

## **ENDORSEMENT PAGE**

This structure plan is prepared under the provisions of the City of Mandurah Town  
Planning Scheme No. 3

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

**11 FEBRUARY 2013**

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

Date of Expiry:

**19 OCTOBER 2035**

Enquiries: Lisa Harris (6551 4690)  
Our Ref: SPN/0606/1  
Your Ref: (ODP76) AWL

Fiona Mullen  
Manager, Planning and Land Services  
City of Mandurah  
PO Box 210  
MANDURAH WA 6210

Dear Madam

**LOTS 392 & 9501 BAILEY BOULEVARD, DAWESVEILLE - OUTLINE  
DEVELOPMENT PLAN**

I refer to your letter dated 28 March 2014 requesting the Western Australian Planning Commission's endorsement of the abovementioned Bailey Boulevard Outline Development Plan.

The required modifications have been satisfactorily undertaken and an endorsed copy of the ODP is enclosed for your records.

Should you wish to discuss this matter further, please contact the Lisa Harris on 955 4690 or email [lisa.harris@planning.wa.gov.au](mailto:lisa.harris@planning.wa.gov.au).

Yours faithfully

  
Tim Hillyard  
Secretary  
Western Australian Planning Commission

31 March 2014

Encl: 1



## NOTE:

THE FOLLOWING MANAGEMENT PLANS ARE REQUIRED TO BE PREPARED BY THE SUBDIVIDER AND APPROVED BY THE LOCAL GOVERNMENT AND/OR THE RELEVANT AUTHORITY AS A CONDITION OF SUBDIVISION:

- WILDLIFE PROTECTION MANAGEMENT PLAN
- VEGETATION MANAGEMENT PLAN
- DETAILED AREA PLAN FOR ALL LOTS ABUTTING PUBLIC OPEN SPACE AND NOMINATED LANEWAYS TO ADDRESS BUILT FORM, VEHICLE ACCESS, PARKING AND FENCING REQUIREMENTS

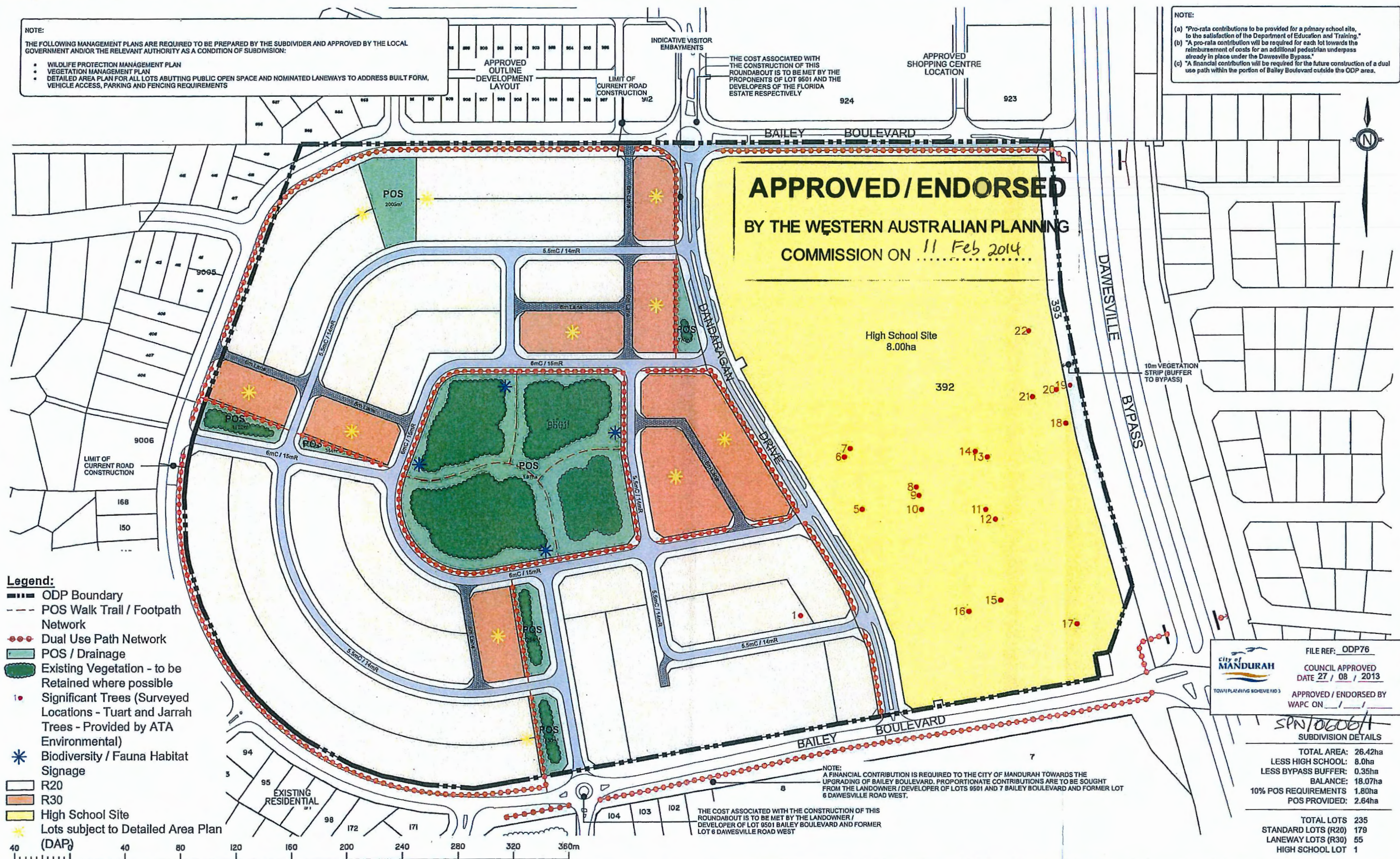
INDICATIVE VISITOR EMBAYMENTS

THE COST ASSOCIATED WITH THE CONSTRUCTION OF THIS ROUNDABOUT IS TO BE MET BY THE PROPONENTS OF LOT 9501 AND THE DEVELOPERS OF THE FLORIDA ESTATE RESPECTIVELY

APPROVED SHOPPING CENTRE LOCATION

## NOTE:

- (a) "Pro-rata contributions to be provided for a primary school site, to the satisfaction of the Department of Education and Training."
- (b) "A pro-rata contribution will be required for each lot towards the reimbursement of costs for an additional pedestrian underpass already in place under the Dawesville Bypass."
- (c) "A financial contribution will be required for the future construction of a dual use path within the portion of Bailey Boulevard outside the ODP area."



PROJECT **MELROSE BEACH ESTATE**

Job Ref. 115071	Date 19 FEBRUARY 2014
Comp By. BDC	DWG Name. 115071-4-003d.dwg
Locality DAWESVILLE	Local Authority

CLIENT **WATERMARK ENTERPRISES PTY LTD**

OUTLINE DEVELOPMENT PLAN  
LOT 9501 AND 392 BAILEY BOULEVARD, DAWESVILLE



Scale  
1:2500

RPS Australia East Pty Ltd  
ACN 140 292 762  
ABN 44 140 292 762

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Subiaco Office  
38 Station Street  
Subiaco WA 6008  
T +61 8 9211 1111  
F +61 8 9211 1122  
W rpsgroup.com.au

