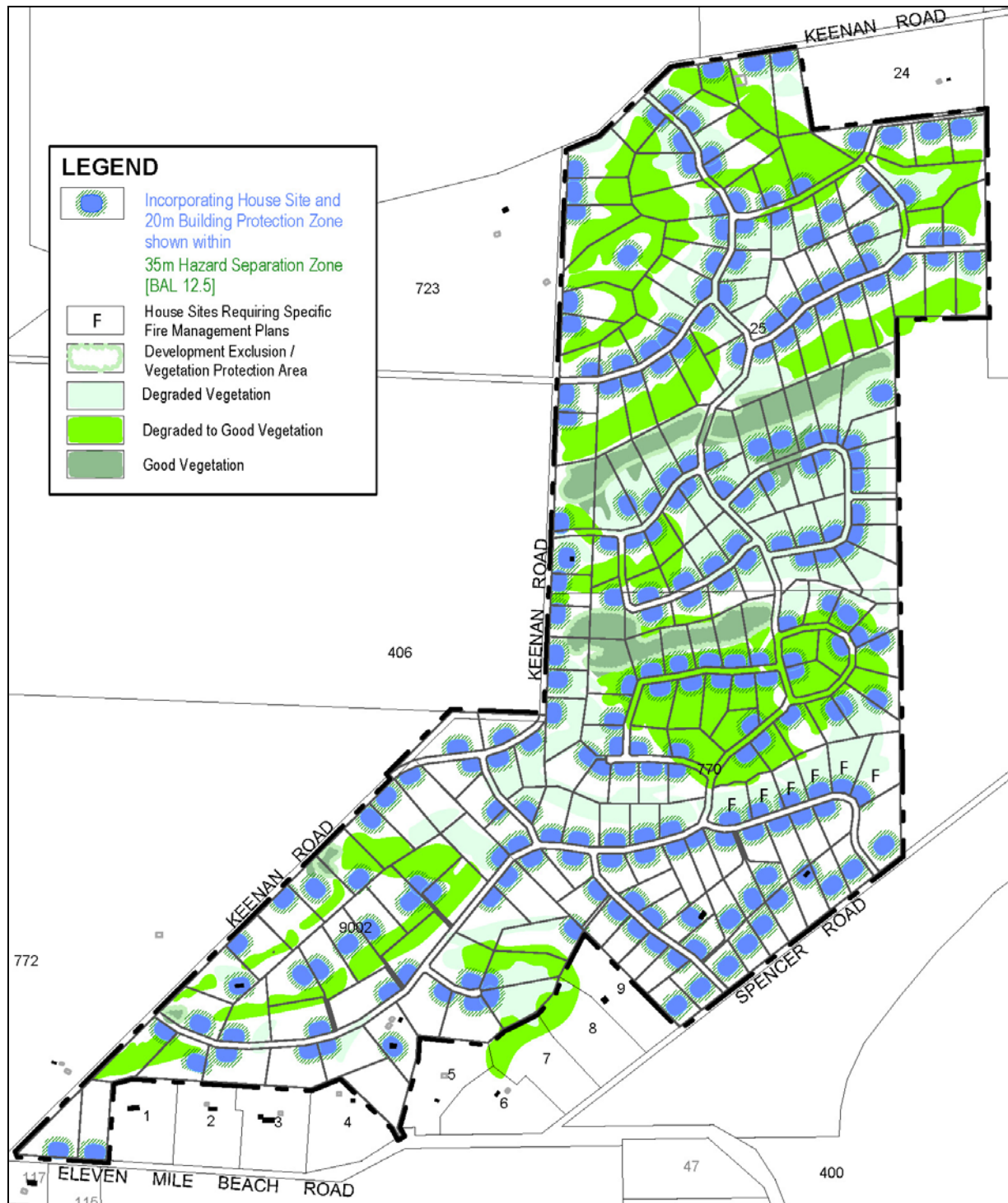
There are areas of remnant vegetation on site and previously cleared areas are naturally regenerating.

The subdivision has been carefully and sensitively designed to minimise impact on remnant vegetation and ridgelines and to achieve 50% vegetation retention. It is estimated that that between 77 – 93% of the vegetation across the subject land will be retained.

