

<b>REPORT TO</b>	Statutory Planning Committee		
<b>Meeting date</b>	20 November 2018	<b>File number</b>	156906
<b>Subject</b>	Subdivision to Create 1,940 Lots and 17 Reserves - Various Lots Barragoon Road, Caraban, Moore River South		
<b>Purpose</b>	Requires WAPC decision		
<b>Title of Approving Officer</b>	A/Assistant Director General, Land Use Planning		
<b>Agenda Part for Reports</b> SPC - Non-Confidential (To be published to the website)			
<b>SITE-SPECIFIC DETAILS</b>			
<b>Region/s</b>	Wheatbelt		
<b>Local government/s</b>	Shire of Gingin		
<b>Landowner: Consultant:</b>	Moore River Company Pty Ltd - Marcus Plunkett & Graeme Sampson Creative Design + Planning - Denise Morgan & Chee Mok		
<b>Location map</b>	Attachment 1 - Locality plan		
<b>Bushfire Prone Area</b>	YES		
<b>Statutory Planning Committee</b>			
<b>Local Scheme Zoning</b>	Future Development and General Rural		
<b>Council's recommendations</b>	Approve subject to conditions		
<b>Receipt date</b>	29 June 2018	<b>Process days</b>	144 (with deferral)
<b>Property Address</b>	Lots 2593, 3156, 2802, 2914, 2424 and 3099 Barragoon Road, Caraban		
<b>SUMMARY</b>			
<p>The application proposes the subdivision of Lots 2424, 2914, 2802, 3099, 2593 and 3156 Barragoon Road, Caraban in the Shire of Gingin (the site) (<b>Attachment 1</b> - Locality plan) to create 1,940 lots and 17 reserves for various purposes. The proposal is intended to facilitate the development of an urban settlement.</p> <p>The site was zoned Future Development in March 1995. Since that time there has been one subdivision approval over the land for the creation of 1,942 lots and 14 reserves, approved in September 2014. No works have been carried out on site by the applicant/landowner.</p> <p>Since the previous subdivision approval, State policy in regard to coastal planning and bushfire management has changed, and there has been Commonwealth listing of Banksia Woodlands.</p> <p>The subdivision as lodged has been amended by agreement with the applicant to address State policy regarding the coastal foreshore reserve, bushfire risk mitigation, protection of threatened ecological communities, rural subdivision and minor lot configuration issues. The modified plan of subdivision is the focus of this report and is included as (<b>Attachment 2</b> - Modified subdivision plan).</p>			

The application is presented to the Statutory Planning Committee to allow the Friends of the Moore River Estuary to make a deputation on the proposal, and also due to objections from the Departments of Fire and Emergency Services and Main Roads WA.

It is recommended that the modified subdivision plan be approved subject to conditions.

## DETAILS OF PROPOSAL

The application seeks to create a new settlement of 1,940 lots and 17 reserves with residential, commercial, industrial, educational and recreational components, including community facilities, on the south side of the Moore River. The number and purpose of the proposed lots is as follows:

- 1,824 residential lots designated with R20 (1,487 lots) and R40 (337) density codes;
- 92 mixed business lots;
- 7 town centre lots;
- 4 tourism lots;
- 9 residual and balance lots to remain rural and future development;
- 2 civic and community lots for a local government depot and emergency services (1.16 ha);
- 1 infrastructure lot for wastewater (1.03 ha);
- 1 primary school lot (4.7 ha);
- 13 public open space (POS) reserves (52.8 ha);
- 2 foreshore reserves (48.0 ha);
- 2 community and civic reserves (1.2 ha); and
- road reserves.

The site is approximately 1,400 ha in area with a portion zoned Future Development and the remainder zoned General Rural under the Shire of Gingin Local Planning Scheme No. 9 (LPS 9). The urban development is to be located within the Future Development zone covering approximately 478ha, including foreshore reserves. The subdivision proposes development in six stages, in response to commercial considerations.

The subdivision area is to have primary access from Indian Ocean Drive through Barragoon Road, which is currently unconstructed. Proposed utility services include reticulated water and sewer. All lots are to be supplied with a reticulated water supply via a private licensed water supply scheme, which is to be operated by the provider Aquasol Pty Ltd. Private water supply schemes are licenced by the Economic Regulation Authority (ERA) and Aquasol recently gained a licence to operate water supply and wastewater services. The subdivision plan identifies sites for the water and sewer infrastructure with land identified for a private wastewater treatment plant at the southern side of the subdivision area.

Concerns regarding road hierarchy, access onto Indian Ocean Drive and the size of the primary school site were raised through the referral process. The applicant has submitted a modified subdivision plan dated 30 October 2018 (**Attachment 2**) and supporting information to respond to referral advice and State policy requirements.

Modifications to the plan have included lot reconfiguration to allow for widening of the foreshore reserve, a primary school site sufficient to accommodate future needs, the addition of a site containing significant tree habitat as a conservation reserve, the addition of public open space reserves (3), the addition of infrastructure lots for sewerage and groundwater services (4) and the alteration of road reserves to accommodate suitable road widths and truncations. This has resulted in the addition of 13 residential lots, 1 town centre lot and 1 tourism lot, the amalgamation of two rural lots and the removal of 4 mixed business lots.

The proposal is supported by a Bushfire Management Plan, the adopted Moore River South Outline Development Plan, a bulk earthworks plan, a wastewater and water supply overview and a Foreshore Management Plan.

## BACKGROUND

The site is surrounded by rural zoned land, vegetated unallocated crown land and is separated from the Guilderton townsite by the Moore River. It is an undulating site due to the predominant coastal dunal system. Historically the land has been used for grazing, resulting in much of the land being cleared. However, there are substantial portions of remnant vegetation remaining within the site, particularly adjacent to the coast and the Moore River (**Attachment 3** - Vegetation plan).

The Future Development portion of the site was rezoned from Rural to Urban Development in March 1995 via Amendment 22 to the Shire of Gingin's Town Planning Scheme No. 8. In September 2012 LPS 9 was gazetted which carried forward the same zoning arrangement. The Moore River South Outline Development Plan was endorsed by the WAPC on 30 October 2013 (**Attachment 4** - Approved Outline Development Plan). The Outline Development Plan guides subdivision and development, service requirements, access, and development of foreshore reserves. A foreshore management plan for the proposed foreshore reserves was approved, subject to modifications, by the Shire of Gingin in August 2014.

A subdivision application for the creation of 1,942 lots and 14 reserves was granted approval on 22 September 2014 (WAPC Ref: 150242). Subdivisional works were not commenced and the approval expired on 22 September 2018.

## KEY ISSUES

<b>Consistency with WAPC Policies &amp; Planning Framework</b>	<i>State Planning Policy 3.7: Planning in Bushfire Prone Areas</i>	Broadly consistent, some discretion required
	<i>State Planning Policy 3.1: Residential Design Codes</i>	Fully consistent
	<i>State Planning Policy 3: Urban Growth and Settlement</i>	Fully consistent
	<i>State Planning Policy 2.6: State Coastal Planning Policy</i>	Broadly consistent, some discretion required
	<i>State Planning Policy 2.5: Rural Planning</i>	Fully consistent
	<i>State Planning Policy 2: Environmental and Natural Resources Policy</i>	Broadly consistent, some discretion required
	<i>Development Control Policy 3.4 Subdivision of Rural Land</i>	Fully consistent
	<i>Development Control Policy 2.6 Residential Road Planning</i>	Fully consistent
	<i>Development Control Policy 2.4 School Sites</i>	Fully consistent
	<i>Development Control Policy 2.3 Public Open Space in Residential Areas</i>	Fully consistent
	<i>Development Control Policy 1.7 General Road Planning</i>	Fully consistent
	Liveable Neighbourhoods	Fully consistent
<b>Government Considerations</b>	Draft Government Sewerage Policy	Fully consistent
	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	Fully consistent
	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Broadly consistent, some discretion required

<p><b>Consultation</b></p>	<p>The Shire of Gingin requested deferral of the application until such time as the coastal foreshore reserve and bushfire risk mitigation matters were addressed. The Shire of Gingin supports the modified subdivision plan subject to standard conditions in accordance with the Outline Development Plan and State policy regarding road and parking construction, ceding of reserves, earthworks, drainage, landscaping and development of public open space, foreshore management, local development plans and bushfire mitigation.</p> <p>Main Roads Western Australia (MRWA) do not support access to the subdivision from Indian Ocean Drive due to insufficient and out-dated information being provided in the supporting Moore River South Transport Assessment by Cardno (version 7, dated August 2013) regarding traffic modelling and intersection design.</p> <p>The Water Corporation advised that they do not have the capacity to service the proposed subdivision and will not be a service provider. Western Power requested standard conditions for underground power and transfer of land for electricity supply infrastructure. The Department of Education (DoE) supported the original plan of subdivision in 2014, but did not support the initial application which reduced the site area for the school and adjacent road reserve widths.</p> <p>The Department of Biodiversity, Conservation and Attractions (DBCA) raised concerns regarding the coastal foreshore reserve width, interface with Wilbinga Conservation Park to the south, ongoing protection of potential Carnaby's Cockatoo habitat trees. DBCA advised that the vegetation on the site is identified as possibly being part of the Banksia Woodlands of the Swan Coastal Plain Ecological Community. This ecological community is listed as endangered under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>. Further assessment of any impacts the proposal may incur on the identified ecological community on site, should be referred to the Australian Government Department of the Environment and Energy.</p> <p>The Department of Fire and Emergency Services (DFES) does not support the proposal by reason that:</p> <ul style="list-style-type: none"> <li>• The site is designated as bushfire prone area;</li> <li>• The lodged plan of subdivision did not provide two access routes in and out of the subdivision area;</li> <li>• The alternative solution of safe stay and refuge is not supported; and</li> <li>• three lots contained areas with a Bushfire Attack Level of BAL 40 and BAL FZ;</li> </ul> <p>The Departments of Health; and Water and Environment Regulation raised no objections or conditions, but did provide advice regarding utility service approvals required, which are separate to the subdivision process.</p> <p>The Department of Fire and Emergency Services (UXO); Mines, Industry Regulation and Safety; and ATCO Gas Australia did not raise any objections or recommend any conditions. UXO provided standard advice regarding the potential presence of unexploded ordinances due to previous Australian Defence Force activities.</p> <p><u>Additional submission</u></p> <p>The Friends of the Moore River Estuary Inc (FOMRE) forwarded a submission to the WAPC objecting to the subdivision by reason of inconsistency with State policy regarding bushfire risk mitigation; sustainable</p>
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	settlement principles; and protection of biodiversity values and threatened ecological communities. FOMRE has also requested intervention by the Ministers for Planning and the Environment, with advice being that environmental issues can be managed through the planning process. Due to the proposal being referred to the Environment Protection Authority (EPA) in 1994, the EPA is unable to provide formal advice to the WAPC under s38 of the <i>Environmental Protection Act 1986</i> . However, the EPA has provided advice to the WAPC on a range of environmental issues, and these have been addressed through subsequent planning stages.
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## PLANNING ASSESSMENT