Sheet A3	Plan Ref 115071-4-003	Rev D
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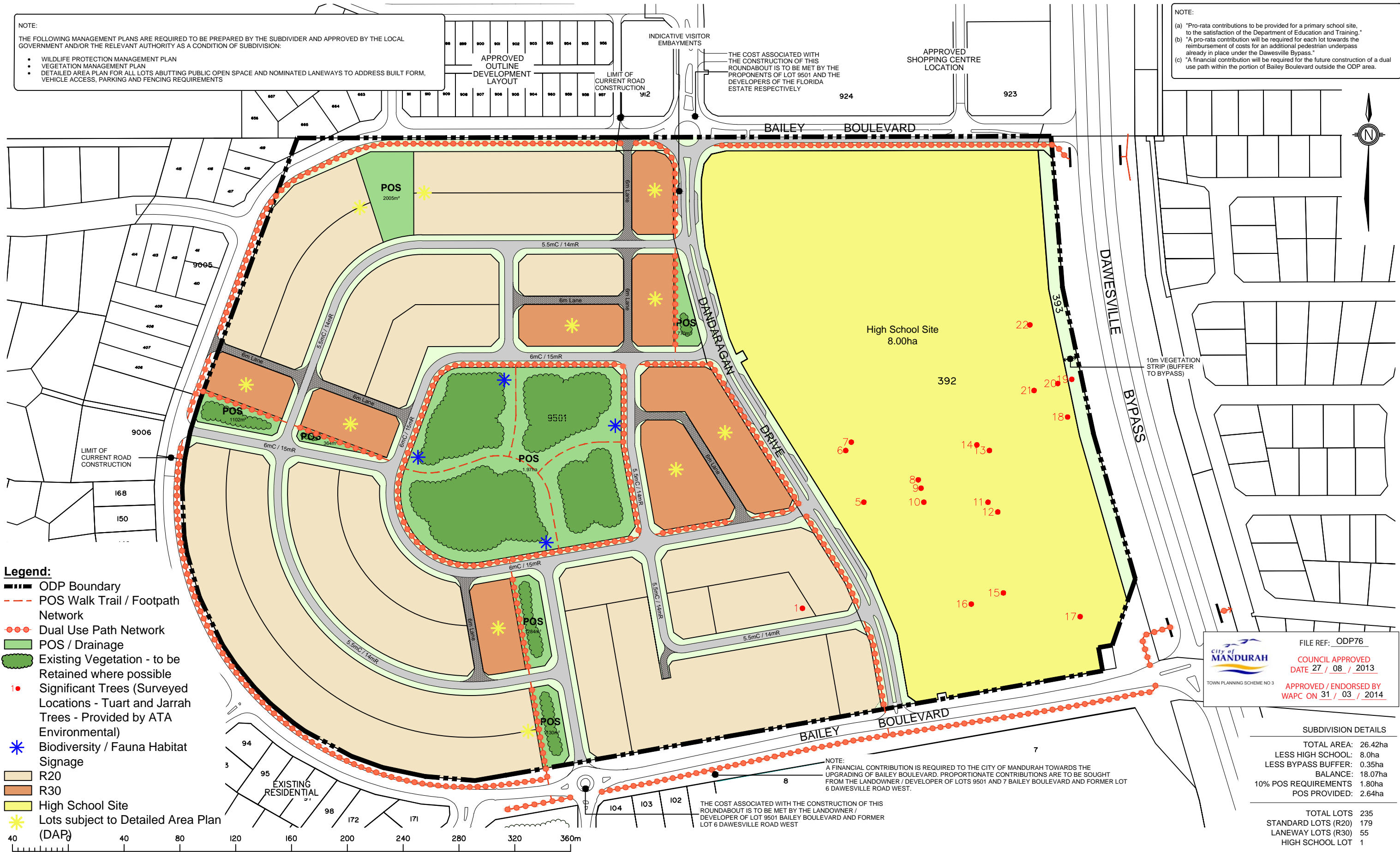
APPROVED  
OUTLINE  
DEVELOPMENT  
LAYOUT

INDICATIVE VISITOR  
EMBAYMENTS

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SHOPPING CENTRE  
LOCATION

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(b) "A pro-rata contribution will be required for each lot towards the reimbursement of costs for an additional pedestrian underpass already in place under the Dawesville Bypass."  
(c) "A financial contribution will be required for the future construction of a dual use path within the portion of Bailey Boulevard outside the ODP area."



- Legend:**
- ODP Boundary
  - POS Walk Trail / Footpath Network
  - Dual Use Path Network
  - POS / Drainage
  - Existing Vegetation - to be Retained where possible
  - Significant Trees (Surveyed Locations - Tuart and Jarrah Trees - Provided by ATA Environmental)
  - Biodiversity / Fauna Habitat Signage
  - R20
  - R30
  - High School Site
  - Lots subject to Detailed Area Plan (DAP)

FILE REF: ODP76  
COUNCIL APPROVED  
DATE 27 / 08 / 2013  
APPROVED / ENDORSED BY  
WAPC ON 31 / 03 / 2014

SUBDIVISION DETAILS	
TOTAL AREA:	26.42ha
LESS HIGH SCHOOL:	8.0ha
LESS BYPASS BUFFER:	0.35ha
BALANCE:	18.07ha
10% POS REQUIREMENTS	1.80ha
POS PROVIDED:	2.64ha
TOTAL LOTS 235	
STANDARD LOTS (R20)	179
LANEWAY LOTS (R30)	55
HIGH SCHOOL LOT	1

PROJECT		MELROSE BEACH ESTATE	
Job Ref.	115071	Date	19 FEBRUARY 2014
Comp By.	BDC	DWG Name.	115071-4-003d.dwg
Locality	DAWESVILLE	Local Authority	

CLIENT	WATERMARK ENTERPRISES PTY LTD		
OUTLINE DEVELOPMENT PLAN			
LOT 9501 AND 392 BAILEY BOULEVARD, DAWESVILLE			

		RPS Australia East Pty Ltd ACN 140 292 762 ABN 44 140 292 762		Subiaco Office 38 Station Street Subiaco WA 6008 T +61 8 9211 1111 F +61 8 9211 1122 W rpsgroup.com.au	
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Scale	1:2500	Sheet	A3	Plan Ref	115071-4-003
				Rev	D

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Our Ref: SPN/0606  
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Fiona Mullen  
Manager, Planning and Land Services  
City of Mandurah  
PO Box 210  
MANDURAH WA 6210

Dear Madam

**LOTS 9501 & 392 BAILEY BOULEVARD, DAWESVILLE - OUTLINE  
DEVELOPMENT PLAN**

I refer to your letter dated 1 October 2013 requesting the Western Australian Planning Commission's endorsement of the abovementioned Lots 9501 and 392 Bailey Boulevard Dawesville Outline Development Plan.

I advise that pursuant to section 7.11 of the City of Mandurah Town Planning Scheme No. 3, the Commission has resolved to approve the Outline Development Plan, subject to the modifications attached.

Once the modifications have been affected, please return three copies of the Plan to this office for endorsement.

Should you wish to discuss this matter further, please contact the Lisa Harris on 955 4690 or email [lisa.harris@planning.wa.gov.au](mailto:lisa.harris@planning.wa.gov.au).