The majority of the vegetated ‘shrubland belts’ in the best condition [identified as “Good”] is nominated on the ODP as Development Exclusion/Vegetation Protection Area, encompassing the significant ridgelines. The road layout and lot configuration take account of topography (especially ridges) and vegetation. Larger lots are proposed to accommodate the ‘Good’ quality vegetation and ridgelines that function as ecological corridors. The subdivision has been designed to incorporate Building Protection Zones (BPZ) and Hazard Separation Zones (HSZ), as specified in the Bush Fire Management Plan which minimise potential impact on vegetation. Building Envelopes are clustered in existing cleared, least constrained areas or within vegetation that is degraded. Generally the Building Envelopes and roads are in located within previously cleared swales or in areas of degraded vegetation.



Based on the mapping contained in the Landform Research 2014 Vegetation Assessment, across the subject land approximately 18. ha of the vegetation is classified as “Good”, more than 85ha is “Degraded – Good” and almost 75ha is classified as “Degraded”. The following Vegetation and Development Footprint plan reflects the vegetation condition together with indicative House Sites and associated BPZ and HSZ.



Vegetation and Development Footprint Plan

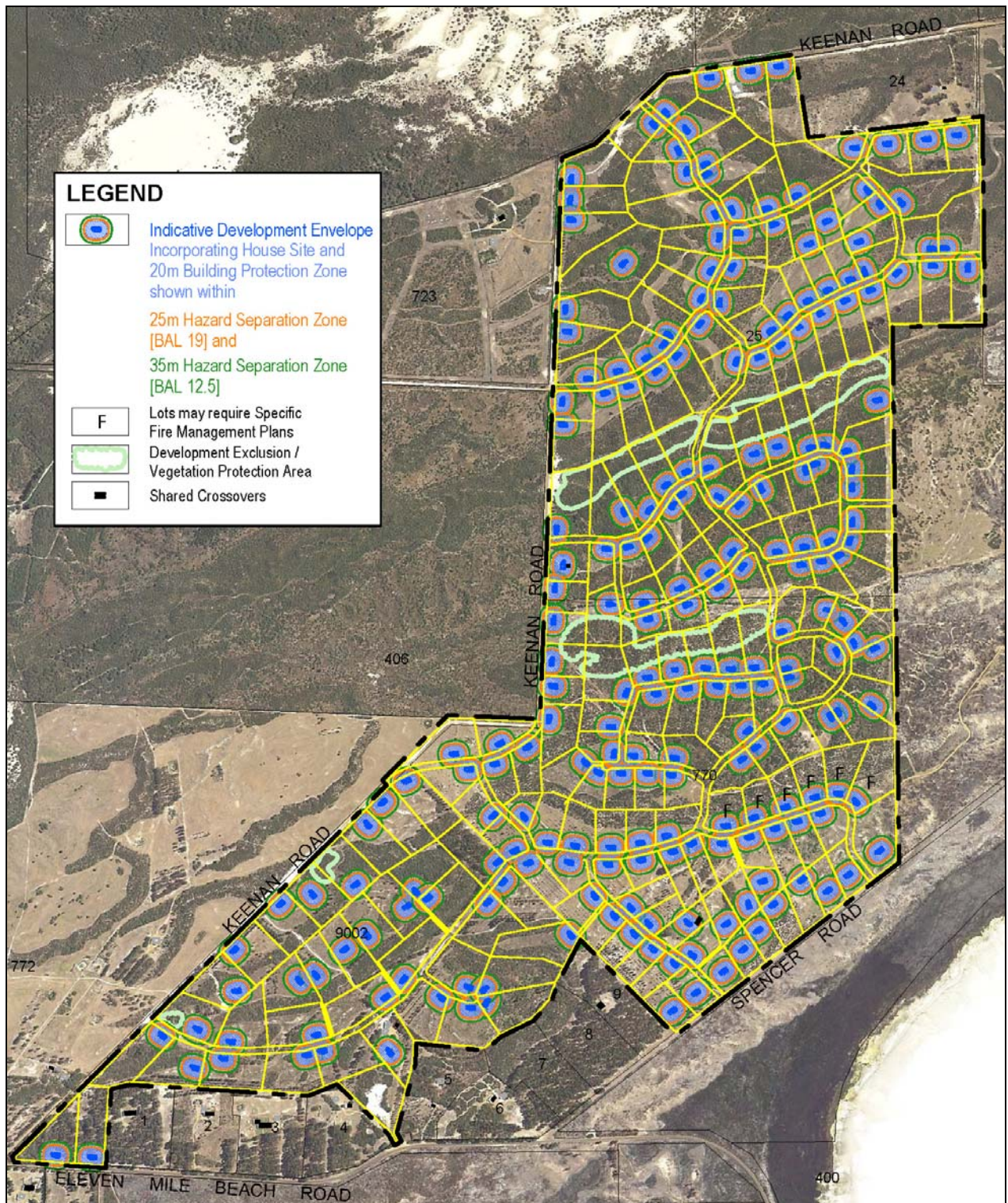
Of the estimated 18ha of 'Good' quality vegetation across the ODP, the majority within is the Development Exclusion Area. It is estimated is that, at most, 1.4ha [less than 7%] might be impacted by subdivision and development. 93% of the 'Good' quality vegetation is retained.