### Consistency with local planning framework

*State Planning Policy 3: Urban Growth and Settlement (SPP 3)* sets out principles for the sustainable development of settlements. Building on existing communities is generally encouraged where possible, however, in this instance the Guilderton townsite is the only existing community in the area which is separated from the subdivision area by the Moore River. The Shire of Gingin Local Planning Strategy (Strategy) identifies Moore River South as an urban area. The site is suitably zoned and planned for future urban development in LPS 9.

Clause 27 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations* outlines that a decision-maker is to have due regard to, but is not bound by, a structure plan when determining a subdivision application. Ultimately, the modified subdivision plan results in a settlement with the same scale of development, road hierarchy and services outlined in the approved Outline Development Plan. The modified subdivision plan also complies with the minimum site area requirements of LPS 9 for the purpose the lots are identified for and achieves greater consistency with State policy. Conditions are recommended that require the approval of local development plans to set out site and development requirements for the orderly and proper development of the proposed lots where there may be an inconsistency with the RODP.

### Retention and protection of the natural environment

The majority of the site has been previously cleared for farming practices, however, a large portion contains significant remnant vegetation (**Attachment 3**). Zoning of the land occurred in 1995, prior to the Planning and Environment legislation being amended to require referral to the EPA. EPA provided advice to the WAPC in 1994, and this did not result in vegetated areas being removed from the zoning proposal. While in recent years there has been a greater focus on vegetation, especially that associated with Carnaby's Cockatoo habitat, at the time of this land being zoned, the vegetation and cockatoos were not known to be endangered.

In cases where the EPA does not require environmental review of proposals, EPA provides advice to the WAPC, on the basis that environmental matters can be addressed via the established planning framework. For instance, in 2004, the EPA outlined its expectations that coastal management, river management, sewerage services and drainage would be addressed through the subdivision process. Although subdivision did not occur until 2014, these matters have been carried over, and have been addressed.

*State Planning Policy 2: Environment and Natural Resources Policy (SPP 2)* seeks for environmental issues to be integrated into broader land use planning and decision making, to protect, conserve and enhance the natural environment. Section 5.5(ii) and (v) of SPP 2 requires decision-making to avoid or minimise any adverse impacts, directly or indirectly, on areas of high biodiversity or conservation value as a result of changes in land use or development.

Numerous flora and fauna studies have been carried out on the site since zoned, to assess impacts on environmental resources and biodiversity, with the most recent study conducted in 2010. A number of tree hollows located within the northern portion of the site (not proposed for residential subdivision) were identified as potential habitat for the Carnaby's Cockatoo which was listed as endangered under the *Environment Protection and Biodiversity Conservation Act 1999*

(EPBC Act) prior to 2010. DBCA has raised concerns regarding the ongoing protection of the Carnaby's Cockatoo habitat. In response to this concern, the modified subdivision plan proposes to protect the identified hollows through tree retention in a conservation reserve. The requirement for a landscaping plan in accordance with the Outline Development Plan will also identify any other potential habitat trees for retention in public open space areas.

DBCA has advised that the previous flora survey may not have recognised or considered the significance of the banksia woodland communities which may be present on the site, as these were listed following the survey in 2010. The Banksia Woodland of the Swan Coastal Plain ecological community was listed as a TEC under the EPBC Act in September 2016. If the Banksia Woodland TEC does exist the proposal is required to be referred to the Commonwealth Department of Environment and Energy (DEE) in order for clearing associated with the proposal to be assessed. Given the recent listing of Banksia Woodland, there is some uncertainty as to whether the Banksia Woodland TEC occurs within the subdivision area. As shown in **Attachment 3**, this affects approximately 40% of the proposed urban area to the north and west of the subdivision as the remainder of the site is cleared of remnant vegetation.

To ensure that environmental issues are addressed prior to lots being created, a condition (no. 2) is recommended that requires the applicant and/or landowner to carry out further environmental surveys to the level recommended by DBCA prior to implementing the subdivision. The reason this is recommended as a condition, is that the development of the site is staged, and it will be possible to substantially commence development without affecting vegetated areas. If surveys reveal the presence of TECs, the wording of the condition is such that lots in the subdivision that may contain TECs would be unable to be created. It would then be possible to redesign that area through a fresh subdivision. This is suggested as a reasonable balance that recognises the status of the site in the established planning framework, while also acknowledging recent environmental listings.

The Commonwealth DEE is aware of the proposal, and is in contact with the proponent regarding a referral under the *Environmental Protection and Biodiversity Conservation Act 1999*. The Commonwealth has call in powers should this be necessary. As above, recommended condition 2 alludes to this referral, and should the 'controlled action' not be approved by DEE, that element of the subdivision will fall away and not be implemented.

DBCA also raised concern with potential impacts of the proposed subdivision on the Wilbinga conservation park to the south/south east of the site and has requested that this land be fenced from the subdivision area and an interface management plan be implemented. The subdivision area is separated from the conservation park by private property and Unallocated Crown Land (UCL). DBCA advised that the UCL was proposed to become part of the conservation park during the previous subdivision approval timeframe although this did not occur. The subject UCL is currently being investigated for inclusion into the Noongar Land Estate as part of the South West Settlement Native Title Settlement. At this point there is no direct interface between the conservation park and subdivision area, therefore no nexus exists to validly implement DBCA's requested fencing condition.

Overall, the modified subdivision plan and conditions of approval can effectively address environmental matters.

#### Foreshore reserve

State Planning Policy 2.6: State Coastal Planning Policy (SPP 2.6) provides guidance for decision-making within the coastal zone, in particular the establishment of foreshore reserves for new developments. The establishment of a foreshore reserve was outlined in the Outline Development Plan based on a coastal study provided in September 2012, while SPP 2.6 was under review.

SPP 2.6 is written into LPS 9 and applies as if it was a part of the scheme in accordance with Section 77(1)(b) of the Planning and Development Act 2005 (the Act). SPP 2.6 requires the ceding of a foreshore reserve through subdivision which provides ecological values; coastal landscape and seascape; indigenous and cultural heritage; public access; and facilities and infrastructure,

such as car parks, clubs and amenities, after coastal physical processes for a 100 year planning timeframe.

The foreshore reserve identified on the original plan of subdivision only provided for the required physical process setback. In order to achieve consistency with SPP 2.6, the Department has negotiated an increase in the width of the coastal foreshore reserve by approximately 30-150m along its length. This has increased the area of the coastal foreshore reserve from 25.8ha to 43.2ha and is shown in **Attachment 5 - Foreshore Reserve**.

As an example, the coastal foreshore reserve is at its narrowest near the proposed tourism and town centre node shown on **Attachment 5**, but still achieves the coastal processes setback of approximately 130m from the dune line, plus a 30-40m coastal reserve, plus a 20m road reserve. The overall setback from the existing coastline is nearly 200m. The road reserve is adjacent to the coastal foreshore reserve and provides for public access, including parking, drainage of the undulating site and bushfire risk mitigation.

This modified plan is consistent with the objectives and intent of SPP 2.6, as the reserve has taken into account the necessary elements, responds to the site's physical attributes and is of a sufficient size to accommodate land uses associated with public use of the coast. **Attachment 5 - Foreshore Reserve** illustrates the difference between the original plan of subdivision and the modified plan recommended for approval. The recommended approval of this type of coastal foreshore reserve is relevant to other upcoming coastal proposals, such as structure plans for Alkimos and Burns Beach, where the WAPC will be requested to make similar decisions in regard to implementation of SPP 2.6.

The existing Foreshore Management Plan sets out the ongoing management of the foreshore reserve and outlines a less generous foreshore reserve than the modified plan of subdivision. As a result, a condition is recommended to update the Foreshore Management Plan as necessary to implement management measures, including those which identify and protect biodiversity values.

#### Access

The modified subdivision plan provides access to the site from Indian Ocean Drive (IOD) at two locations, via Barragoon Road and Caraban Road, as shown in **Attachment 1**. IOD is in the care, control and management of MRWA who object to the proposal. MRWA has indicated the transport modelling used to support the ODP is out-dated and does not consider current traffic numbers along IOD. MRWA has requested that a design concept of the relevant intersections supported by traffic modelling and safety requirements, details of the staging of subdivision and infrastructure delivery, be provided prior to issuing subdivision approval.