Yours faithfully

  
for Tim Hillyard  
Secretary  
Western Australian Planning Commission

11 February 2013

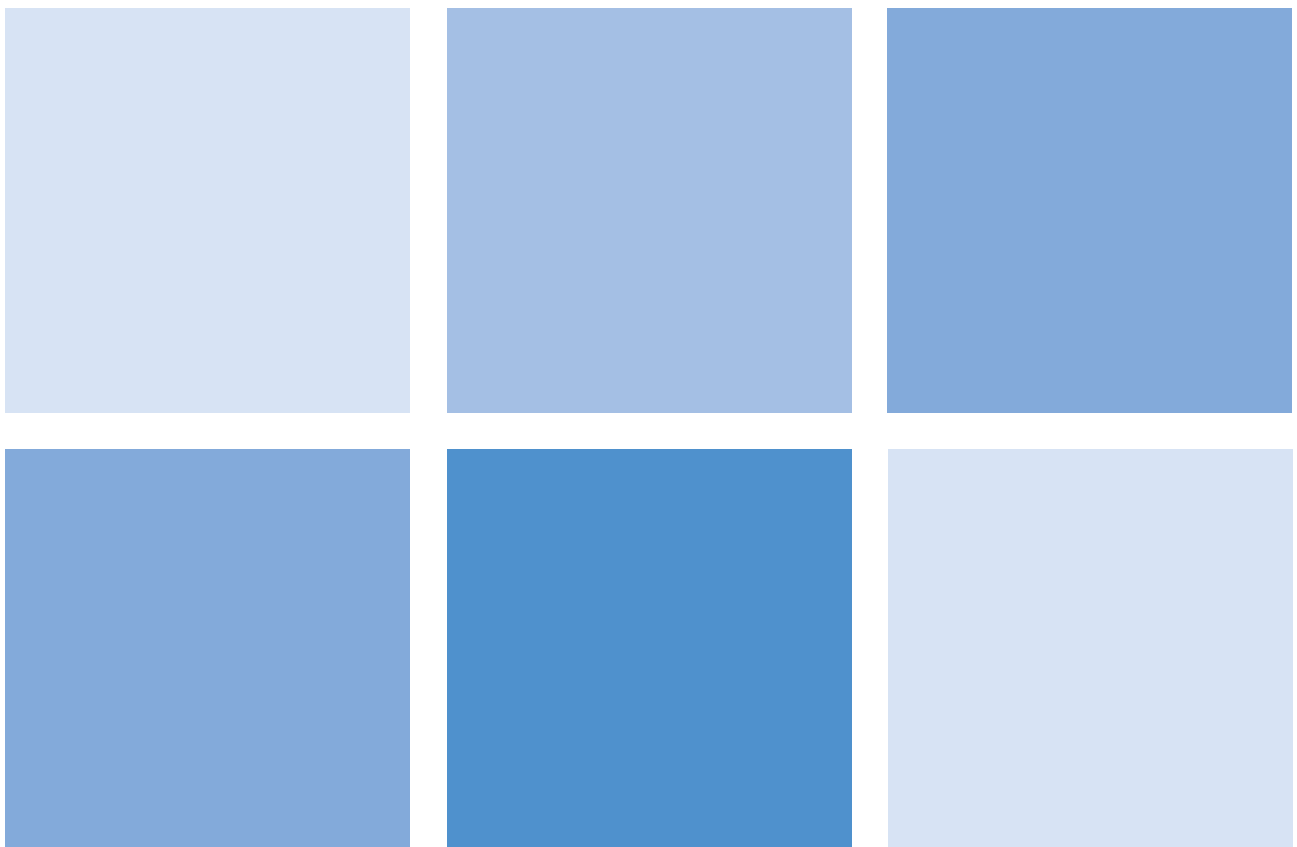
## **Schedule of Modifications**

### **Lots 392, 393 and 9501 Bailey Boulevard, Dawesville Outline Development Plan**

1. Notate Lots 7, 8, 382 and 9501 Bailey Boulevard on the plan.
2. Within the Legend text box, make the following changes:
  - a. Replace 'Subject Land' with ODP boundary' and replace red dashed line with black on the ODP plan.
  - b. Delete 'Rear Fencing - Semi Transparent for Passive Surveillance'.
3. Delete notations relating a Flora Management Plan, Wildlife Protection Plan and Public Open Space Management Plan.
4. Insert a text box with the following text:
  - a. "1. A Wildlife Protection Management Plan is required."
  - b. "2. A Vegetation Management Plan is required."
  - c. "3. A Detailed Area Plan is required for all lots abutting Public Open Space and laneways, to address the following: vehicle access, parking and fencing."
5. Delete the notation relating to financial contributions towards Dawesville Road West and insert "A financial contribution is required to the City of Mandurah towards the upgrading of Bailey Boulevard. Proportionate contributions are to be sought from the landowner/developers of Lots 9501 and 7 Bailey Boulevard and former Lot 6 Dawesville Road West."
6. Insert "Dandaragan Drive" as appropriate on the plan.
7. Delete indicative lot boundaries within the cells.
8. Delete the colour within the "Existing Reserve" south of the ODP boundary.
9. Recolour the High School Site from green to yellow and include within the Legend.
10. Insert a notation adjacent to the southern roundabout, to state "The costs associated with the construction of this roundabout are to be met by the landowner/developer of Lot 9501 Bailey Boulevard and former Lot 6 Dawesville Road West."
11. Insert additional Public Open Space in the northern most R20 cell, as indicated on RPS plan number 115071\_3-4-003b.dgn dated 16 October 2013.
12. Delete Public Open Space between the two R30 cells in the northern portion of the Outline Development Plan and replace with a road, as indicated on RPS plan number 115071\_3-4-003b.dgn dated 16 October 2013.
13. Public Open Space - insert sizes on each parcel.

## **Proposed Revised Outline Development Plan**

**Lots 9501 and 392 Bailey Boulevard, Dawesville**





## **Proposed Revised Outline Development Plan**

### **Lots 9501 and 392 Bailey Boulevard, Dawesville**

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Prepared by:

**RPS**

1 / 8 Prince Street , BUSSELTON WA 6280

PO Box 749, BUSSELTON WA 6280

T: 08 9754 2898

F: 08 9754 2085

E: [busselton@rpsgroup.com.au](mailto:busselton@rpsgroup.com.au)

W: [www.rpsgroup.com.au](http://www.rpsgroup.com.au)

Prepared for:

**WATERMARK ENTERPRISES PTY LTD**

Project No: **115071-3**

Date: **February 2013**



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**FIGURES**

FIGURE 1	Endorsed Outline Development Plan
FIGURE 2	Location Plan
FIGURE 3	Aerial Photo

**APPENDICES**

APPENDIX A	Proposed Revised Outline Development Plan
APPENDIX B	Environmental Investigations and Approvals
APPENDIX C	Certificates of Title

**Document Status**

<b>Version</b>	<b>Purpose of Document</b>	<b>Orig</b>	<b>Review</b>	<b>Review Date</b>	<b>RPS Release and Issue Approval</b>
<i>Final A</i>	<i>Final for Issue</i>	<i>SLB</i>	<i>DD</i>	<i>19/2/13</i>	<i>19/2/13</i>

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## 1.0 INTRODUCTION

On 17<sup>th</sup> March 2009, the Western Australian Planning Commission (WAPC) endorsed an Outline Development Plan (ODP) for Lot 9501 Bailey Boulevard, Dawesville (the site) which was previously known as Lot 1 Dawesville Road. Endorsement of the ODP was issued following a comprehensive and lengthy assessment process which stems back to 2003 when initial planning investigations of the site were initiated. The endorsed ODP is shown in Figure 1.

In accordance with the endorsed ODP, a Subdivision Approval was issued by the WAPC on 22 January 2010 (WAPC No 141148). The approval remains current and is valid until 22 January 2014.

To this end, the landowner has not progressed approved subdivision works, largely due to cost constraints and the soft housing market over recent years. Notwithstanding past delays, the landowner is now ready to move forward with the project but also recognises changes in the housing market and its expectations with respect to lot sizes, sustainability and residential amenity.

Accordingly, there is a need to rationalise the current approved design and provide smaller, more sustainable lots as a part of the development. In this regard, RPS has undertaken a review of the ODP area and replaced the base R15 density code with the more conventional residential code of R20. Lot size rationalisation has also been applied to the existing R20, R30 and R40 cells in order to provide greater land use efficiency across the ODP area for future housing. Ultimately, the proposal will improve lot configuration and provide an increase in yield of approximately 46 additional lots.

The design approach and its philosophy is consistent with current strategic planning documents such as *"Directions 2031 & Beyond"* and *"Liveable Neighbourhoods"* which promote the creation of more sustainable and efficient lots for housing development.

In order to progress the revised subdivision layout and obtain WAPC approval, it is necessary to modify the current ODP beforehand.