Allowing for a 3000m² Indicative Development Envelope on each lot, as reflected in the following Table and plan (overleaf), it is estimated that excess of 77% of the vegetation will be retained across the ODP. This assumes 20m wide Building Protection Zone and 15m Hazard Separation Zone, BAL 12.5 in accordance with the Bush Fire Management Plan. The Development Envelopes on the majority of the proposed lots can be readily accommodated within existing cleared, pastured or 'Degraded' vegetation. In effect, without loss of vegetation. Of the 24 or so lots where 'Degraded – Good' vegetation may be impacted, the 'potential' loss of up to 3000m² of vegetation for a house and BPZ, still represents less than 50% of the vegetation on the individual parcel (such lots generally range from 1.4 to 3ha).

Pink Lake ODP		Summary of Vegetation Class and Potential Impact		
Vegetation Class / Category	Area	Impact	Area	Retained Vegetation
Cleared	127ha	nil		n/a
Degraded	74.5ha	40 BPZ @ 3000m ² 6 @ 5650m ²	12ha 3.4ha	59ha 79%
Degraded - Good	85ha	24 BPZ @ 3000 m ²	7.2	77.8 91.5%
Good	18ha	Roads and BEs	1.4ha	93%

in any case, less than 7.5ha loss, out of an estimated 85ha of 'Degraded-Good' vegetation represents under 10%; this equates to better than 90% retention.

Importantly the Indicative Development Envelopes do not extend into the Development Exclusion Area



ODP overlaid with Indicative Development Envelopes

It should also be noted that within the HSZ, although vegetation may be impacted, not all trees and native vegetation has to be removed from the Development Envelopes to achieve and maintain a low fuel state. Fire safety levels and fuel loads in accordance with the relevant standards and guidelines can be achieved through control and management of understorey and leaf litter. The Guidelines and Bush Fire Management Plan allow trees/vegetation including the following:

- within BPZ – trees min 2m from buildings, tree crowns separated and fuel loads to max 2 tonnes/ha
- within HSZ - fuel loads/understorey to be managed to max 4-6 tonnes/ha i.e. Retain trees and maintain as park land clearing.

In addition to the land clearing controls applicable under the Act, appropriate safeguard are proposed through the ODP to minimise loss of native vegetation:

- Clearing is precluded in the Development Exclusion Areas.
- The development requirements reflect the need for 50% of the vegetation to be retained.
- Determination of individual Building Envelopes is to take account of topography and vegetation. Furthermore, the ODP specifies Development Envelopes for lots containing Ridge Lines and Vegetation Retention areas. Such lots generally range from 1.4 to 3ha.

Individual BEs will be identified at the time of subdivision, pegged on site and reflected on the Titles of the proposed lots. The BAL rating for individual lots will be assessed/confirmed and appropriate mapping provided to the local authority. It is acknowledged that individual Bush Fire Management Plans will be required for the 6 lots in the centre of Lot 770.

The Bush Fire Management Plan, subdivision design and associated development controls minimise vegetation loss and satisfy the requirement for 50% of the vegetation to be protected. The key ridgelines and the majority (93%) of the existing highest quality vegetation across the subject land is within a Development Exclusion / Vegetation Protection Area. The emphasis is on Vegetation protection; the provisions specify that “Buildings, fences and clearing of native vegetation is precluded within the Development Exclusion Area”.

