

ENDORSEMENT

This structure plan is prepared under the provisions of the Shire of Capel
Local Planning Scheme No. 8.

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

07 MARCH 2008

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 2030



This plan has been prepared for planning purposes. Areas, contours and dimensions shown are subject to survey.

- 1) Upon land nominated within any Residential Density Code it is anticipated land use will be approved in a manner consistent with the uses permitted in the Residential Zone and development will be subject to the applicable R Code requirements as contained within the Residential Design Codes of Western Australia.
- 2) Within the land nominated as District Centre and/or Mixed Use Precinct, the endorsed Outline Development Plan specifies anticipated land uses and indicates appropriate development standards.
- 3) Notwithstanding any other provisions of the Scheme or the Shire of Capel Signs Hoardings and Bill Postings Local Laws Council may approve a comprehensive system of signs designed for the estate for the purposes of:
- Advertising the sale of property.
 - Informing the public of proposed uses for the development intended for particular sites.
 - To provide direction to services and facilities.
 - Interpret natural features of the site.
- Once a comprehensive system of signage is approved all signage shall conform to design guidelines and finishes set out therein.
- 5) Design plans setting out finishes of proposed open space areas shall be submitted together with an explanation of the placement of the area of development within the overall public open space development distribution and maintenance strategy.
- Stages of earthworks and levels will be related to an overall levels and drainage strategy for the estate to be confirmed with the Shire prior to commencement of works.
 - An overall approval to earthworks is not to be construed as any form of subdivision approval that must be obtained from the WAPC.
- 6) Subdivision shall be generally in accordance with the endorsed Dalyellup East Local Structure Plan.
- 7) An Urban Water Management Plan to integrate approval of the use of water within public open space development shall be prepared to the satisfaction of the Shire of Capel prior to the development of additional areas of public open space.
- 8) Development of open space on Lot 664 will be considered in conjunction with drainage needs, future needs of The Riding for the Disabled (RDA) and provision of useable passive recreation space for residents. Use of Public Open Space adjacent to the RDA land for horse agistment and the development of fringing areas of the reserve currently occupied by the Bunbury Horse and Pony Club for passive recreation (by future residents) shall be considered as an integrated plan to the satisfaction of Council.
- 9) Corner lots having an area of 600m² or larger may be developed to R30 density coding standards in accordance with the Residential Design Codes of Western Australia.
- 10) The importance and continued use of the Riding for the Disabled site (and its associated activities) is both recognised and supported by the Shire of Capel. Council shall facilitate the continued use of the land which is considered to be of Regional community importance.
- 11) A strategy to determine the future treatment, funding and timing of intersections with Bussell Highway to be prepared by subdividing land owners and agreed to by the Shire of Capel and WAPC in accordance with the requirements of schedule 16 of the Town Planning Scheme No. 7.
- 12) The areas of POS and drainage shown on the Structure Plan indicate the desired location and areas but these shall be reviewed at each stage of subdivision application and the following minimum standards shall be met:
- i) A minimum area of 0.5ha shall be provided within each area of POS with minimum dimensions of 50m length and width and at a sufficient level so as not to be subject to inundation from stormwater. Council may agree to a lesser area having regard to the size and location of the site.
- ii) Side slopes from the road boundary level of POS and Drainage areas to the base level of areas to be subject to inundation during storms with an Average Recurrence Interval of 1 in 10 years or greater shall not be a steeper grade than 1:20 and further slopes into areas subject to annual inundation shall not be steeper than 1:6. Council may allow the use of slopes of 1:6 and retaining walls in place of the 1:20 maximum, provided access for persons with disabilities is catered for and the general usefulness of the site is not compromised.
- iii) Each land owner shall contribute to a total minimum of 10% of the gross subdivisible area of the Structure Plan, for the purpose of POS and that area shall, in the case of each of the areas nominated on the Structure Plan, consist of land that complies with standard (i) and other land that is finished in accordance with standard (ii) to a level that is designed to be subject to inundation to assist in the management of stormwater from storms with an ARI of 1 in 10 years or greater. Land subject to annual inundation shall not be included within the POS contribution.
- iv) In order to provide for one minimum area of 4ha of playing field space in the northern section of the Structure Plan Area to be available without inundation by stormwater, the area of POS collocated with the primary school site shall have a minimum area of 3.5ha of land in a rectangular shape finished to a level that is above that which is predicted to be the level of stormwater that would need to be held in any adjacent stormwater basins or other stormwater infrastructure and consistent with the primary school site development level.
- 12) (continued)