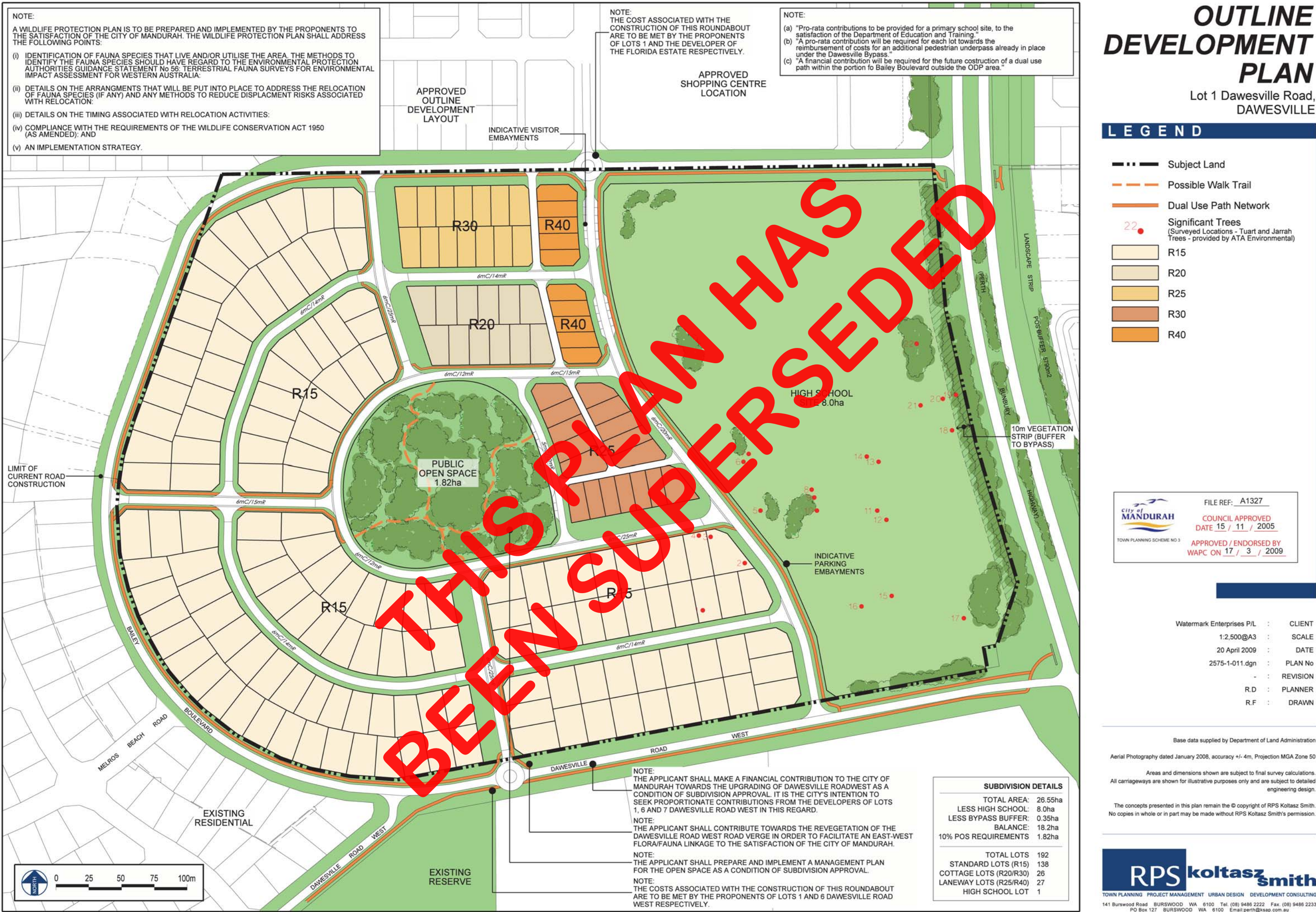
Prior to submitting this application, RPS discussed the proposed lot density increase with senior planning staff at the City of Mandurah whereby "in principle" support to the concept was indicated, subject to modifying the ODP to reflect the revised density layout and submitting the revised document to Council for its assessment. Given that the ODP is already in place and all of the planning and environmental requirements have been addressed previously, it was also agreed that strict provision of a fully documented submission (as normally required by the Town Planning Scheme) in order for it to consider and assess the proposal was not necessary in this case. Similarly, officers at the Department of Planning (Peel Office) also agreed with this approach.

Accordingly, a revised ODP has been prepared and is attached at Appendix A of this report.

Further information regarding previous environmental investigations and approvals is also provided (Appendix B) to provide context to the proposal.



Figure 1





## **2.0 SITE OVERVIEW**

### **2.1 Location and Regional Context**

The subject land is located approximately 14 kilometres south of Mandurah City on the Dawesville Bypass. It lies between the Dawesville Bypass, Dawesville Road to the South and Bailey Boulevard to the west. The land is immediately south of Florida Beach Estate (refer Figure 2).

The land enjoys excellent connectivity to the region via the Dawesville Bypass and is well located with respect to the coast (i.e. Melros Beach) and the Peel-Harvey Estuary. The site lies centrally within the Dawesville urban corridor which provides a mix of predominantly R15/20 residential density with a neighbourhood shopping centre, mixed business area, and public and private primary schools.

The development of the subject land will enhance the catchment of the locality and future residents will enjoy direct and convenient access to commercial, educational and recreational opportunities.

As indicated on the current ODP, approximately 8ha of land is designated for the purposes of a future high school. In this regard and following endorsement of the ODP in 2009, the dividing road reserve and designated lot (i.e. Lot 392) for the school site was created and now exists as a formal stand alone land parcel ready for development.

### **2.2 Site Details and Ownership**

The Outline Development Plan area comprises two lots described as follows:

Lot 9501 on DP 74451 (Volume 2800 Folio 212) owned by Watermark Enterprises PTY LTD

Lot 392 on DP 60959 (Volume 2719 Folio 482) owned by Minister for Education.

The respective Certificate of Titles are attached at Appendix C.

### **2.3 Environmental Characteristics**

The site comprises two separate lots, both of which are covered with existing vegetation (refer Figure 3)

As part of the initial ODP investigation a Flora, Vegetation and Fauna assessment was carried out by the appointed environmental consultant (ATA). The objectives of the study was to map vegetation communities and significant plant populations and their condition, assess the significance of these communities, determine the nature of any likely fauna, determine areas of natural vegetation that could be retained and identify uses for vegetation cleared as part of the subdivision. A copy of this assessment is included within Appendix B.

The Study concludes that the vegetation communities within the ODP area range from good to very good and are relatively well represented on the Swan Coastal Plain. The 'very good' vegetation is mapped as being in the central area of the site, extending east toward Dawesville Bypass.

'Good' and 'Very Good' condition vegetation is described in the ATA report as follows:









‘Good’ - 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 very frequent fires, the presence of very aggressive weeds at high density, partial clearing, dieback and grazing).

‘Very 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, dieback, logging and grazing).

In summary, no Declared Rare Flora or Commonwealth listed species were recorded from the study area and the identified vegetation associations are relatively well represented on the Swan Coastal Plain and also found to be present within Caddadup Reserve to the north and Tim’s Thicket Reserve and Yalgorup National Park to the south.

It should be noted that an additional spring flora survey was also conducted following the initial flora survey, whereby no further evidence of Declared Rare Flora species on the site was found.

## **2.4 Surrounding Land**

The land is bounded by the developing Florida Estate to the north (which connects to the site via Dandaragan Drive) and a northern perimeter road which forms the Bailey Boulevard extension. This extension provides direct road frontage for approved development within Florida Beach Estate, the subject land and will ultimately complete the Bailey Boulevard link back to the Dawesville Bypass.

Urban zoned land under the Peel Region Scheme is located to the north, west and south of the site plus on the eastern side of the Bypass. Most of these areas either developed or progressively developing including several schools and a neighbourhood shopping centre immediately north of the site.

The location of the proposed high school to the east on Lot 392 continues the growth pattern which combines residential land use with community and non-residential uses in a highly accessible central spine within the Dawesville Urban Corridor.



### 3.0 PLANNING FRAMEWORK AND ASSESSMENT

#### 3.1 Peel Region Scheme

The Peel Region Scheme (PRS) is a large town planning scheme which guides land use in the Peel Region. This area includes the local government boundaries of the City of Mandurah and the shires of Murray and Waroona.

It defines the future use of land, dividing it into broad zones and reservations and requires local government town planning schemes to provide detailed plans for their respective parts of the region. These schemes must be consistent with the PRS.

The PRS uses a set of maps and a scheme text. The scheme text provides planning rules for zones and reservations, which are shown on the maps in their respective colours and patterns. The plan has been in operation since March 2003 and provides the legal basis for planning in the Peel region.

The subject site land is zoned “Urban” under the PRS and forms part of the Dawesville Urban Corridor. As stated in the PRS text, the purpose of the “Urban” zone is to:

*“...provide for residential development and associated local employment, recreation and open space, shopping, schools and other community facilities”.*

Accordingly, the site has been approved for urban development by way of ODP and subdivision approval.

It should also be noted that the land is not affected by the Scheme’s Floodplain Management Policy, the Strategic Agricultural Resource Policy or the Strategic Mineral and Basic Rural Materials Policy.

#### 3.2 City of Mandurah Town Planning Scheme No. 3

The land is zoned “Urban Development” under the City of Mandurah Town Planning Scheme No. 3 (the Scheme).

The purpose and intent of the zone is to provide for future residential and urban related development after comprehensive planning of the land has been carried out resulting in an approved Outline Development Plan area.

As previously indicated an ODP has been approved and was prepared and assessed in accordance with the provisions of the Scheme contained under Clause 7.11.

In the context of this proposal, the Scheme provisions also enable an approved ODP to be modified by such means as deemed appropriate by Council (refer Clause 7.11.3.13).

In this regard the extent of proposed modification to the ODP generally relates to density code variation, and an increase in lot yield and POS, rather than any significant modification to its fundamental design layout.