The majority of the “Good” quality vegetation is designated on the ODP as ‘Development Exclusion / Vegetation Protection Area’. Furthermore, approximately 60ha of the subject land is within the Ridgeline / Vegetation Area Retention designated on the ODP.

The creation of Rural Residential lots, with dwellings strategically and sympathetically located within confined Building Envelopes will serve to enhance the biodiversity and conservation values of the site. With the change of use from agriculture to Rural Living, previously cleared areas currently under pasture will continue to regenerate; this will more than offset any disturbance to the remnant vegetation that would result from roads and development.

Overall, the quality and extent of native vegetation will increase thereby strengthening wildlife corridors and extending foraging areas.

The ODP takes account of vegetation, and flora protection. Special Provisions applicable at the time of development will help ensure Conservation Objectives are achieved.



5.4 Cultural Heritage

There are no registered European heritage sites on the subject land. There are no registered Aboriginal Sites or claims on the subject land. In any case the *Aboriginal Heritage Act 1972* protects all aboriginal sites in Western Australia whether they are recorded or not. Any proposed activities, including site works and development shall have due regard for the natural and cultural heritage of the area and the requirements of the Aboriginal Heritage Act, Heritage of Western Australian Act and relevant guidelines.

5.5 Access and Linkages to Adjoining Areas and Pink Lake

The subject land is accessed from the Esperance town centre via Pink Lake Road and Eleven Mile Beach Road which are designated as secondary roads in the Local Planning Strategy and have been constructed to a bitumen sealed standard. Eleven Mile Beach Road provides access to Keenan Road which forms the western and northern boundary of the property and has been developed to an all weather gravel standard. Spencer Road runs along the south eastern boundary and has partially been constructed to a bitumen sealed standard.

Eleven Mile Beach Road also connects through to Twilight Beach Road, creating a designated Tourist Drive which loops back to Esperance town centre. The Goldfields-Esperance Regional Road Group has identified the tourist drive as an important regional road and the LPS recommends that it continue to be upgraded.

The most recent traffic counts indicate the relative importance of Eleven Mile Beach Road which carries 1024 vehicles per day (vpd) compared to 31 vpd on Keenan Road and 282 vpd on Twilight beach Road, west of Windfarm Road.

Both Keenan Road and Spencer Road will be upgraded to sealed bitumen as part of the subdivision development process. Internal subdivisional roads will be constructed with access from both Keenan and Spencer Roads and will be constructed to a rural residential bitumen seal standard. Upgrading of existing road reserves such as Keenan Road and Spencer Road, as well as proposed new subdivisional roads will be carried out to the specification and satisfaction of the Shire of Esperance.

Approximately 200 lots will be created and will be staged with between 5 to 10 lots released each year, based on current take up. At this rate the development is likely to take between 20 to 40 years to complete. Based on approximately 6 vehicle trips per lot being generated, additional traffic generated each year will range from 30 to 60 vehicle trips per day.

Discussion with the Shire of Esperance indicates that the existing road network is adequate to accommodate the projected rate of development and no road widening or major intersection upgrades are required.

While traffic will initially be focussed on Eleven Mile Beach Road, it is anticipated that Keenan Road will be ultimately extended around Pink Lake and connect through to Collier Road and South Coast Highway which will provide an alternative means of access to Esperance town centre and other destinations.

The subject land is generally surrounded by private property. Landholdings are separated by road reserves, other than the eastern common lot boundaries. The ODP provides for future linkages through the adjacent properties within the Precinct; the design does not compromise future subdivision.

Portions of the subject land are located within 500m of Pink Lake. No direct access is proposed to Pink Lake or the foreshore Reserve, which is the Management responsibility of Department of Parks and Wildlife. The Management Plan for the Esperance Lakes nature Reserve 1999 - 2009 includes Reserve 24511, east of Spencer Road. The Plan recognises the significance of Pink Lake, the Wetlands system and the adjoining Reserves. The Management Plan considers tenure, statutory obligations, Geology, Catchment, hydrology, vegetation, land use (Recreation, Tourism and Commercial) Management and Implementation Priorities. It sets the Principal Conservation Directions for Reserve 24511. The ODP complements the Management Plan in regard to fire safety, land use, vegetation retention and wetlands protection. In addition to specific development controls, a 50m setback and Development Exclusion Area is identified along Spencer Road. The ODP includes green corridors along the vegetated ridgelines.