A staging plan has been provided by the applicant (**Attachment 6 - Staging plan**) and sets out the infrastructure requirements with access via Barragoon and Caraban Roads to be provided in stage 1. In accordance with *Development Control Policy 1.7 General Road Planning*, it is recommended that conditions relating to construction and upgrading of Barragoon and Caraban Road intersections with IOD and the updating of the Transport Assessment to MRWA's specification be imposed. This is the accepted approach for road planning of this nature, and will adequately address MRWA concerns and ensure the intersection is designed and provided in accordance with their requirements.

#### Primary school site

In accordance with draft *Liveable Neighbourhoods 2015* (LN) one 4 ha primary school site per 1,500 dwelling units is required to be provided within the subdivision area. As the subdivision proposes a minimum of 1,837 dwellings a larger school site of 4.7 ha was requested by the Department of Education to cater for the dwelling units in excess of 1,500. The Outline Development Plan was approved with this requirement. In regard to the street network design, LN requires school sites to be bound by a minimum of three streets comprised of not more than one neighbourhood connector street (21.6m wide) and a minimum of two access streets (20.1 to 15.5m wide), including an Access B street (20.1m wide).

The original plan of subdivision proposed one 4.73 ha site for a future primary school in accordance with the Outline Development Plan. The Department of Education raised concerns with a reduction in the primary school site area, the steep topography of the site and surrounding access road reserve widths been 18m. To address the matters raised by the Department of Education and ensure consistency with LN the subdivision plan has been modified to provide a primary school site of 4.6 ha and an Access B street on its western side. In response to the topographical issues a condition requiring the primary school site to be filled/drained, graded/stabilised, cleared of vegetation, connected to utility services and ground levels coordinated is to be imposed to ensure the site can accommodate its intended purpose.

#### Public open space

The gross subdivisional area of the site is 240 ha, requiring provision of 24 ha of public open space to meet the minimum 10% required by LN and *Development Control Policy 2.3 Public Open Space in Residential Areas* (DC 2.3). The modified subdivision plan proposes 16 public open space reserves occupying 26.9 ha, being approximately 11% of the gross subdivisible area. A total area of 4.56 ha of restricted public open space is proposed, being approximately 19% of the creditable public open space area required which complies with the maximum provision of restricted public open space for purposes such as drainage. The proposal complies with LN and DC 2.3.

#### Bushfire risk

The entire site has been designated as a bushfire prone area by the Fire and Emergency Services Commissioner. *State Planning Policy No. 3.7: Planning in Bushfire Prone Areas* (SPP 3.7) outlines policy measures to mitigate bushfire risk for people, property and infrastructure. These measures require all development to achieve a maximum Bushfire Attack Level of BAL 29 and demonstrate compliance with the Bushfire Protection Criteria outlined in the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines) through a Bushfire Management Plan (BMP).

The original plan of subdivision was generally consistent with SPP 3.7 and the Guidelines except it proposed two access routes to and from the main subdivision area, and a single road connecting to Barragoon Road. The BMP proposed an alternative 'performance principle' solution, being safe stay and refuge within existing dwellings for permanent occupants and within a 'bushfire assembly area' for people visiting the area. No details were provided regarding the location and construction standard of the bushfire assembly area at each stage of the subdivision. In addition, a 25m wide Asset Protection Zone (APZ) to achieve a maximum of BAL 12.5 for any developable area was proposed to supplement the safe stay and refuge solution.

The APZ predominantly consisted of the perimeter road reserves which range in width from 18m to 30m. Where perimeter road reserves are narrower than 25m the balance of the APZ protruded into public open space and foreshore reserves or freehold lots. The Guidelines require APZs to be contained within the subject property or on land which will be managed in a low fuel state in perpetuity. The Shire of Gingin have expressed concern regarding any additional maintenance responsibility resulting from any APZ protruding into land under their future management and there is no guarantee that an APZ protruding into private property will be maintained in perpetuity. The alternative solutions proposed were inconsistent with SPP 3.7 and the Guidelines and have not been considered in any previous subdivision proposals in the State. DFES did not support the proposal due to failure to provide two access routes.

To address the matters raised by DFES and ensure consistency with SPP 3.7, the Guidelines and the Outline Development Plan, the subdivision plan has been modified to include an additional access road into the site from the north via Goonmarra Road. The second access route is proposed to be a trafficable surface in all weather conditions and to the specifications outlined in the bushfire protection criteria. The construction and/or upgrade of Goonmarra Road will also be required as it is currently partially unconstructed.

DFES does not support the proposed second access arrangements, although the modified access arrangements satisfy the requirements of SPP 3.7 and the Guidelines. The proposed perimeter

road reserves (18m) achieve BAL 29 for developable areas, therefore any larger APZ is supplementary and does not need to form a requirement. It is recommended that the BMP and staging plan are be amended to reflect the modified subdivision plan and the two access routes at all stages of subdivision.

DFES also objected to development of three infrastructure lots in the south of the subdivision area as they will include some areas of BAL 40 and BAL FZ. Two of these lots are to be ceded to the local government for council depot and emergency services (fire station) purposes and the other lot is to accommodate the future waste water treatment plant. These lots are large enough to contain an APZ which results in the remainder of the property being a maximum BAL 29 and adequate for development. The proposed lots are therefore consistent with SPP 3.7. A restrictive covenant preventing development in the areas of BAL 40 and BAL FZ is to be imposed to ensure compliance with SPP 3.7.

#### Conclusion

The subdivision proposal is consistent with the established planning framework, and the revised plan of subdivision responds to the issues raised in referral advice and is consistent with State Policy.

Model conditions have been applied to the application, with the exception of conditions 1, 2, 7, 9, 12, 13, 23, 27, 33, 37, 38 and 39 which deal with modifying the plan of subdivision; intersection upgrades; requirements of the structure plan; environmental protection and landscaping; the primary school site; and bushfire mitigation and respond to the issues discussed in this report.

Given the above, conditional approval of the modified subdivision plan (**Attachment 2**) is recommended.

#### **RECOMMENDATION**

***That the Statutory Planning Committee resolves to approve the application to subdivide Lots 2593, 3156, 2802, 2914, 2424 and 3099 Barragoon Road, Caraban subject to the following conditions and advice:***

#### **CONDITIONS:**

- 1. The plan of subdivision is to be modified in accordance with the attached plan dated 30 October 2018 (Attachment 2). (Western Australian Planning Commission)***
- 2. Prior to the commencement of subdivisional works, measures being undertaken to confirm or deny the presence of threatened ecological communities in areas classified as Woodland or Shrubland in Attachment 3. This may include, but is not limited to, a level 2 flora and vegetation survey and/or referral under the Environmental Protection Biodiversity and Conservation Act (1999). (Western Australian Planning Commission).***
- 3. Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:***
  - (a) lots can accommodate their intended use; and***
  - (b) finished ground levels at the boundaries of the lots the subject of this approval match or otherwise coordinate with the existing and/ or proposed finished ground levels of the land abutting. (Local Government)***
- 4. Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water and Environmental Regulation, consistent with any approved Local Water Management Strategy. (Local Government)***

5. **Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved urban water management plan for the site. (Local Government)**
6. **Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005. (Local Government)**
7. **Prior to the commencement of subdivisional works, the Moore River South Transport Assessment by Cardno Eppell Olsen (version 7, dated August 2013) is to be updated to include:**
  - (a) **traffic modelling, including for peak traffic periods and local traffic movement numbers from the surrounding area and known proposed developments, to determine intersection type and upgrades to Indian Ocean Drive; and**
  - (b) **a planning design concept and report on the proposed intersections or part of Indian Ocean Drive that requires modification as a result of the subdivision, including identification of any additional land required for road infrastructure. The works are to be justified by traffic modelling and safety requirements taking into consideration a minimum distance of 1.5 km either side of the proposed intersections**

**to the specification of Main Roads WA and the satisfaction of the Western Australian Planning Commission. (Main Roads WA)**
8. **Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road connected by constructed roads to the local road system and such roads are constructed and drained at the landowner/applicant's cost.**

**As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)**
9. **Prior to the first stage of subdivision, a Traffic Management and Parking Strategy, prepared by a suitably qualified traffic engineer, which demonstrates:**
  - (a) **the required upgrading works for the local road system, including shared paths;**
  - (b) **the staging of works relative to the staging of the subdivision;**
  - (c) **future public, private residential and tourist car park requirements generated by the development proposed in the subdivision area;**
  - (d) **that sufficient foreshore parking or alternative access is provided for tourist and residential development as well as the demands of visitors and the general public;**
  - (e) **a noise impact assessment undertaken for Barragoon Road in the location of the**

**Woodridge Estate to determine the need for any noise attenuating requirements as part of road upgrading works; and**

- (f) and other traffic management works considered relevant by the local government**

**is to be submitted, approved, and works undertaken in accordance with the approved plan of subdivision and the Traffic Management and Parking Strategy to the satisfaction of the local government and Western Australian Planning Commission. (Local Government)**

- 10. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:**

- (a) street lighting, consistent with the International Dark-Sky Association's LED Practical Guide, is installed on all new subdivisional roads to the standards of the relevant licensed service provider; and**
- (b) roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly; and**
- (c) temporary turning areas are provided to those subdivisional roads that are subject to future extension; and**
- (d) embayment parking is provided in accordance with the Traffic Management and Parking Strategy**

**to the satisfaction of the Western Australian Planning Commission. (Local Government)**

- 11. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths through and connecting to the application area in accordance with the Traffic Management and Parking Strategy, to the satisfaction of the Western Australian Planning Commission. The approved shared paths are to be in accordance with the requirements of Liveable Neighbourhoods and constructed by the landowner/applicant. (Local Government)**

- 12. Engineering drawings and specifications are to be submitted and approved, and satisfactory arrangements being made for works to be undertaken in accordance with the engineering drawings and specifications, for the construction and upgrading of the Barragoon Road and Indian Ocean Drive intersection to the specification of Main Roads WA and the satisfaction of the Western Australian Planning Commission at the landowner/applicant's cost. (Main Roads WA)**