Based on preliminary consultation with Council and Department of Planning staff it was considered that the proposal can be assessed by Council and the WAPC without having to follow the full extent of procedures as provided under Clause 7.11 of the Scheme.

### 3.3 Liveable Neighbourhoods

Liveable Neighbourhoods (LN) was prepared by the WAPC to implement the objectives of the State Planning Strategy and is a compulsory design code and an operational policy of the WAPC which guides the design and assessment of structure plans (regional, district and local), subdivision and development for new urban areas.

Its aims include promoting the design of walkable neighbourhoods; places that offer community and a sense of place; mixed uses and active streets; accessible and sustainable parks; energy efficient design; and a variety of lot sizes and housing types.

The key initiatives of LN are covered under eight design elements which are:

- Community Design
- Movement Network
- Lot Layout
- Public Parkland
- Urban Water Management
- Utilities
- Activity centres and employment
- Schools

Each of the above design elements have been considered in the context of preparing the proposed ODP and will continue to flow on right through to detailed lot and building design.

Liveable Neighbourhoods is a non statutory planning guide which aims to encourage contemporary urban design techniques, facilitate greater community interaction, provide more efficient use of land and introduce permeability and legibility into the various movement systems when planning for future neighbourhoods.

The proposed changes to the current ODP (as proposed) is consistent with this objective.

### 3.4 Endorsed Outline Development Plan

On 15 November 2005, Council adopted the current ODP whereby it was later endorsed on the 17 March 2009 by the WAPC.

The current ODP provides the necessary framework for any future subdivision proposal in respect of the land.

The ODP design philosophy is based on appropriate blending with the existing and/or planned pattern of surrounding development. The layout is also influenced by the need to allocate the 8ha site for high school purposes and the retention of quality vegetation centrally on site and within designated corridors. The Public Open Space area supports this and also provides passive recreational function through the establishment of future walk trails. Pedestrian/cyclist movement through the site follows the subdivisional road network and the existing Dawesville Bypass underpasses providing connectivity to the east.

Active recreational needs will be provided by the future High School playing fields on Lot 392 and within the existing cleared reserve to south. Drainage within the subdivision area will be provided in accordance with an approved Urban Water Management Plan which also considers Council's water sensitive urban design requirements through use of flush kerbing and surface infiltration. This approach avoids the need for specific drainage areas and infrastructure, as indicated on the endorsed ODP.

Water, sewer and high voltage power services are available to the site and the geology of the area is predominantly deep sands over Tamala limestone and is suitable for on site stormwater disposal via surface infiltration.

To this end a two subdivision approvals have been issued by the WAPC consistent with the layout indicated on the endorsed ODP. However, the only effected subdivision which has taken place is the creation of the High School lot in the eastern portion of the site (i.e. Lot 392). This process also realised the creation of the road reserve that now divides Lot 392 from the balance ODP area and provides suitable road frontage to service the future school. The balance ODP area is known as Lot 9501 and is the subject area of land associated with the revised ODP.

The decision to approve the current ODP followed a lengthy and comprehensive assessment process. In this regard, the proposed ODP was originally advertised for public comment in July/August 2004 and a public workshop was also held during this period. As part of a separate process a proposed plan of subdivision was also considered which also involved prior consideration by the Environmental Protection Authority (EPA) whereby it concluded that formal assessment was not warranted. However via third party appeal rights, this determination became the subject of an appeal to the Minister of Environment.

On 8 July, 2005 the Minister for the Environment considered and dismissed the appeal against the level of assessment for this land and supported the EPA's decision not to assess the proposal.

This was in accordance with the EPA advice that:

*"...the potential impacts of the proposed subdivision can be adequately managed through appropriate subdivision conditions..."*

In addition to environmental assessment undertaken by the EPA, Council required as a condition of its original advertising, that the applicant refer the proposal to the Commonwealth Department of Environment (DEH) now known as SEWPAC. Consequently a referral was made to DEH whereby approval to the proposal was issued on 29 August 2007.

A copy of the notice of approval decision is included in Appendix B.



## **4.0 PROPOSED REVISIONS TO OUTLINE DEVELOPMENT PLAN**

### **4.1 Residential Density**

The majority of the current ODP area is characterised by the R15 density code which supports the creation of lots in the order of 600 to 650m<sup>2</sup>.

As provided in “Liveable Neighbourhoods” urban density is defined as the number of dwellings per hectare of gross urban land. Gross urban land includes land required for infrastructure and for open space purposes. In most new urban areas, urban densities of at least 15 dwellings per urban hectare should be provided”. In respect of the site this equates to approximately 253 lots.

However, the current ODP and WAPC subdivision approval relating to the site only provides up to 191 dwellings (i.e. approximately 11 dwellings per urban hectare) which is well below the expected urban density.

While it is acknowledged that the site is located in an outer urban growth area and the urban density might therefore be slightly lower, there is still reasonable scope to provide a higher density outcome in this locality, especially given its proximity to the future school site and nearby neighbourhood shopping centre.

It is therefore proposed to modify the current ODP by increasing the base density code of R15 to R20 and rationalise the distribution of R25, R30 & R40 lot cells to deliver a more practical and functional urban density outcome. The resulting yield provided by the proposed ODP is 238 lots which is an increase of 46 additional dwellings.

The proposal will provide an urban density at approximately 14 dwellings per hectare which is more consistent with current planning principles and objectives, as it applies to providing appropriate residential densities within new urban areas.

### **4.2 Design Layout and Public Open Space**

In addition to improving land use efficiency, the revised proposal also provides an improved environmental and urban design outcome by integrating the central POS area with future living space and increasing the ecological linkage between the site and the surrounding areas of vegetation.

In this regard the central open space has increased from 1.82ha to 2.19ha and its configuration altered to regularise its shape and present a greater relationship to the surrounding residential lots. The revised configuration also extends the view corridor through to the school and produces more lots fronting onto the parkland thereby improving surveillance and residential amenity. It also presents a much wider vegetation link towards the east thus further extending its relationship to the school site as well and increasing the amount of protected vegetation.

The proposed layout also breaks up the current residential area adjacent to the POS into two separate cells thereby providing more space and improving connectivity. The two proposed cells maintain the current R25 density however the requirement to construct road reserves through the POS is avoided. Vehicle access to residential lots is therefore restricted to the surrounding perimeter road only.

With respect to the interface between the proposed R25 lots and the POS area, it is proposed to place walk trail/ footpaths within this space and provide a defined edge between the two land uses.

This feature will enable safe pedestrian movement to the school and bring the community closer to the edge of the POS thereby increasing public awareness with respect to its conservation values. This is consistent with the measures set out by the Commonwealth Government in its approval (refer Appendix B) which requires the erection of signs to inform the community about the environmental value and significance of the Carnaby's Black Cockatoo population and the role played by vegetation habitat isolates and corridors. Direct access to the proposed path network from residential dwellings will also encourage housing design to address the POS including the use of semi transparent uniform fencing for passive surveillance.

It is proposed to install the paths without removing any foraging trees and notwithstanding the POS area increasing from 1.82ha to 2.19ha, the physical separation provided by the path will also provide a buffer between the vegetation and future dwellings thus contributing to fire safety and protection measures.

It is also intended that the POS area will incorporate other passive use facilities (e.g. walking trails and seating) in order to bring the community closer to the natural environment, engage public awareness and encourage its protection through education measures (i.e. signage).

In addition to the proposed central POS area, it is intended to maintain the vegetation link to the south (shown as road reserve on the current ODP) and increase its width from 15m to 20m. The proposed linear POS link will provide a much greater connection between the existing reserve area on the southern side of Bailey Boulevard and the central POS area.

The current ODP provides a similar connection within the road reserve to the north however its significance as an ecological linkage is diminished by virtue of the existing and planned urban development to the north which is void of any identified vegetation areas or reserves. The proposed ODP therefore removes this element from the current layout and shifts the focus of providing linkages along the south and east corridors as POS and towards the west and north along Dandaragan Drive in the form of wider road reserves. The wider road reserves will enable some of the remnant vegetation to be retained, support safe pedestrian movement and provide improve streetscape amenity along the front of some of the proposed rear loaded lots, including the use of the proposed dual use path system.

### 4.3 Summary

While the proposed ODP considers and generally maintains the integrity of the original concept, greater focus on improving its efficiency, urban density outcome and environmental protection has been applied.