5.6 Water Supply

A reticulated water supply is not available to the proposed lots. LPS23 Rural-Residential Development Clause 5.18.1 specifies that where a reticulated supply is not available, buildings intended for residential use must include provision of water storage tanks of not less than 120kl. Larger tanks and multiple water storage is often provided. Typically domestic water supply will sourced from rainwater harvested from roof catchment, and in this area supplementary water supply from soaks, dams and groundwater is available and frequently utilised. Based on an average annual mean rainfall of 620mm [source BoM] and using the formula contained in LPS23, the minimum roof collection area required is 236.87sqm. Based on the Rural Planning Guidelines and the WAPC Rainfall Calculator, unless the proponent provides sustainable alternative the Department of Planning nominates a 565m² minimum roof collection area. Rainwater tank sizes vary and the corresponding minimum roof catchment can be adjusted accordingly. Ideally this is determined at the time of Development Approval, based on the number of proposed bedrooms, combined roof area of the dwelling and outbuildings and any supplementary water sources available to the particular lot.

Furthermore, Clause 5.13.5 sets out that water supplies may be supplemented with bore water for human consumption and mixed with other water collected on-site, provided it meets guidelines for potable water.

Supplementary, non-potable water for firefighting, gardening and other uses can be sourced from bores, soaks and dams. Depending on extraction levels, licensing may be required. Relevant Notifications are proposed to be included on Titles.

5.7 Waste Water

A reticulated sewerage supply is not available to the proposed lots. LPS23 Clause 5.14 sets out the requirements for on-site effluent disposal systems for areas not connected to the reticulated sewerage system. More specifically, Parts 6.4, 8.1 and 8.2 of the Land Capability and Geotechnical assessment address effluent disposal and nutrient management. The report confirms that the whole site has a high capability for waste water disposal.

The recommendations contained in the report are incorporated into the ODP. In addition to the standard requirements for the installation of septic systems, the Plan specifies use of nutrient adsorbing waste water systems in selected areas, separation distances of 30m to soaks and dams and an increased buffer to Pink Lake for nutrient management. Accordingly, ATUs will be required within designated areas of the ODP, subject to on-site assessment and verification. The ongoing management requirements for ATUs in accordance with the Department of Health's Code of Practice for the Design, Manufacture, Installation and Operation of ATUs Serving Single Dwellings.

5.8 Fire Safety

The Fire Hazard Assessment (FHA) and Bush Fire Management Plan (BFMP) prepared by FirePlan WA outline short term actions and detail the fire management strategies proposed to be implemented across the site as it is progressively subdivided and developed in a staged manner over the coming years. The BFMP takes account of 'Planning for Bush Fire Protection Guidelines (PBPG)'. The BFMP addresses fire safety issues taking account of the assessed bush fire hazard rating for the site and the 'Performance Criteria' and 'Acceptable Solutions' as set out in PBPG. The BFMP and ODP also take account of relevant Provisions contained in LPS23 and the requirements of the Shire's Annual Fire Break Notice.

The subject land has been rated as a 'Moderate' Bush Fire Hazard, based on vegetation, site characteristics and fire hazard assessment procedures set out in PBPG. Fire risks were identified from internal vegetation, adjacent properties, regeneration of vegetation and future rehabilitation and management measures within the nearby Reserves, as recommended by the DPaW.

The BFMP also identifies a number of measures to mitigate and manage fire risk to ensure protection to life and property and biodiversity assets. These include road networks, water sources, implementation of Hazard Separation Zones and identification of Development Envelopes on selected lots and careful subdivision design.

This ODP incorporates relevant aspects of the fire mitigation strategies as set out in the BFMP in response to current circumstances and statutes. Key elements are discussed below.

The ODP has been designed to meet the Requirements and Acceptable Solutions contained in PBPG. The network of loop roads provides for alternative emergency access and egress to all lots. Linkages are provided through to Spencer Road and Keenan Road, via existing road reserves, and access tracks to enable emergency egress. The plan allows for staged development, which may include interim SFBs aligned to existing fire management tracks.