- 13. Engineering drawings and specifications are to be submitted and approved, and satisfactory arrangements being made for works to be undertaken in accordance with the engineering drawings and specifications, for the upgrading of the Caraban Road and Indian Ocean Drive intersection to the specification of Main Roads WA and the satisfaction of the Western Australian Planning Commission at the landowner/applicant's cost. (Main Roads WA)**

- 14. Satisfactory arrangements being made with the local government for the full cost of upgrading and construction of Barragoon Road to Indian Ocean Drive, including any required noise attenuation works, to the specifications of the local government and Main Roads WA. (Local Government)**

- 15. Satisfactory arrangements being made with the local government for the full cost of**

**upgrading and construction of Goonmarra Road to the specifications of the local government. (Local Government)**

- 16. The proposed battle-axe legs for proposed Lots 116, 125, 212, 224, 1727 and 1730 being constructed and drained at the landowner/applicant cost to the specifications of the local government. (Local Government)**
- 17. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply to the lots shown on the approved plan of subdivision. (Western Power)**
- 18. The transfer of land for the provision of electricity supply infrastructure to be shown on the diagram or plan or plan of survey (deposited plan) as a reserve and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Western Power)**
- 19. Arrangements being made with a licensed service provider so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Licensed service provider/Local Government)**
- 20. Arrangements being made with a licensed service provider so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Licensed service provider/Local Government)**
- 21. The provision of easements for planned future water, sewerage and drainage infrastructure, as may be required by the licensed service provider being granted free of cost to that body. (Licensed service provider/Local Government)**
- 22. Arrangements being made, to the satisfaction of the Western Australian Planning Commission, for the transfer of the land free of cost to the Department of Education for the provision of a primary school site to serve the area, as identified on the approved plan of subdivision. (Department of Education)**
- 23. The land denoted as proposed primary school site on the approved plan of subdivision is to be filled/draind, graded/stabilised, future building and sports oval location(s) cleared of vegetation, connected to utility services and finished ground levels coordinated with adjoining constructed streets to ensure the site can accommodate its intended purpose. (Department of Education)**
- 24. The proposed public open space reserves shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserves for public open space and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)**
- 25. The proposed community purpose reserves shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserves for civic and community purposes and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)**
- 26. The proposed conservation reserve shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserves for conservation and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the**

**Crown. (Local Government)**

- 27. A landscape plan is to be prepared for road, including Barragoon Road, conservation and public open space reserves demonstrating, at a minimum:**
- (a) the location and species of all trees to be retained and/or removed;**
  - (b) the location and type of any fencing to be installed;**
  - (c) the location and type of reticulation to be installed;**
  - (d) the location and type of any paving to be installed;**
  - (e) a plant schedule nominating each species, the spacing of species, the number of plants required, the size of each plant to be used at the time of planting and the anticipated height of each plant at maturity; and**
  - (f) provisions for the specific approval of the local government for the removal of any tuart trees**
- and approved and works undertaken in accordance with the landscape plan to the specification of the local government and satisfaction of the Western Australian Planning Commission. (Local Government)**
- 28. Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for three summers in accordance with the approved landscape plan providing for the development and maintenance of the proposed public open space in accordance with the requirements of Liveable Neighbourhoods and to the specifications of the local government. (Local Government)**
- 29. Uniform fencing being constructed along the boundaries of the proposed lots abutting public open space. (Local Government)**
- 30. The proposed foreshore reserves shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as a reserve for foreshore management and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)**
- 31. Prior to the commencement of subdivisional works the Moore River South Foreshore Management Plan by Cardno (Version 5, dated 17 September 2014) is to be updated, approved and satisfactory arrangements being made for the implementation, including any works and associated cost, of the approved plan by the landowner/applicant to the specification of the local government and satisfaction of the Western Australian Planning Commission. (Local Government)**
- 32. Measures being taken to ensure vegetation, including potential Carnaby's Cockatoo habitat trees, worthy of retention within the proposed public open space, conservation and foreshore reserves as identified on the approved plan of subdivision is protected prior to the commencement of subdivisional works. (Local Government)**
- 33. At all stages of subdivision, a dust management plan shall be submitted and approved, and subdivisional works undertaken in accordance with the approved dust management plan to the specifications of the local government and satisfaction of the Western Australian Planning Commission. (Local Government)**
- 34. Local Development Plans being prepared and approved for the proposed tourist accommodation, town centre and mixed business lots shown on the approved plan of**

**subdivision that address the following:**

- (a) the use of the land in accordance with the intended zone on the approved plan of subdivision where there is an inconsistency with the approved structure plan;**
- (b) building location, orientation and setbacks;**
- (c) building heights, scale and roof pitch;**
- (d) built form and design standards;**
- (e) external colours and materials;**
- (f) curtilage, landscaping and fencing;**
- (g) vehicle parking and access;**
- (h) separation of land uses;**
- (i) integration of development into the topography of the site and the landscape;**
- (j) retention of vegetation; and**
- (k) any other siting and development matters considered relevant by the local government**

**to the satisfaction of the Western Australian Planning Commission. (Local Government)**

**35. Local Development Plans being prepared and approved for the proposed residential lots shown on the approved plan of subdivision where the site area and/or density code is inconsistent with the approved structure plan, that address the following:**

- (a) the use of the land in accordance with the residential zone;**
- (b) designation of either the R20 or R40 density code under State Planning Policy 3.1 Residential Design Codes in accordance with the site area of the proposed lots; and**
- (c) any exemptions from the requirement to obtain development approval**

**to the satisfaction of the Western Australian Planning Commission. (Local Government)**

**36. The landowner/applicant shall make arrangements to ensure that prospective purchasers of lots subject of a Local Development Plan are advised in writing that Local Development Plan provisions apply. (Local Government)**

**37. At all stages of subdivision two different vehicular access routes are to be provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents and the public at all times and under all weather conditions. (Local Government)**

**38. Staging of the subdivision shall be in accordance with the approved staging plan dated 30 October 2018 (Attachment 6), which is to be updated to demonstrate two access routes at all stages of subdivision in accordance with Condition 37. (Local Government)**

**39. The Bushfire Management Plan by Bushfire Prone Planning (version 1.0, dated 14 May 18) is to be updated to:**

- (a) reflect the approved plan of subdivision dated 30 October 2018;**
- (b) provide access for fire appliances between developed and undeveloped stages of the subdivision area;**
- (c) demonstrate the provision of two access routes in accordance with Condition 37**

**at all stages of subdivision;**

- (d) remove any reference to shelter in place and/or 'safe stay';**
- (e) remove any reference to any Asset Protection Zone protruding into public open space, foreshore reserves and/or private property not the subject of development; and**
- (f) include any other measures and/or amendments considered relevant by the local government in accordance with the Guidelines for Planning in Bushfire Prone Areas,**

**and approved and implemented to the specification of the local government and satisfaction of the Western Australian Planning Commission. (Local Government)**

- 40. The landowner/applicant is to prepare, have approved by the local government, and implement a detailed plan demonstrating the location and capacity of fire emergency infrastructure to the satisfaction of the Western Australian Planning Commission. (Local Government)**
- 41. Information is to be provided to demonstrate that the measures contained in the updated Bushfire Management Plan, approved as a result of Condition 39, addresses the following:**
- (a) the provision of two access routes in accordance with Condition 37 at all stages of subdivision;**
  - (b) provision of access for fire appliances between developed and undeveloped stages of the subdivision area;**
  - (c) placement of required encumbrances and notifications on certificates of title;**
  - (d) construction of public roads to the standards in the Bushfire Management Plan;**
  - (e) installation of Asset Protection Zones to the dimensions and standards necessary to achieve a maximum of BAL 29 for any developable area and/or property;**
  - (f) installation of the reticulated water supply (hydrants) to the standards stated in the Bushfire Management Plan;**
  - (g) construction of landscaping to ensure low threat standards stated in the Bushfire Management Plan;**
  - (h) endorsement of the Bushfire Management Plan by all parties that have a responsibility under the plan; and**
  - (i) any other measures identified in the updated Bushfire Management Plan**
- have been implemented during subdivisional works. (Local Government)**
- 42. A compliance certificate/report for the BAL Contour Map relating to the approved subdivision shall be completed prior to the issuing of titles to the satisfaction of the Western Australian Planning Commission. (Local Government)**
- 43. A plan is to be provided to identify areas of the proposed lot(s) that have been assessed as BAL-40 or BAL-Flame Zone. A restrictive covenant to the benefit of the local government, pursuant to section 129BA of the Transfer of Land Act 1893, is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a restriction on the use of the land within areas that have been assessed as BAL-40 or BAL-Flame Zone. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:**

***'Habitable buildings are only to take place outside of areas identified as BAL-40 or BAL-Flame Zone.'* (Local Government)**

- 44. A notification, pursuant to Section 165 of the Planning and Development Act 2005, is to be placed on the certificate(s) of title of the proposed lots with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:***