The principal modifications, planning elements and design changes applied to the proposed ODP are summarised below:

- Current R15 density cells have been increased to R20;
- The central POS area has been reconfigured to increase its size from 1.82 ha to 2.19 and to enable a more regular grid pattern to the surrounding residential cells, thus reducing the amount of irregular lots;



- Provide more R40 density lots with strong focus on streetscape design opportunities including frontage to wider road reserves and direct access to the proposed pedestrian movement network;
- Split the large R25 cell adjacent to the central POS into two separate cells to provide a stronger and continued ecological linkage to the east and remove the necessity to construct subdivisional roads through remnant vegetation;
- Provide greater focus between the interface of the central POS area and future dwellings including the use of semi transparent uniform fencing and foot path separation;
- Maintain strong pedestrian links and view corridors from existing roads;
- Introduce additional laneways in the southern and western portions of the site with increased density around open space and wider road reserves;
- Create strong entry experience with views to the central open space;
- Remove identified trees 2, 3 & 4;
- Remove notations on the current ODP which relate to costs associated with installing two roundabouts, as they are already constructed;
- Remove notation on the current ODP which relates to the applicant contributing towards revegetation of the southern portion of Bailey Boulevard as there is insufficient road reserve to achieve this due the carriageway being constructed up against the edge of the road reserve in order to preserve existing vegetation on the southern side of the road; and
- Remove the words “as a condition of subdivision” from the note which refers to the preparation and implementation of a management plan for the open space, as it is generally covered by the conditions of approval issued by the Federal Government.

## 5.0 CONCLUSION

The proposed changes to the ODP is in accordance with the zoning of the land and will ensure ongoing residential and urban development within the locality responds to the need to design for more sustainable communities.

While the proposal maintains the design philosophy and planning principles provided by the current ODP, it also aims to improve the ultimate subdivision design and its delivery. This includes increasing the size of the central public open space area, redefining its shape to ensure greater protection of the natural environmental and extend its relationship closer to the surrounding residential area and the school site.

The proposal will improve lot configuration and provide an increase in yield of approximately 46 additional lots.

The proposal supports Liveable Neighbourhoods principles aimed at increasing land use efficiency and delivering planning outcomes which place greater emphasis on site responsive design, local identity, interconnected street network (with development frontage to streets and open spaces) and a wide choice of housing together with increase residential density.

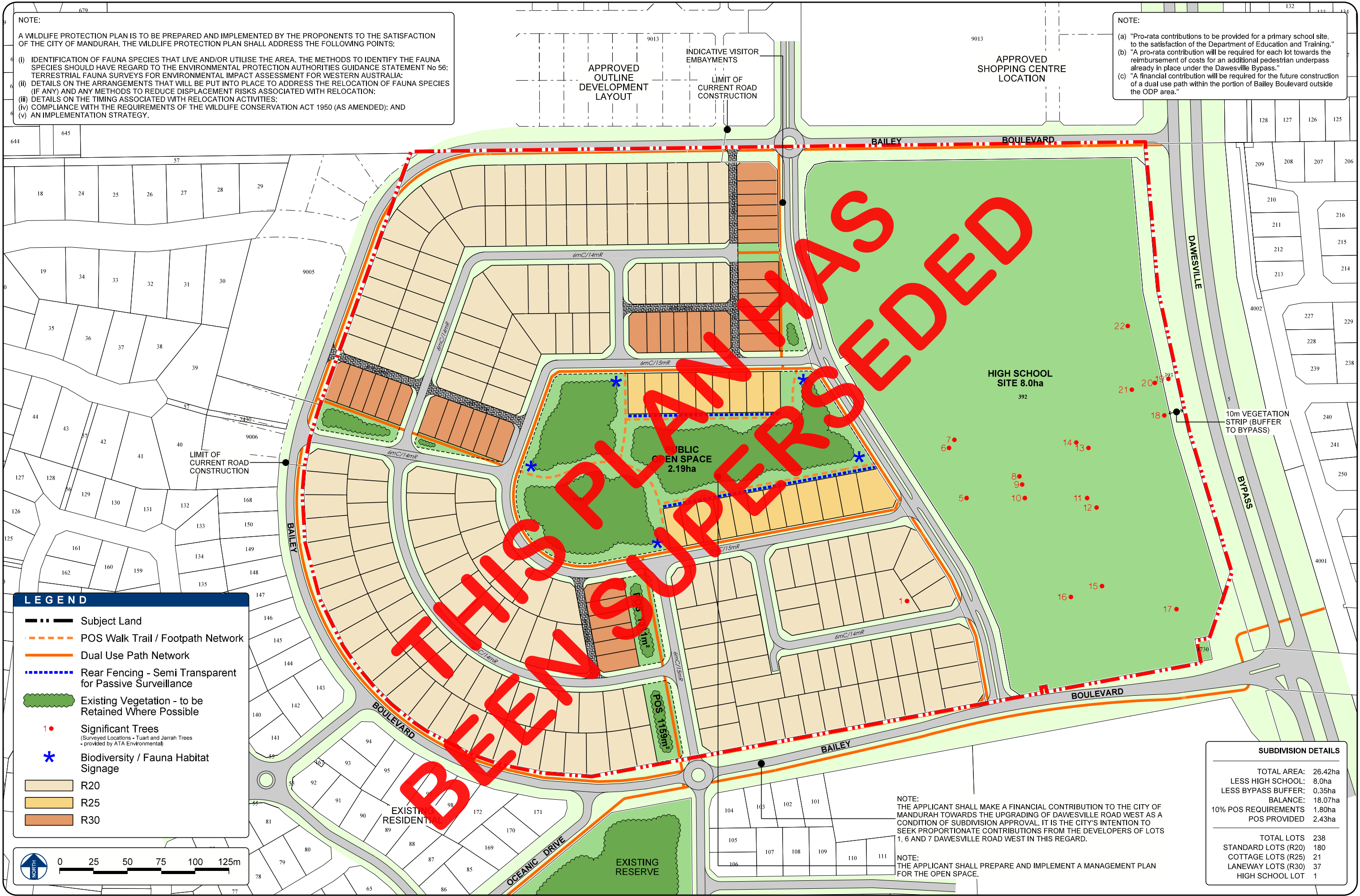
Accordingly, we respectfully request Council's support to the revised ODP and upon adoption, forward the proposal to the WAPC for its endorsement in accordance with Clause 7.11.3.10 of the Scheme Text.



## **APPENDIX A**

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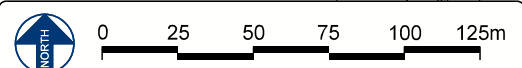
**Proposed Revised Outline  
Development Plan  
(Plan No. PRI15071-3-4-002a  
dated 18 February 2013**



NOTE:  
A WILDLIFE PROTECTION PLAN IS TO BE PREPARED AND IMPLEMENTED BY THE PROPONENTS TO THE SATISFACTION OF THE CITY OF MANDURAH. THE WILDLIFE PROTECTION PLAN SHALL ADDRESS THE FOLLOWING POINTS:  
(i) IDENTIFICATION OF FAUNA SPECIES THAT LIVE AND/OR UTILISE THE AREA. THE METHODS TO IDENTIFY THE FAUNA SPECIES SHOULD HAVE REGARD TO THE ENVIRONMENTAL PROTECTION AUTHORITIES GUIDANCE STATEMENT No 56: TERRESTRIAL FAUNA SURVEYS FOR ENVIRONMENTAL IMPACT ASSESSMENT FOR WESTERN AUSTRALIA;  
(ii) DETAILS ON THE ARRANGEMENTS THAT WILL BE PUT INTO PLACE TO ADDRESS THE RELOCATION OF FAUNA SPECIES (IF ANY) AND ANY METHODS TO REDUCE DISPLACEMENT RISKS ASSOCIATED WITH RELOCATION;  
(iii) DETAILS ON THE TIMING ASSOCIATED WITH RELOCATION ACTIVITIES;  
(iv) COMPLIANCE WITH THE REQUIREMENTS OF THE WILDLIFE CONSERVATION ACT 1950 (AS AMENDED); AND  
(v) AN IMPLEMENTATION STRATEGY.

NOTE:  
(a) "Pro-rata contributions to be provided for a primary school site, to the satisfaction of the Department of Education and Training."  
(b) "A pro-rata contribution will be required for each lot towards the reimbursement of costs for an additional pedestrian underpass already in place under the Dawesville Bypass."  
(c) "A financial contribution will be required for the future construction of a dual use path within the portion of Bailey Boulevard outside the ODP area."