Water for fire fighting purposes will be provided by the subdivider and by individual landowners. The subdivider is responsible for the communal water supply, as set out in the Bush Fire Management Plan and in accordance with the Guidelines and Shire specifications. The infrastructure provided in the previous nine lot subdivision will be utilised for the initial stage of land release. Additional concrete water tanks will be installed for the subsequent stages of the subdivision. At the time of finalising this ODP, the draft SPP3.7 guidelines nominate 50,000L communal tanks to be provided 1 per 25 lots or part thereof. Part 4.8.1 of the Bush Fire Management Plan reflects this and proposes a 'total of 450,000 litres will be provided by the developer split between 4 sites. Indicative tank sites are nominated on the ODP.

Site specific requirements including establishment and maintenance of Building Protection Zones and Hazard Separation zones around all dwellings will be addressed at development stage. LPS23 Rural-Residential Development Provision 5.13.6 sets out that a permanent water supply of no less than 10,000 litres is to be maintained for bush fire fighting purposes outside of urban areas. The ODP nominates six lots for which individual Bush Fire Management Plans will be required to determine Development Envelopes.

The Shire of Esperance 2013-14 Fire Breaks Notice requires Fire Breaks/Low Fuel buffers not less than 4m wide where flammable material is reduced to a height of not more than 5cm to be installed and maintained. In addition, Clause 5.17.1 of LPS23 specifies that within Bush Fire prone land, any habitable building must be constructed to comply with Australian Standard 3959 Building in Bush Fire Prone Areas. The subject land is identified as Bush Fire Prone. Notations to this effect area included on the ODP.

The final subdivision design and development will need to account for the fire management requirements, including clearing of vegetation, to demonstrate acceptability of on-the-ground proposals at that detailed stage. Fire safety requirements will be achieved through subdivision conditions, subsequently at the time of development and implementation of the Annual fire Breaks Notice.

5.9 Flora Survey and Kwongan Shrubland

During the referral stages of preparation of the ODP clarification was provided in regard to the Proteaceae Dominated Kwongan Shrubland in terms of Threatened Ecological Community (TEC) and obligations under the EPBC Act.

The Environmental consultant provided supplementary advice to the Department of Parks and Wildlife (DPaW) to verify that '*Proteaceae dominated Kwongan Shrubland does not occur on site or nearby*'. The advice from the environmental consultant responded to preliminary, generic comments on this matter and discussed soil types, timing of the flora surveys and included the following:

The vegetation studies were completed at the correct time of the year. The latest being 4 December 2013. There were another three studies at different times of the year. As the study area is located on the South Coast the plant flowering times are later than in other parts of the State such as north of Perth. The 4 December 2013 is only 4 days outside Spring and for the South Coast it is the correct time for field assessments. The Proteaceae family are readily identifiable at any time of the year as are the coastal taxa. I have attached a copy of DPaW documentation relating to the Proteaceae Dominated Kwongan Shrubland. You will notice that the key taxa are listed, being the Proteaceae. No Proteaceae were present on site, identified in any of the vegetation studies as shown by Table 1A of the Vegetation Study.

The soils listed for the Proteaceae Dominated Kwongan Shrubland of "duplex soils and deep shallow soils on the sand plains, sandy soils to clay loam, gravelly loam and loam on quartzite" are clearly not present on the subject land which has calcareous coastal sand dunes as shown in the Vegetation study and the "Land Capability and Geotechnical Assessment dated May 2014 Section 2.0 Physical Environment and Regolith and Figures 1. 2. 4 and 6".

The lack of the Proteaceae Dominated Kwongkan Shrubland is confirmed by DPaW data from NatureMap database search of 10 km radius from the site which is attached in the vegetation assessment (Appendix 2). The database search shows that of the ten Banksia and 9 Hakea species listed by DPaW NatureMap only 4 of the key indicator Banksia species and 1 of the Hakea species of the Proteaceae Dominated Kwongkan Shrubland are listed. Not only are there no Proteaceae present on site there are very few indicator species shown on DPaW within 10 km of the subject land.

Proteaceae dominated Kwongkan Shrubland does not occur on site or nearby. The vegetation assessments have been thorough, staged over various times of the year, completed at the most appropriate time, completed by an experienced botanist. Hence the statement "No plant communities or taxa are listed as a Threatened Ecological Community" was made in the vegetation assessment because that is what all the studies found.