***'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land.'* (Western Australian Planning Commission)**

#### **ADVICE**

- 1. In regard to Condition 2, the survey is to be in accordance Environmental Protection Authority's Technical Guidance: Flora and Vegetation Surveys for Environmental Impact Assessment (2016).***
- 2. Condition 4 has been imposed in accordance with Better Urban Water Management Guidelines (WAPC 2008). Further guidance on the contents of urban water management plans is provided in 'Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions' (Published by the then Department of Water 2008).***
- 3. In regard to Condition 7, the Moore River South Transport Assessment is to be current at the time the condition is cleared. As a result, should the subdivision approval expire the document may be required to be further updated to reflect changing traffic numbers and design requirements through any future subdivision approvals.***
- 4. The landowner/applicant and the local government are advised to refer to the Institute of Public Works Engineering Australia Local Government Guidelines for Subdivisional Development (current edition). The guidelines set out the minimum best practice requirements recommended for subdivision construction and granting clearance of engineering conditions imposed.***
- 5. In regard to Conditions 8, 10, and 11 the landowner/applicant is advised that the road reserves, including the constructed carriageways, laneways, truncations, footpaths/dual use paths and car embayments, are to be generally consistent with the approved plan of subdivision, draft Liveable Neighbourhoods 2015 and the Moore River South Revised Outline Development Plan.***
- 6. In regard to Condition 15, the purpose of the condition is to provide a second vehicular access route in accordance with the Guidelines for Planning in Bushfire Prone Areas. The minimum standard of the road is required to allow safe access and egress to all residents and the public at all times and under all weather conditions.***
- 7. In regard to Condition 17, Western Power provides only one underground point of electricity supply per freehold lot.***
- 8. The Department of Water and Environment Regulation advises that no groundwater has been secured for the irrigation of schools or public open space. The applicant/landowner is encouraged to contact the Swan Avon region licensing division on 6250 8000 to discuss water availability and licensing options.***
- 9. The Department of Health advises that the proposed wastewater treatment plant requires a separate assessment and approval process. The applicant/landowner is encouraged to contact the Department of Health for further information.***
- 10. In regard to Condition 22 and 23, the Western Australian Planning Commission expects the primary school site will be development ready (that is, appropriately cleared, filled,***

**drained, provided with necessary utility services and all the abutting roads constructed) and does not result in the need to undertake further investigations (e.g. geotechnical), site works (e.g. filling, retaining & vegetation clearing) or obtain further approvals (e.g. clearing permits under Federal Environmental legislation).**

- 11. With regard to Condition 28, the development is to include full earthworks, basic reticulation, grassing of key areas, and pathways that form part of the overall pedestrian and/or cycle network. Any lighting should be consistent with the International Dark-Sky Association's LED Practical Guide.**
- 12. In regard to Condition 30 the location of the foreshore reserve is to be confirmed prior to ground disturbing activities on abutting land. The foreshore reserve is to be protected from disturbance during subdivisional works.**
- 13. In regard to Condition 31, the Western Australian Planning Commission's State Coastal Planning Policy Guidelines provide guidance on the matters to consider in a Foreshore Management Plan.**
- 14. In regard to Condition 33, the landowner/applicant is advised that the Department of Water and Environmental Regulation has prepared dust control guidelines for development sites, which, outline the procedures for the preparation of dust management plans. The dust management plans are generally approved, and their implementation overseen, by the local government. Further information on the guidelines can be obtained from the Department of Water and Environmental Regulation's website [www.der.wa.gov.au](http://www.der.wa.gov.au) under air quality publications.**
- 15. The Department of Fire and Emergency Services (DFES) advises that historical research has revealed that during the past 100 years, former elements of the Australian Defence Forces may have conducted training and/or operational activities within or close to the area of the proposed subdivision. It is possible that as a result of these activities, the subject area may contain unexploded ordnance (UXO). While it is considered that the possible risk from UXO on the land subject to this approval is minimal, an absolute guarantee that the area is free from UXO cannot be given. Should, during subdivisional works, or at any other time, a form or suspected form of UXO be located, DFES has advised that the following process should be initiated:**
  - (a) do not disturb the site of the known or suspected UXO;**
  - (b) without disturbing the immediate vicinity, clearly mark the site of the UXO;**
  - (c) notify Police of the circumstances/situation as quickly as possible; and**
  - (d) maintain a presence near the site until advised to the contrary by a member of the WA Police Service or Defence Forces.**

**Further advice on this issue may be obtained by contacting the Unexploded Ordnance Unit.**

**Prior to the commencement of subdivisional works, the landowner/applicant is advised to investigate whether or not approval is required pursuant to the Aboriginal Heritage Act 1972. The landowner/applicant should conduct a search of the Register of Aboriginal Sites to determine if any aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Planning Lands and Heritage (Indigenous Affairs) with a request for advice.**

## **ATTACHMENTS**

Attachment 1 - Locality plan  
Attachment 2 - Modified subdivision plan  
Attachment 3 - Vegetation plan  
Attachment 4 - Approved outline development plan

Attachment 5 - Foreshore reserve  
Attachment 6 - Staging plan





Department of Planning,  
Lands and Heritage

Legend

-  Local Government Area
-  Cadastre (View 2)

Notes:

The data that appears on the map may be out of date, not intended to be used at the scale displayed, or subject to license agreements. This information is stored in the relevant layers metadata. For these reasons the map should not be distributed outside of the Department.

Map was produced using DPLH's PlanViewWA.


Produced by: FUNCTIONALITY TO COME

Date produced: 30 April 2018 Page 88

Location Plan

INTERNAL USE ONLY

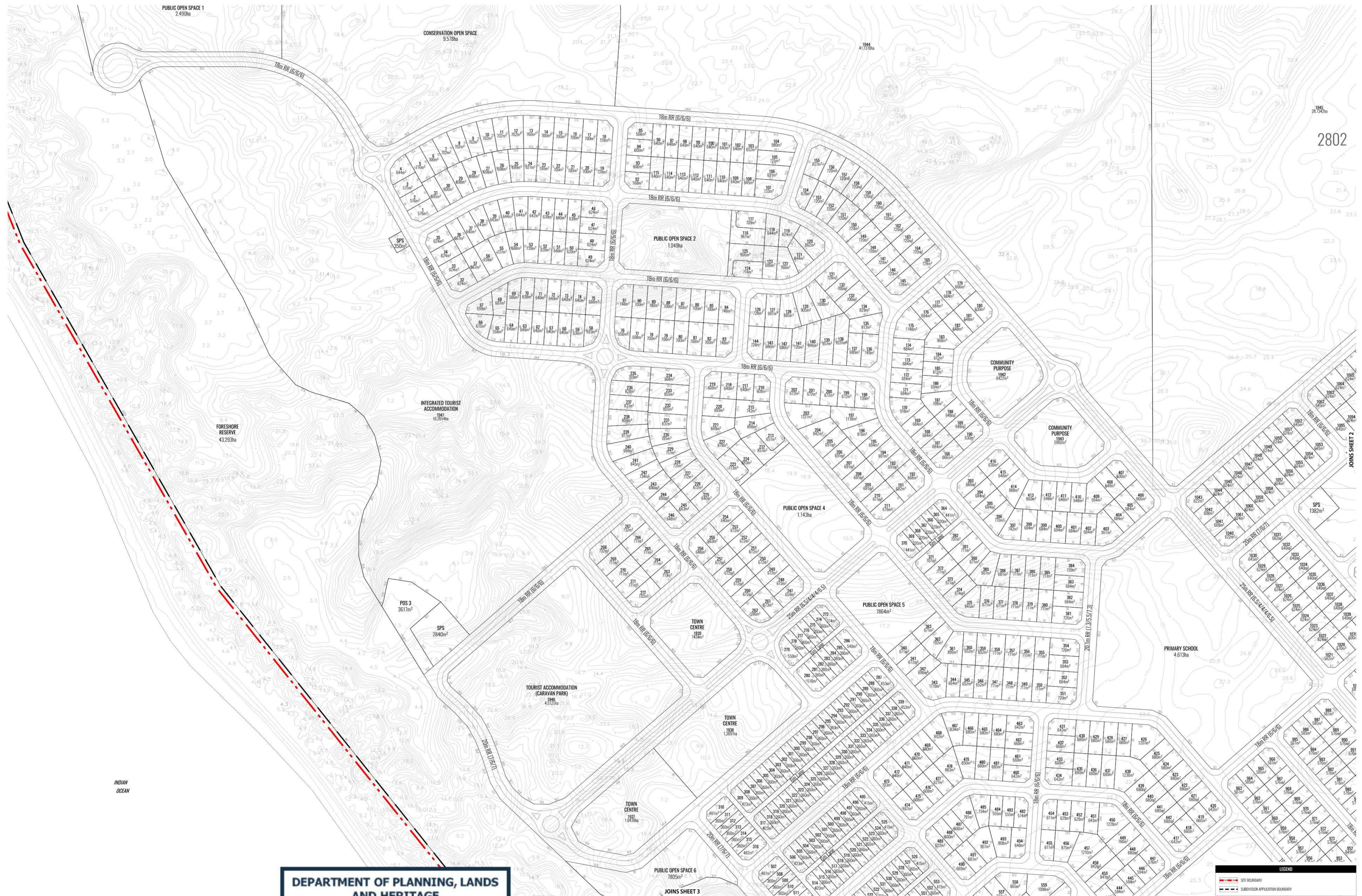
Internal Spatial Viewer  
[Link to website](#)



01.272.5 Kilometres

1: 50,000  
at A3

Projection: WGS1984WebMercatorAuxiliarySphere



This topographic map illustrates a residential development site. The map features numerous numbered lots, each with its area in square meters (e.g., 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741,

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 30-Oct-2018 FILE 156906

2481

30m RR (8.5/4/5/4/8.5)