- LEGEND**
- Subject Land
  - - - POS Walk Trail / Footpath Network
  - Dual Use Path Network
  - Rear Fencing - Semi Transparent for Passive Surveillance
  - Existing Vegetation - to be Retained Where Possible
  - 1 • Significant Trees  
(Surveyed Locations - Tuart and Jarrah Trees - provided by ATA Environmental)
  - \* Biodiversity / Fauna Habitat Signage
  - R20
  - R25
  - R30



SUBDIVISION DETAILS	
TOTAL AREA:	26.42ha
LESS HIGH SCHOOL:	8.0ha
LESS BYPASS BUFFER:	0.35ha
BALANCE:	18.07ha
10% POS REQUIREMENTS	1.80ha
POS PROVIDED	2.43ha
TOTAL LOTS	
STANDARD LOTS (R20)	180
COTTAGE LOTS (R25)	21
LANEWAY LOTS (R30)	37
HIGH SCHOOL LOT	1

NOTE:  
THE APPLICANT SHALL MAKE A FINANCIAL CONTRIBUTION TO THE CITY OF MANDURAH TOWARDS THE UPGRADING OF DAVESVILLE ROAD WEST AS A CONDITION OF SUBDIVISION APPROVAL. IT IS THE CITY'S INTENTION TO SEEK PROPORTIONATE CONTRIBUTIONS FROM THE DEVELOPERS OF LOTS 1, 6 AND 7 DAVESVILLE ROAD WEST IN THIS REGARD.

NOTE:  
THE APPLICANT SHALL PREPARE AND IMPLEMENT A MANAGEMENT PLAN FOR THE OPEN SPACE.

## **APPENDIX B**

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### **Environmental Investigations and Approvals**





**Australian Government**

**Department of the Environment and Water Resources**

Mr Geoff Yorath  
Watermark Enterprises  
C/- Roy Weston Project Development  
PO Box 1125  
WEST LEEDERVILLE WA 6901

Date

13 November 2007

EPBC Ref: 2005/2394

EPBC contact

Mark Jenkins

(02) 6274 1558

[mark.jenkins@environment.gov.au](mailto:mark.jenkins@environment.gov.au)

Dear Mr Yorath

**Variation to approval**

**RESIDENTIAL DEVELOPMENT, LOT 1 DAWESVILLE ROAD, DAWESVILLE,  
WESTERN AUSTRALIA (EPBC 2005/2394)**

Thank you for your email dated 24 September 2007 requesting a variation to the conditions of your EPBC approval. I note that you have requested that the site plan (subdivision plan) at Schedule 1 be replaced with an amended subdivision plan.

I have considered your request and made the required variation to the approval decision by deleting Schedule 1 to the approval, and substituting with Schedule 1A (subdivision plan number 2575-3-005pl). A copy of my decision is attached.

If you wish to discuss this matter please contact Mark Jenkins on (02) 6274 2128 or  
Email: [mark.jenkins@environment.gov.au](mailto:mark.jenkins@environment.gov.au).

Yours sincerely

Marina Walkington  
Acting Assistant Secretary  
Environment Assessment Branch  
November 2007



Australian Government

Department of the Environment and Water Resources

VARIATION OF CONDITIONS OF APPROVAL

COMMONWEALTH OF AUSTRALIA

*ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999*

Pursuant to section 143 of the *Environment Protection and Biodiversity Conservation Act 1999*, I, MARINA WALKINGTON, Acting Assistant Secretary of the Environment Assessment Branch, a delegate of the Minister for the Environment and Water Resources, hereby vary the conditions attached to the approval granted on 29 August 2007 for the taking of the following action by Watermark Enterprises.

To subdivide a block of land into residential lots and a high school, at Lot 1 Dawesville Road, Dawesville, WA (EPBC 2005/2394).

The variation is:

Delete Schedule 1 to the approval, and substitute with Schedule 1A.

Dated this 13 day of November 2007

  
MARINA WALKINGTON



Australian Government

Department of the Environment and Water Resources

## NOTICE OF APPROVAL DECISION

This decision is made under (Section 133) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

### Proposed action

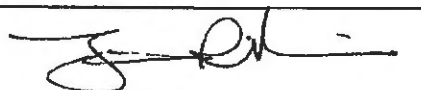
Person to whom the approval is granted	Watermark Enterprises
Proposed action	The proposed action to subdivide a block of land into residential lots and a high school, at Lot 1 Dawesville Road, Dawesville, WA (EPBC 2005/2394).

### Approval decision

Relevant controlling provisions	The approval has effect for: <ul style="list-style-type: none"><li>Listed threatened species and communities (sections 18 &amp; 18A)</li></ul>
Expiry date of approval	This approval has effect until 31 December 2027.

### Person authorised to make decision

Name and position



Ms Tania Rishniw  
Acting Assistant Secretary  
Environment Assessment Branch  
Approvals and Wildlife Division

Date of decision

29 August 2007

### Conditions of approval

- The proposed residential subdivision at Lot 1 Dawesville Road, Dawesville must be constructed in accordance with the site plan at Schedule 1.
- To minimise the impacts on Carnaby's Black Cockatoo (*Calyptrorhynchus latirostris*) the person taking the action must implement measures to assist in the long term protection of the species. The measures must include (but not be limited to):
  - reservation of no less than 1.82 hectares of Banksia woodland as Public Open Space in the centre of the development as identified in the site plan at Schedule 1. Clearing of vegetation in the public open space will not be permitted;
  - development and implementation of a management plan for banksia vegetation on site which conserves habitat for the Carnaby's Black Cockatoo in perpetuity;





- (c) conservation of greater than 40 percent of the Tuart trees on the school site in the south-eastern portion of the lot and retention or establishment of Tuart trees on the road reserves;
  - (d) erection of signs to inform the community about the environmental value and significance of the Carnaby's Black Cockatoo population and the role played by vegetation habitat isolates and corridors. Information on the signs must be clearly visible and legible from a distance of 5 metres.
  - (e) inclusion of information in the prospectus for the residential lots which explains the significance of the site to Carnaby's Black Cockatoo and outlines appropriate actions residents can take, such as planting native species in their gardens and reducing attacks from domestic animals;
  - (f) construction of no less than 10 artificial Black-Cockatoo hollows within the trees to be retained within the Public Open Space and within the school site; and
  - (g) rehabilitation of Public Open Space areas only with local plant species that are quick growing and that produce seeds favoured by Carnaby's Black Cockatoos and agreed by Birds Australia WA.
3. To address the impacts of the project on Carnaby's Black Cockatoo which cannot be addressed through mitigation measures on site, the person taking the action must provide no less than \$100,000 for the purchase of a 210 hectare property in the Shire of Victoria Plains as identified in the e-mail dated 18 June 2007 from ATA Environmental/Coffey Environments Pty Ltd (which contains Carnaby's Black Cockatoo breeding and foraging habitat).
  4. Construction must not commence until \$100,000 is placed in a trust fund dedicated to the purchase of the property specified at condition 3. The property must be purchased within 6 months of this approval.
  5. Any remaining funds in the trust fund must be spent on land acquisition, or other conservation purposes for the Carnaby's Black Cockatoo, agreed to by the Department in writing.
  6. If the action has not commenced within 3 years of the date of this approval, then the person taking the action must not commence construction, unless agreed to in writing by the Department.
  7. The person taking the action must maintain accurate records of all activities associated with or relevant to the above conditions of the approval, and make them available on request by the Department. Such documents may be subject to audit by the Department and used to verify compliance with the conditions of approval.
  8. If the Minister believes that it is necessary or desirable for the better protection of the relevant matters of national environmental significance to do so, the Department may request that the person taking the action must make specified revisions to any plan or plans approved pursuant to this Annexure. The person taking the action must comply with any such request. The revised plan or plans must be implemented.

**Definitions:**

**Construction:** includes any preparatory works required to be undertaken including clearing vegetation, the erection of any on-site temporary structures and the use of heavy duty equipment for the purpose of breaking the ground for buildings or infrastructure.