Consequently, in its advice dated 24 March 2015, DPaW confirmed that the Proteaceae Dominated Kwongkan Shrubland TEC is unlikely to occur within the OPD.

6 OUTLINE DEVELOPMENT PLAN

6.1 Response to Site Characteristics

The ODP includes lots ranging from 1 to 4.6 ha in response to site characteristics and the identified constraints and opportunities. Roads generally follow existing access and management tracks or are aligned to the contour to minimise visual impact and to maximise vegetation retention.

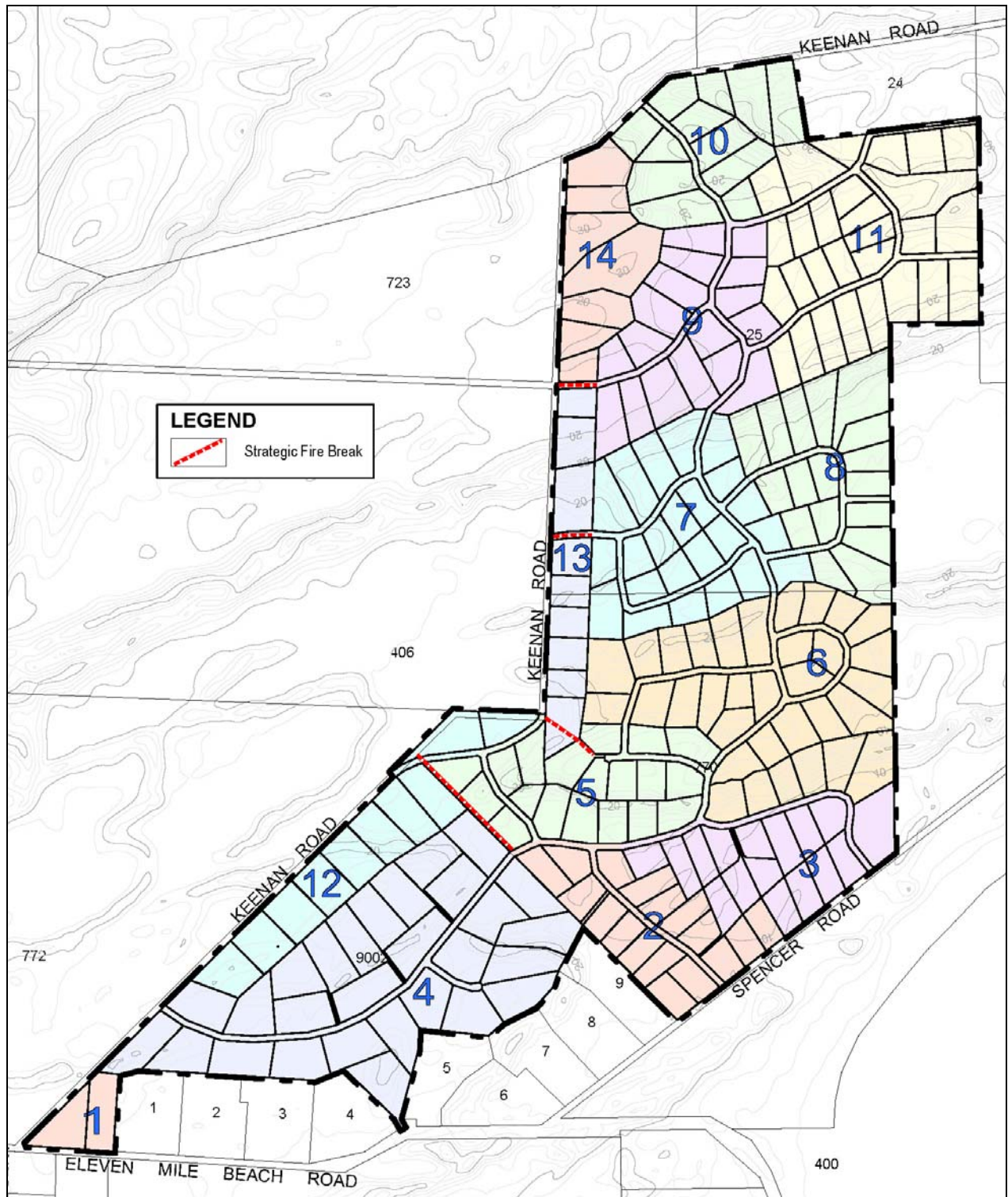
The plan provides for the optional realignment of a short section of Keenan Road. A new curved road could replace the existing right angle bend; achieved through road closure and land swap.