JOINS SHEET 4

LEGEND

- SITE BOUNDARY
- .-.- SUBDIVISION APPLICATION BOUNDARY

DATE	FILE
30-Oct-2018	156906


DATE  
-Oct-2018

FILE  
156906

Lots 2424, 2802, 2914, 2593, 3099 & 3156 Barragoon Road, MOORE RIVER SOUTH

Lots 2424, 2802, 2914, 2593, 3099 & 3156 Barragoon Road, MOORE RIVER SOUTH

1729 81.00m <sup>2</sup>	1731 86.00m <sup>2</sup>	1732 86.00m <sup>2</sup>	1733 60.00m <sup>2</sup>	1734 60.00m <sup>2</sup>	1735 60.00m <sup>2</sup>	1736 60.00m <sup>2</sup>	1737 60.00m <sup>2</sup>	1738 60.00m <sup>2</sup>	1739 60.00m <sup>2</sup>	1740 60.00m <sup>2</sup>	1741 60.00m <sup>2</sup>	1742 60.00m <sup>2</sup>	1752 60.00m <sup>2</sup>	1753 60.00m <sup>2</sup>	1754 60.00m <sup>2</sup>	1755 60.00m <sup>2</sup>	1756 60.00m <sup>2</sup>	1757 60.00m <sup>2</sup>	1758 60.00m <sup>2</sup>	1759 60.00m <sup>2</sup>	1760 60.00m <sup>2</sup>	1761 60.00m <sup>2</sup>	1762 60.00m <sup>2</sup>	1763 60.00m <sup>2</sup>	1764 60.00m <sup>2</sup>	1765 60.00m <sup>2</sup>	1766 60.00m <sup>2</sup>	1767 60.00m <sup>2</sup>	1768 60.00m <sup>2</sup>	1769 60.00m <sup>2</sup>	1770 60.00m <sup>2</sup>	1743 61.00m <sup>2</sup>	1744 60.00m <sup>2</sup>	1745 60.00m <sup>2</sup>
1727 80.00m <sup>2</sup>	1728 80.00m <sup>2</sup>	1726 80.00m <sup>2</sup>	1725 80.00m <sup>2</sup>	1724 60.00m <sup>2</sup>	1723 60.00m <sup>2</sup>	1722 60.00m <sup>2</sup>	1721 60.00m <sup>2</sup>	1720 60.00m <sup>2</sup>	1719 60.00m <sup>2</sup>	1718 60.00m <sup>2</sup>	1717 60.00m <sup>2</sup>	1716 60.00m <sup>2</sup>	1715 60.00m <sup>2</sup>	1758 60.00m <sup>2</sup>	1757 60.00m <sup>2</sup>	1756 60.00m <sup>2</sup>	1755 60.00m <sup>2</sup>	1754 60.00m <sup>2</sup>	1753 60.00m <sup>2</sup>	1752 60.00m <sup>2</sup>	1751 60.00m <sup>2</sup>	1750 60.00m <sup>2</sup>	1749 60.00m <sup>2</sup>	1748 60.00m <sup>2</sup>	1747 60.00m <sup>2</sup>	1746 60.00m <sup>2</sup>	1745 60.00m <sup>2</sup>	1744 60.00m <sup>2</sup>	1743 60.00m <sup>2</sup>	1742 60.00m <sup>2</sup>	1741 60.00m <sup>2</sup>	1740 60.00m <sup>2</sup>		

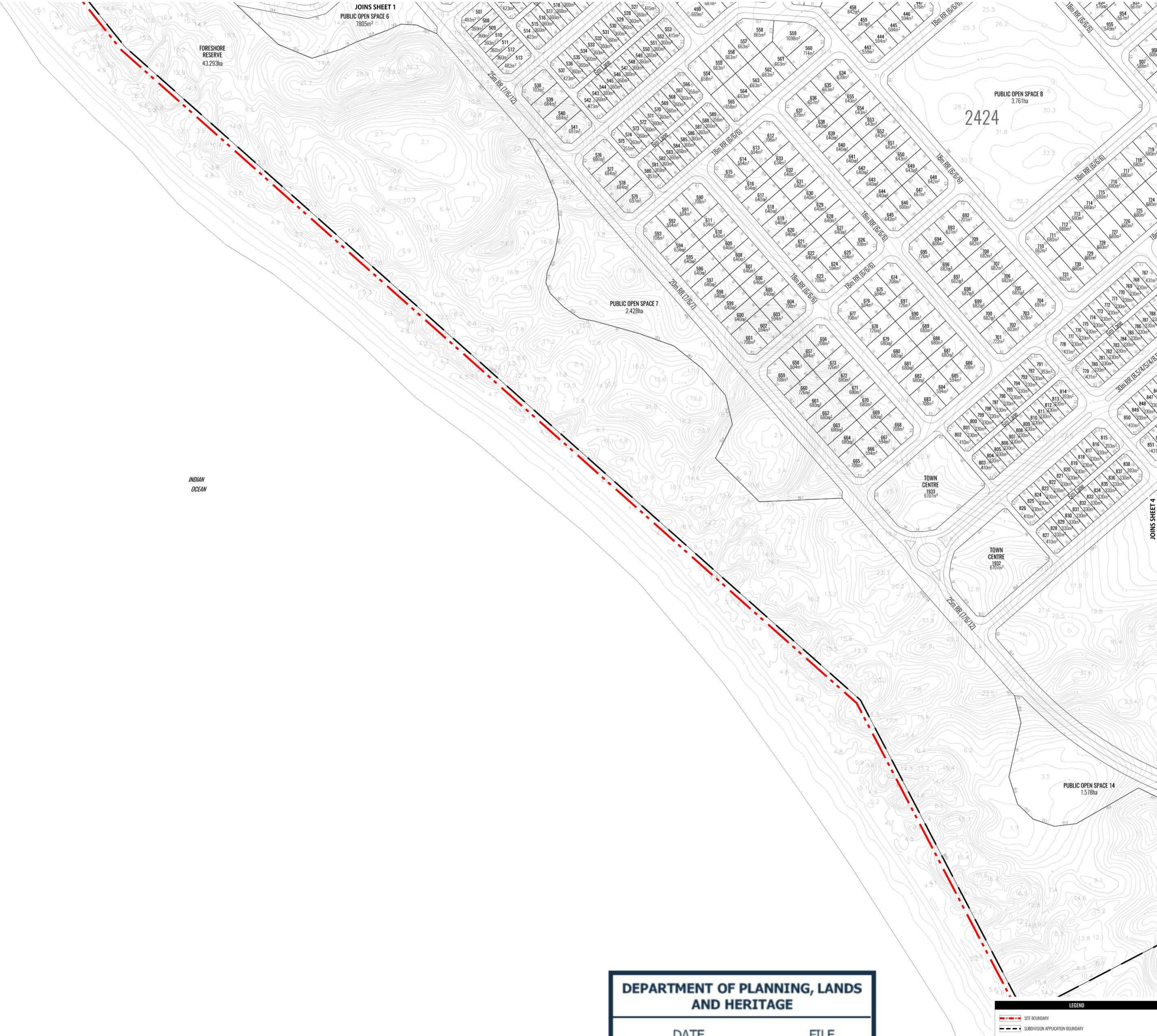

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 DATE: 30/10/2018 DRAWING: RF

 A 28 Brown Street, East Perth WA 6000  
P (08) 9325 0200  
E [info@creativetp.com.au](mailto:info@creativetp.com.au)  
W [creativetp.com.au](http://creativetp.com.au)

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 A 28 Brown Street, East Perth WA 6005  
P (08) 9325 0200  
E [info@creativetvp.com.au](mailto:info@creativetvp.com.au)  
W [creativetvp.com.au](http://creativetvp.com.au)

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DEPARTMENT OF PLANNING, LANDS  
AND HERITAGE

DATE  
30-Oct-2018

FILE  
156906

LEGEND

1:1000 1:1000

SITE BOUNDARY

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SUBDIVISION APPLICATION BOUNDARY