- v) An exchange of land between the owner of Lot 1 Bussell Highway, Riding for the Disabled Association, and the adjoining owner of Lot 9000 Bussell Highway and the associated subdivision design on lot 9000 will in part be facilitated by the provision of 1.2220ha of POS from a surplus of POS in the Dalyellup Beach Pty Ltd land holding in the Dalyellup East Local Structure Plan area. The land exchange has been proposed to provide the land for the future connection of the road network through the RDA lot to the intersection of Bussell Highway and Hasties Road and will assist Dalyellup Beach Pty Ltd as owner of the District Centre land to meet the cost of the land for the road and construction thereof pursuant to clause (I) of Development Precinct No 1 in Appendix 16 of the Scheme. The exchange provides for the RDA to retain a land holding of same area as the existing lot 1. Subject to subdivision taking place in accordance with the DELSP the obligations of the respective land owners to provide POS will be deemed to have been met.
- 13) Whilst the role of Parade Road is nominated as a District Distributor Integrator 'B' based on predicted traffic flows, the design of the road cross-section shall include, at strategic intervals, features intended to limit the speed of traffic and deter the use of the road as a through road in the Greater Bunbury road network and as an alternative route to the Bussell Highway.
- 14) The subdivider contributions to be the implementation of the Dalyellup Community Facilities Development Plan will be an amount of \$565 per potential dwelling site created at the time of seeking clearance to Deposited Plans of Survey.
- 15) A strategy to determine the future treatment, funding and timing of the upgrading of the Five Mile Brook Diversion Drain to be prepared by the subdividing landowners and agreed by the Water Corporation, Department of Water, Shire of Capel and WAPC in accordance with the requirements of Schedule 16 of Town Planning Scheme No.7. Funding arrangements are also to ensure that subdivision applications approved in the Dalyellup East Local Structure Plan area are to be included in the calculations for the funding agreement.
- 16) Subdividing landowners adjacent of Bussell Highway to establish a Landscape buffer to the highway for the purpose of noise attenuation and landscape amenity in accordance with the requirements of Schedule 16 of Town Planning Scheme No.7 as agreed by the Shire of Capel, MRWA and WAPC.
- 17) Subdivision proposals to be consistent with the agreed traffic management study in relation to road upgrading conditions and road network infrastructure requirements, outside of the Dalyellup East Local Structure Plan Area, to the satisfaction of the Western Australian Planning Commission.
- 18) The residential lot interface with the Sleaford Road extension i.e. on the south side of road between the Bussell Highway intersection and south-bound, is to be designed to minimise traffic conflict.
- 19) Footpaths to be established as per Figure 22 'Pedestrian/Cycle Network' of the Report and a path along Bussell Highway.
- 20) For the entire area fronting Bussell Highway, the subdivider of the respective lot is to establish appropriate road transport noise mitigation measures and landscaped visual screening to protect the amenity of local residents and to provide for an aesthetic approach to Dalyellup. Full details are contained in Section 5.3.13 'Bussell Highway Buffer Area Interface Treatment' of the report.
- 21) Display Village buildings are required to demonstrate incorporation of passive solar design principles and demonstration of energy and water efficiency in the design.
- 22) The maximum wall height for outbuilding in the R20 coded areas is permitted to be 2.7 metres.
- 23) Local Development Plans shall be required for Lots that require specific design responses to ensure a high standard of urban amenity. Matters to be considered include, use of rear laneway, interface treatments for lots directly fronting /abutting public open space/drainage reserves or where vehicular access restrictions are necessary for safety reasons.
- 24) Street corners within the Structure Plan Area being truncated to the standard truncation of 8.5 metres and the rear laneway within the subdivision being truncated to the standard corner truncation of 4.2 metres at intersection road/laneway points.
- 25) Quiet house treatment will be required on the R40 Lots 175 & 176 and the R20 Lots 184 & 185 in accordance with the recommendations of the Herring Storer Acoustics Road Traffic Noise Assessment dated March 2009 (ref: 8962-4-07196).
- 26) Future development of the 'Residential – Over 55's' site shall be considered in accordance with the provisions of the Shire of Capel Town Planning Scheme No. 7 and other development requirements. In addition, a Local Development Plan covering the lifestyle village and aged care facility is to be prepared and approved to the satisfaction of the Shire of Capel in order to address various urban design issues including proposed built form, streetscape amenity, landscaping and pedestrian access to nearby public open space areas.
- 27) Residential lots adjoining Regional Open space to the north and west of Lot 9015, should, through subdivision, have a restrictive covenant placed on the certificates of title of the proposed lots advising of a restriction on the construction of habitable buildings within BAL-FZ/BAL-40.
- 28) The western and northern boundaries of Lot 9015, adjacent to Regional Open Space, should be fenced and gated and any existing fences/gates in substandard condition should be repaired, to a standard acceptable to the Department of Biodiversity, Conservation and Attractions and the Shire of Capel.
- 29) The subdivider of the 'Residential – Over 55's' lifestyle village to construct and establish by way of an easement on title, three separate road access ways through the lot to the adjoining Public Open Space to the north, to the satisfaction of the Shire of Capel.