**The Department:** The Commonwealth Department of the Environment and Water Resources.

**Public Open Space:** land reserved under section 152 of the *Western Australian Planning and Development Act 2005*, as identified in the site plan at Schedule 1.



metres

0 25 50 75 100  
SCALE 1 : 2 000

## LEGEND

- Study Area Boundary
- Existing Cadastral Boundary
- Proposed Subdivision Cadastral Boundary
- Topographic Contour (1m interval, AHD)

PUBLIC OPEN SPACE  
2.0 ha

DAWESVILLE BYPASS



VEGETATION, FLORA & FAUNA ASSESSMENT  
LOT 1 DAWESVILLE ROAD, DAWESVILLE  
SUBDIVISION CONCEPT  
FIGURE 2

# PROPOSED SUBDIVISION

LOT 1 DAWESVILLE RD  
DAWESVILLE

## LEGEND

--- Subject Land

0 62.5 125m

WATERMARK : CLIENT  
ENTERPRISES  
1:2,000@A2, 1:2,500@A3 : SCALE  
7 FEBRUARY 2006 : DATE  
2575-3-005D1 : PLAN No  
B : REVISION  
R. DIXON : PLANNER  
A. DOBBS : DRAWN

Base data supplied by Department of Land Administration

Projection MGA50

Areas and dimensions shown are subject to final survey calculations. All cartographies are shown for illustrative purposes only and are subject to detailed engineering design.

The concepts presented in this plan remain the copyright of KOLTASZ SMITH. No copies in whole or in part may be made without KOLTASZ SMITH permission.

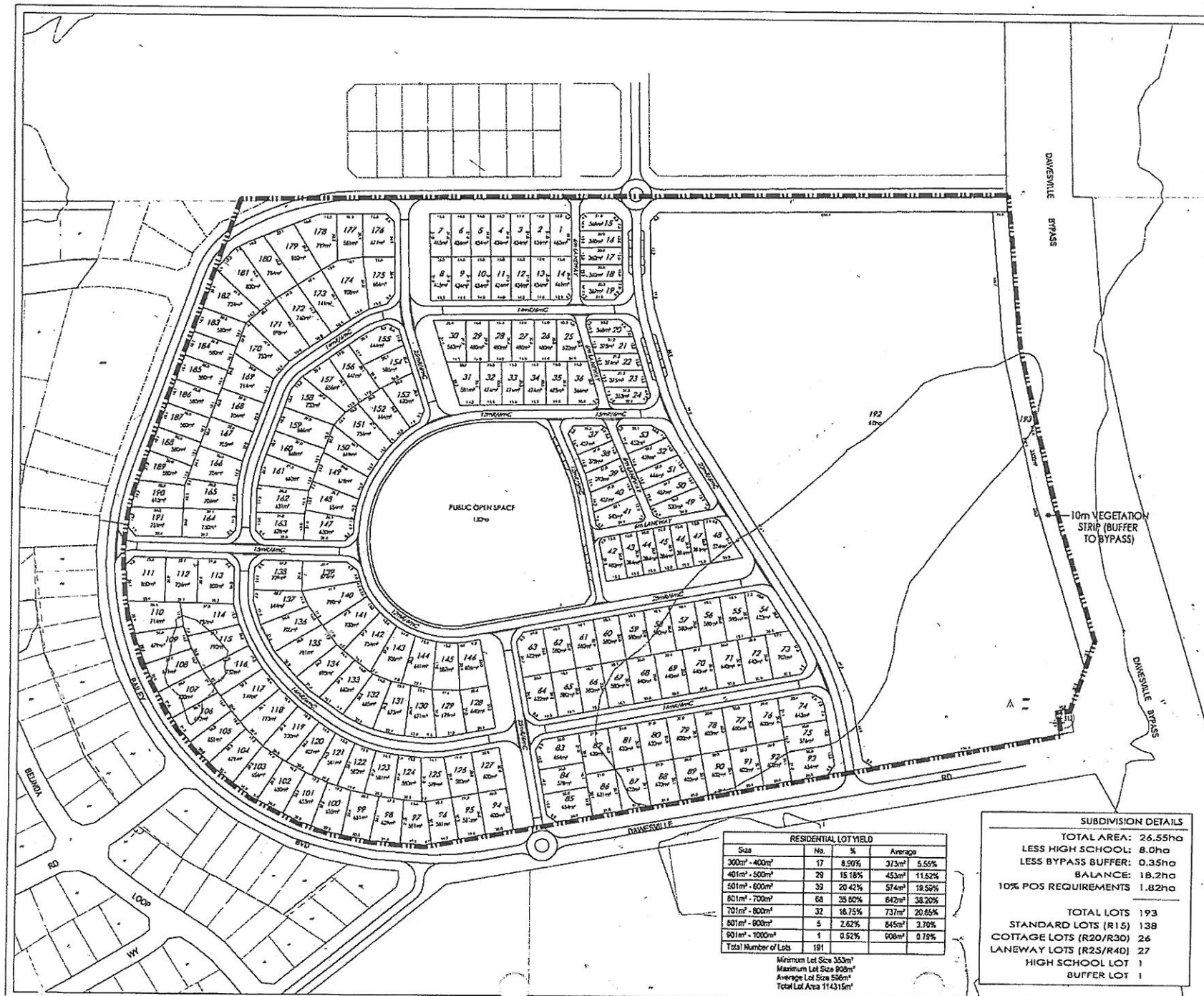


FORTH Tel: (08) 1434 2222 Email: porth@bsp.com.au

RESIDENTIAL LOT YIELD				
Size	No.	%	Average	
300m <sup>2</sup> - 400m <sup>2</sup>	17	8.90%	373m <sup>2</sup>	5.59%
401m <sup>2</sup> - 500m <sup>2</sup>	29	15.18%	453m <sup>2</sup>	11.62%
501m <sup>2</sup> - 600m <sup>2</sup>	33	20.42%	574m <sup>2</sup>	18.50%
601m <sup>2</sup> - 700m <sup>2</sup>	64	35.00%	642m <sup>2</sup>	38.20%
701m <sup>2</sup> - 800m <sup>2</sup>	32	16.75%	737m <sup>2</sup>	20.65%
801m <sup>2</sup> - 900m <sup>2</sup>	5	2.62%	845m <sup>2</sup>	3.70%
901m <sup>2</sup> - 1000m <sup>2</sup>	1	0.52%	908m <sup>2</sup>	0.78%
Total Number of Lots	191			

Minimum Lot Size 353m<sup>2</sup>  
Maximum Lot Size 908m<sup>2</sup>  
Average Lot Size 558m<sup>2</sup>  
Total Lot Area 114315m<sup>2</sup>

SUBDIVISION DETAILS	
TOTAL AREA:	26.55ha
LESS HIGH SCHOOL:	8.0ha
LESS BYPASS BUFFER:	0.35ha
BALANCE:	18.2ha
10% POS REQUIREMENTS	1.82ha
TOTAL LOTS	193
STANDARD LOTS (R15)	138
COTTAGE LOTS (R20/R30)	26
LANEWAY LOTS (R25/R40)	27
HIGH SCHOOL LOT	1
BUFFER LOT	1

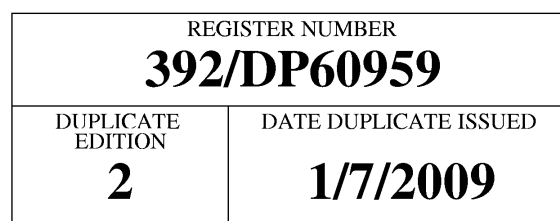




## **APPENDIX C**

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### **Certificates of Title**



VOLUME	FOLIO
2719	482

  
REGISTRAR OF TITLES

  
REGISTRAR OF TITLES  
WESTERN AUSTRALIA



REGISTER NUMBER <b>9501/DP74451</b>	
DUPLICATE EDITION <b>1</b>	DATE DUPLICATE ISSUED <b>23/10/2012</b>

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2800**  
FOLIO **212**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

  
REGISTRAR OF TITLES 

**LAND DESCRIPTION:**

LOT 9501 ON DEPOSITED PLAN 74451

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

WATERMARK ENTERPRISES PTY LTD OF GOODING PERVAN, LEVEL 9, 1 WILLIAM STREET, PERTH  
(AF M080511 ) REGISTERED 19 OCTOBER 2012

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

1. I779901 MORTGAGE TO R.A.C. FINANCE LTD REGISTERED 4.2.2004.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP74451 [SHEET 1].  
PREVIOUS TITLE: 2719-483.  
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.  
LOCAL GOVERNMENT AREA: CITY OF MANDURAH.