NORTH

0 20 40 60m

Scale: 1:2,000 @ A1

PLAN NUMBER: 3-0025 REVISION: 1 DATE: 30/10/2018 DRAWN: HJ

Creative

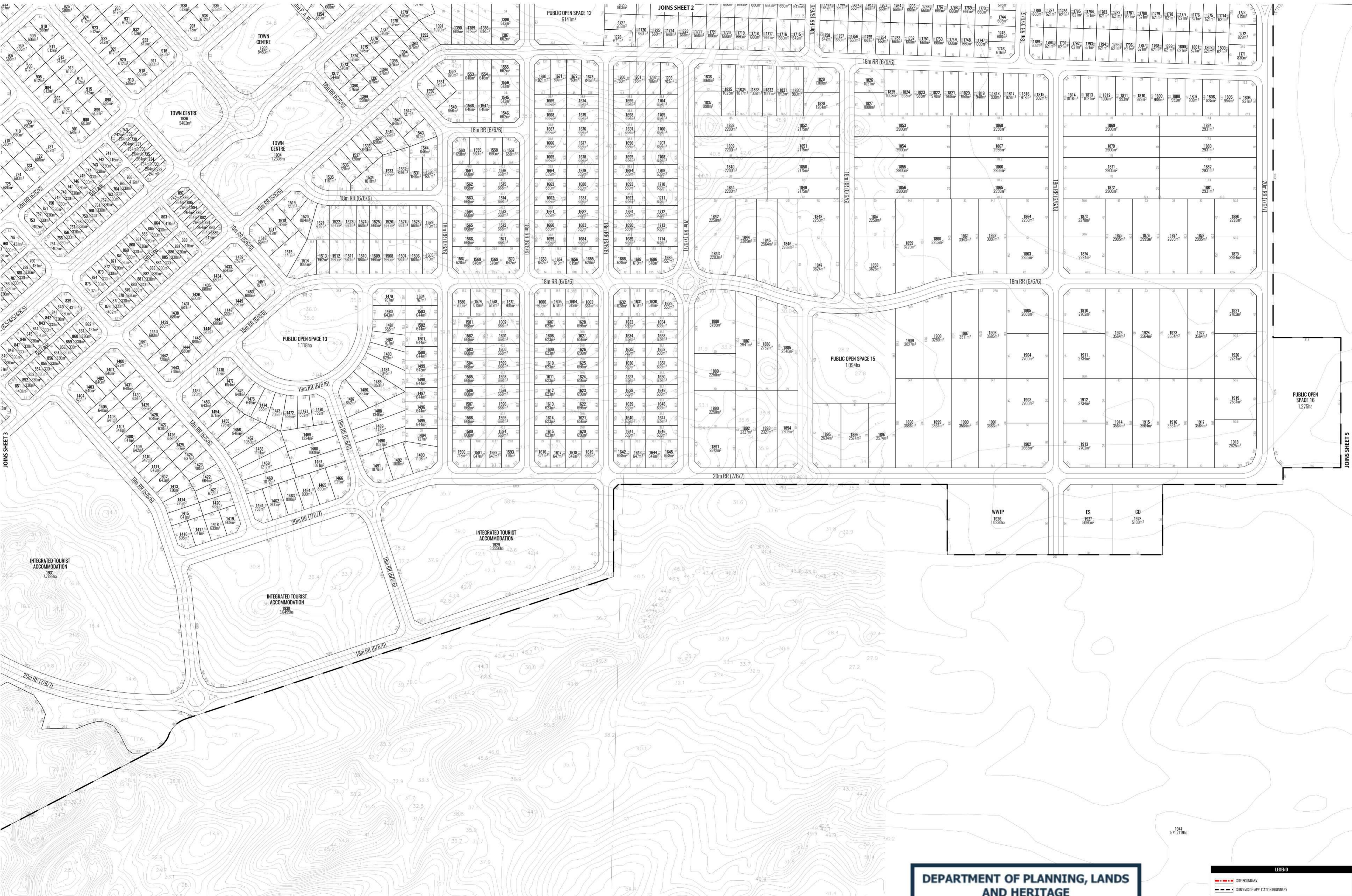
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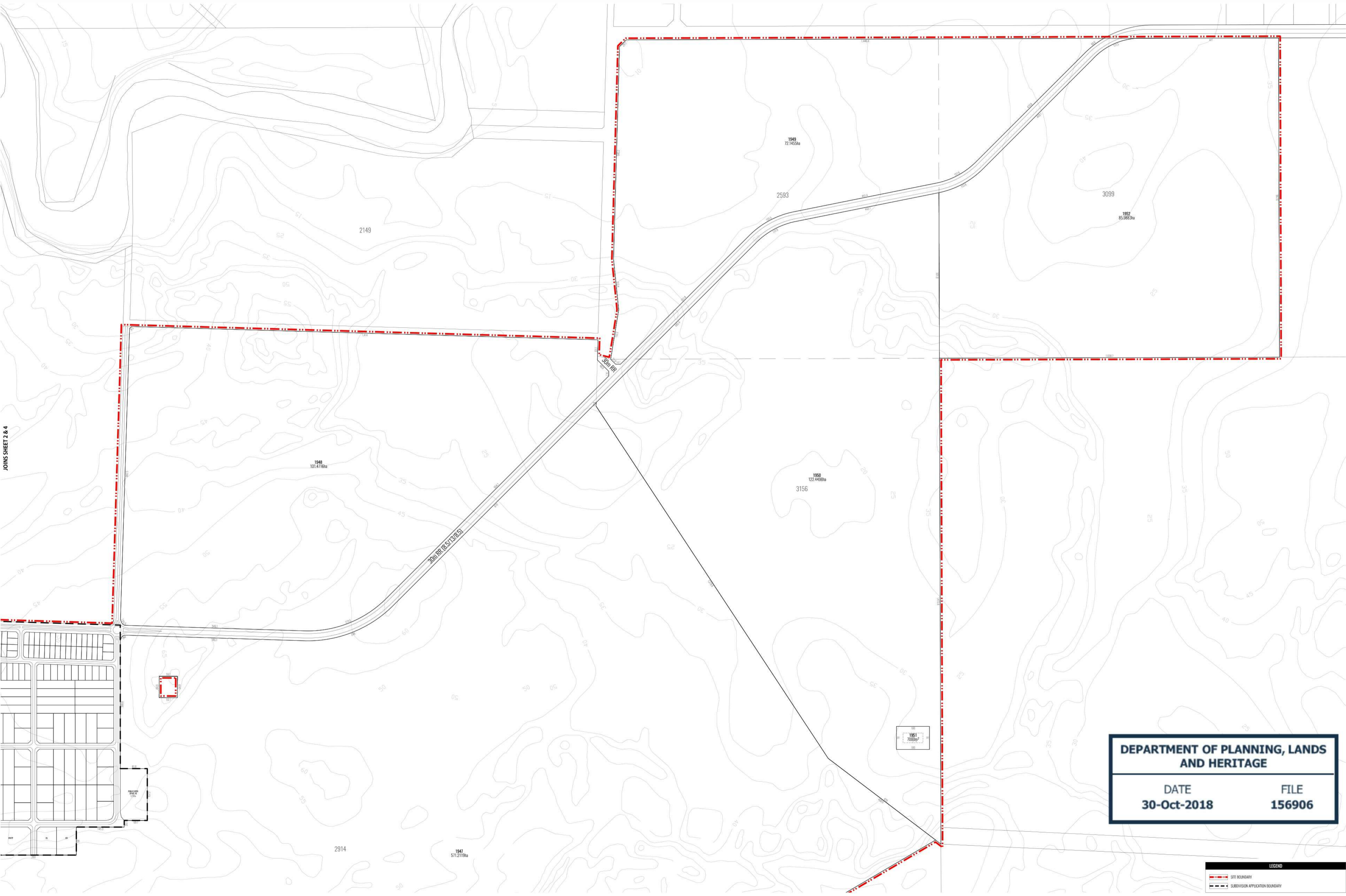
A 28 Brown Street, East Perth WA 6004