Precinct 24 of the ELPS provides a range of lot sizes from 1 to 4ha. LPS23 requires a minimum 2ha within Lot 9002 P2 area. The ODP proposes lot sizes ranging from 1.0 – 4.3ha across the subject land. Approximately 80ha of the subject land is identified as Priority 2 PDWSA.

This ODP nominates Development Exclusion Areas on several proposed lots because of the particular constraints or characteristics; notably those lots containing significant ridgelines/green corridors and Vegetation Protection Areas.

6.2 Staging

The ODP allows for staged subdivision and land release. Timing and final determination of stages will depend on demand and servicing, especially power, subdivisional roads and fire access networks.



ODP Staging Plan

7 POPULATION GROWTH/DEMONSTRATED DEMAND

As outlined in the 2012 Growth Plan and the endorsed Planning Strategy, Esperance has experienced steady growth, and this is expected to continue. Contributing factors include continued growth of mining in Ravensthorpe and the Goldfields, port expansion and tourism. The cited planning implication of an increasing population is the requirement for “additional dwellings and land to be made available at an appropriate rate to accommodate population growth”. The Growth Plan and SuperTown documents provide information on economic growth, the significance of Esperance as regional Port (for agricultural and mining sector), housing needs, population attraction and retention and growth scenarios.

The recent revival of the Nickel project east of Ravensthorpe, together the iron ore mine in Koolyanobbing have resulted in a revival of the population. There has been a corresponding take up of land, both residential and rural living, an increase in development approvals as well as significant investment and upgrades, most notably the town centre, foreshore, rail and road infrastructure.

There is a need for additional lots in Esperance because of the accommodation pressures from the development of these mines, the associated industries and export activities. As the population of Esperance and the surrounding area continues to grow, there will be a need to provide a variety of housing choices for that population. Rural Residential Lots provide an important component of the housing solution.

WA Tomorrow provides the population and demographic estimates for the State. Population in the Shire of Esperance at the 2011 Census was 13,880 persons. WA Tomorrow provides for a range of growth scenarios of which the predicted growth for the Shire of Esperance is 340 (low growth scenario) and 1740 additional persons (high growth scenario) in 2026.

107 rural residential/special residential lots were created in the Shire of Esperance in the decade up to December 2014. While 527 lots were created for residential purposes over this period (17% of all lots were therefore rural residential/special residential over this period). This represents an average of 11 rural residential lots created per year, with the most lots created being 25 in 2007.

Based on the historical rate and high scenario projected populations for the Shire of Esperance it is estimated that approximately 10 lots per year may be developed within the ODP area over the next 10 years.

8 CONCLUSION

The ODP responds to the site characteristics and the identified constraints and opportunities. The road layout and lot configuration take account of topography, vegetation, proximity to Pink lake and the need for protection of the groundwater resource. The proposal gives due consideration to fire safety, flora protection, amenity, land capability, effluent disposal and servicing. Where appropriate, Development Exclusion Areas have been identified on the ODP.

The accompanying report discussed and addresses the requirements of the Local Planning Strategy and Local Planning Scheme 23, including:

- 3.5 Housing
- 3.10.2 Catchments & Wetlands
- 3.10.5 Biodiversity
- 3.10.6 Bush Fire Risk
- 6.5 Rural Living
- Precinct 24 – Pink Lake West
- Clause 5.13 of LPS23 - Rural Residential Development Provisions;
- Clause 5.14 of LPS23 – Effluent Disposal;
- Part 6 of LPS23 - Special Control Areas, notably Parts 6.8 – SCA 4 Public Water Source Protection Areas and 6.9 – SCA 5 Wetlands of Significance and Lake Warden Recovery Catchment;
- Schedule 8 – Development Provisions;

The Plan provides for connectivity with adjoining subdivisions and possible future linkages. The ODP allows for staged development and land release. The creation of Rural Living Lots adds to the variety of housing choice in and around Esperance and will help satisfy the demand associated with future population growth of the town.

Appendix A

Land Capability and Geotechnical Assessment

Landform Research
May 2014

Appendix B

District Water Management Strategy

Landform Research
June 2014