P (08) 9325 0200

E info@creativetp.com.au

W creativetp.com.au





JOINS SHEET 2 & 4

DEPARTMENT OF PLANNING, LANDS  
AND HERITAGE

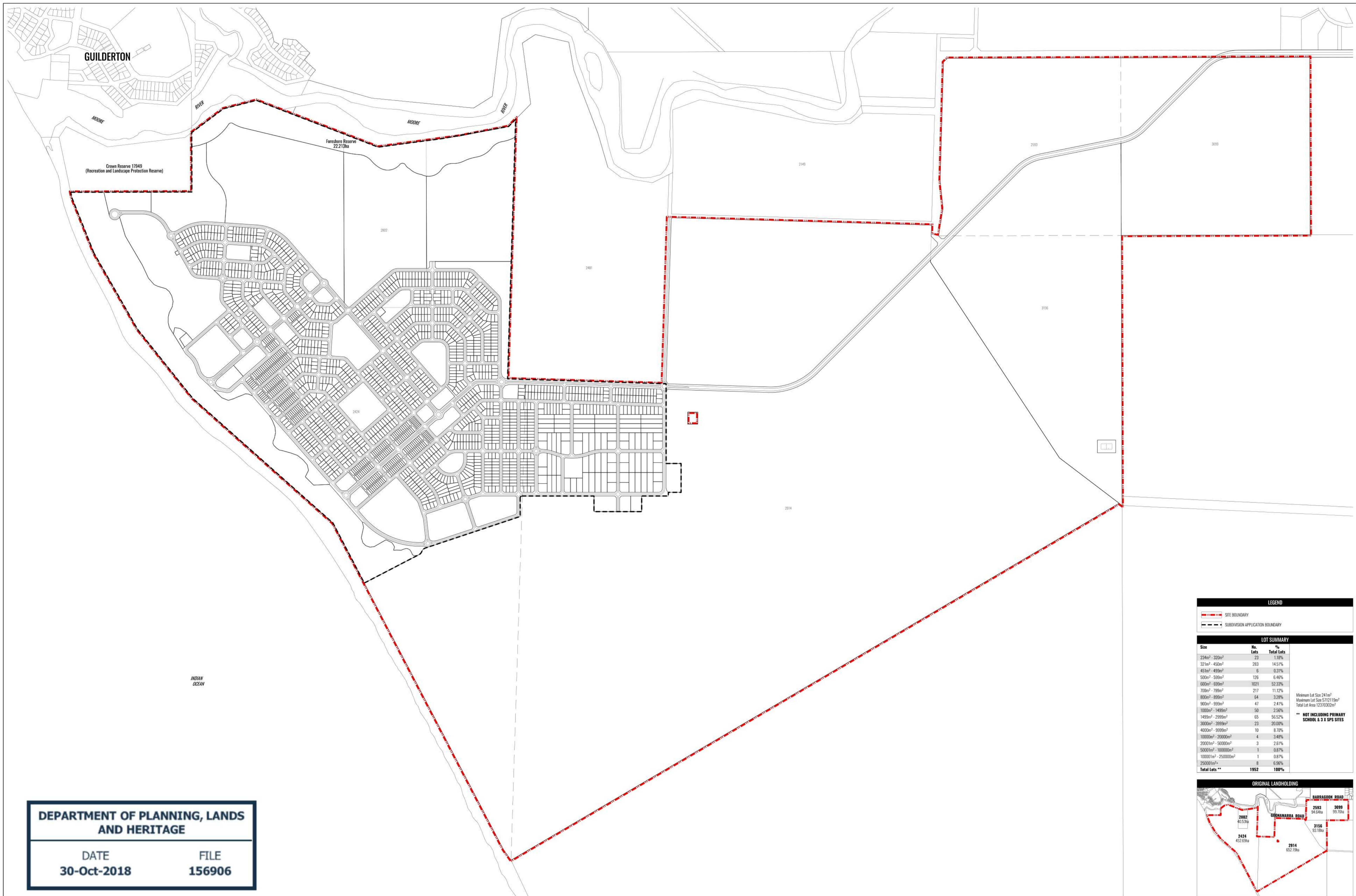
DATE

30-Oct-2018

FILE

156906

LEGEND	
	SITE BOUNDARY
	SUBDIVISION APPLICATION BOUNDARY



DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE 30-Oct-2018	FILE 156906

**LEGEND**

**SITE BOUNDARY**

**SUBDIVISION APPLICATION BOUNDARY**

**LOT SUMMARY**

Size	No. Lots	Total Lots	% Total
234m <sup>2</sup> - 320m <sup>2</sup>	23	118	1.8%
321m <sup>2</sup> - 450m <sup>2</sup>	283	1435	14.51%
451m <sup>2</sup> - 699m <sup>2</sup>	6	0.31	0.3%
500m <sup>2</sup> - 599m <sup>2</sup>	126	6.46	0.64%
600m <sup>2</sup> - 699m <sup>2</sup>	1021	52.33	5.23%
700m <sup>2</sup> - 799m <sup>2</sup>	217	11.12	1.12%
800m <sup>2</sup> - 899m <sup>2</sup>	64	3.28	0.32%
900m <sup>2</sup> - 999m <sup>2</sup>	47	2.41	0.24%
1000m <sup>2</sup> - 1499m <sup>2</sup>	50	2.56	0.25%
1500m <sup>2</sup> - 2999m <sup>2</sup>	65	3.62	0.36%
3000m <sup>2</sup> - 3999m <sup>2</sup>	23	20.00	2.00%
4000m <sup>2</sup> - 9999m <sup>2</sup>	10	0.35	0.35%
10000m <sup>2</sup> - 20000m <sup>2</sup>	4	3.68	0.36%
20001m <sup>2</sup> - 50000m <sup>2</sup>	3	2.61	0.26%
50001m <sup>2</sup> - 100000m <sup>2</sup>	1	0.87	0.08%
100001m <sup>2</sup> - 250000m <sup>2</sup>	1	0.87	0.08%
250001m <sup>2</sup> +	1	0.87	0.08%
<b>Total Lots **</b>	<b>1952</b>	<b>100%</b>	

Minimum Lot Size 241m<sup>2</sup>  
 Minimum Lot Size 57121m<sup>2</sup>  
 Total Lot Area 1237000m<sup>2</sup>

**\*\* NOT INCLUDING PRIMARY SCHOOL & 3 X SPS SITES**



## Topography & Classified Vegetation

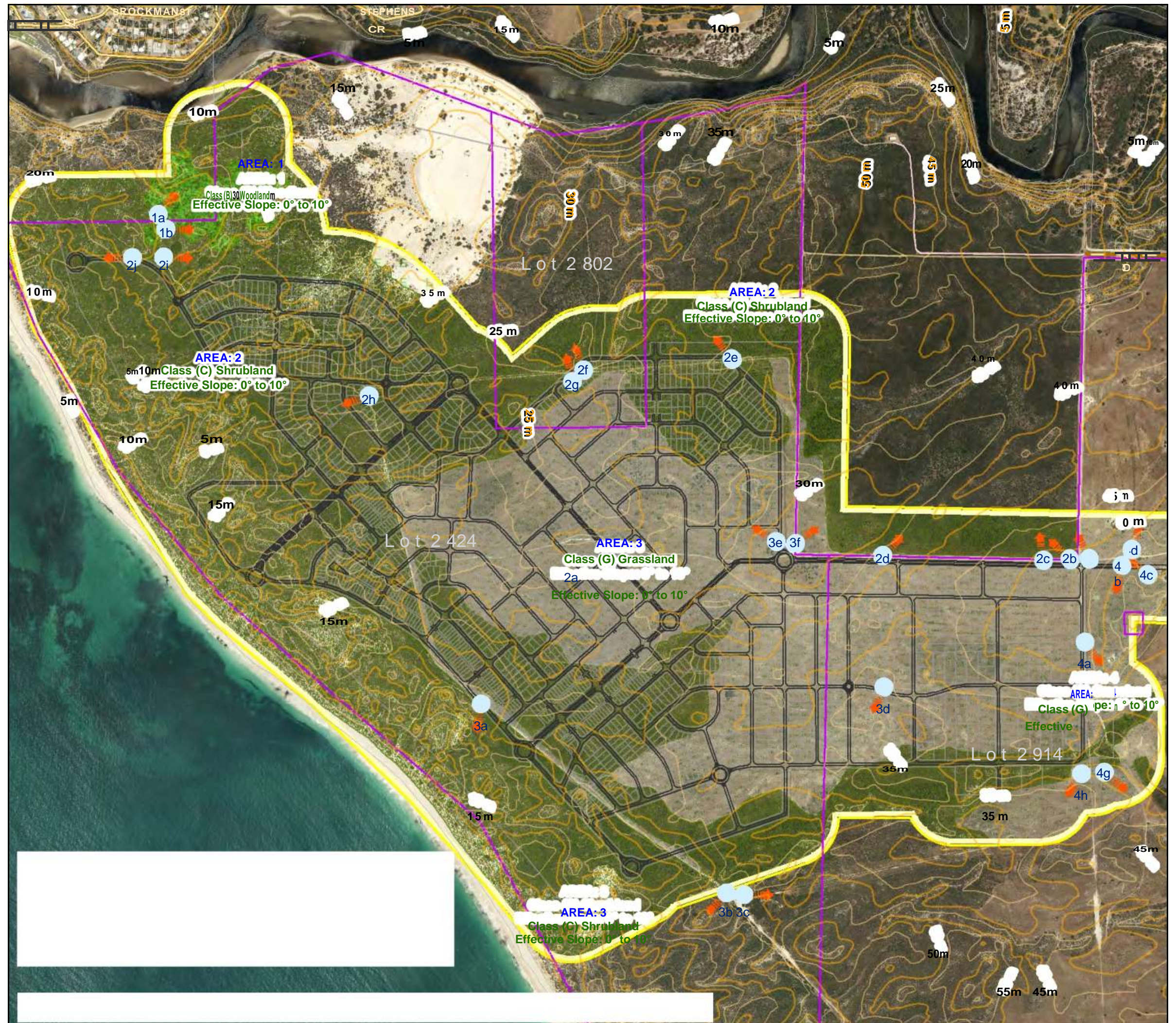
## LEGEND

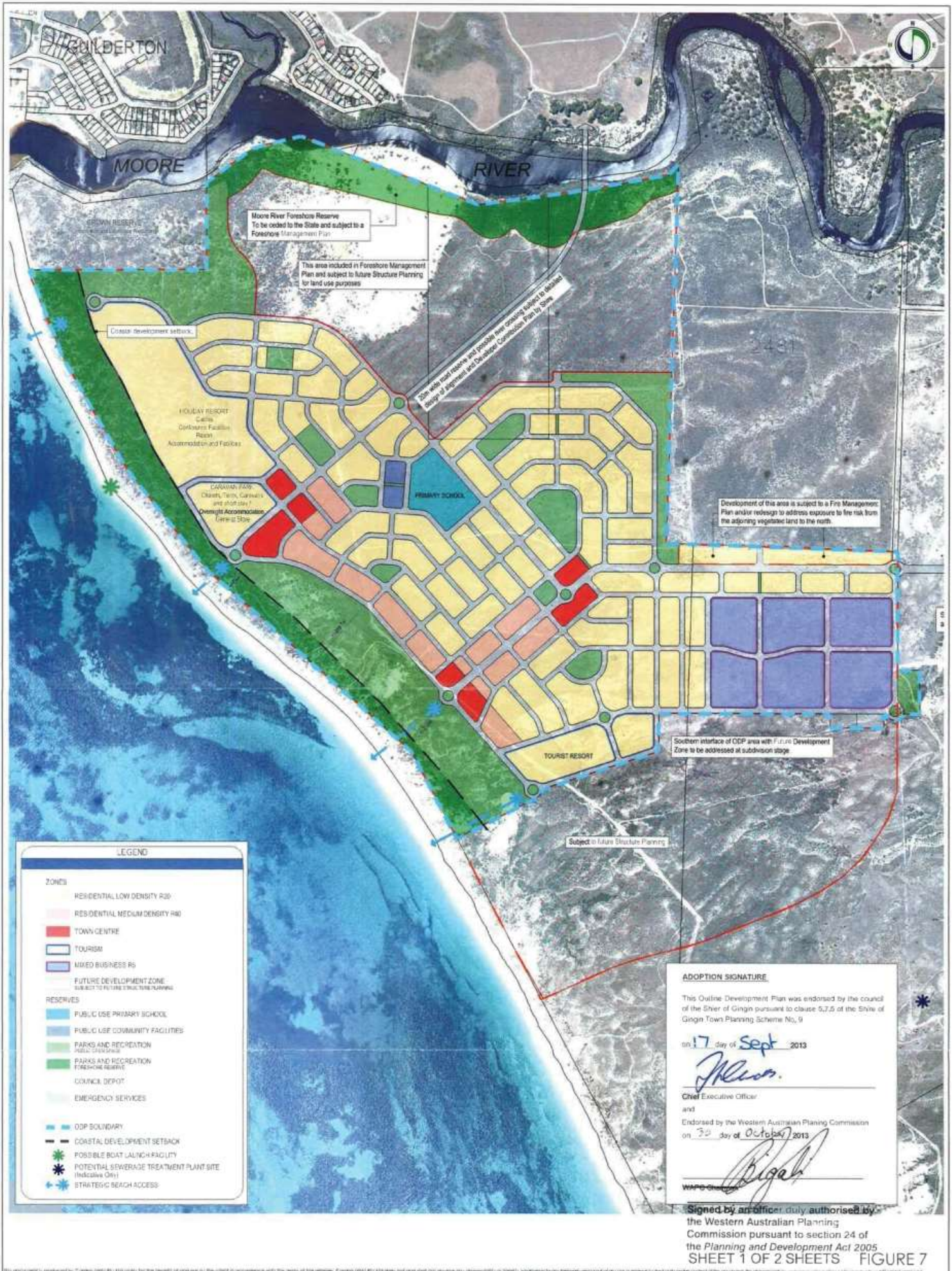
- Development



Disclaimer and Limitation: This map has been prepared for bushfire management planning purposes only. All depicted areas, contours and any dimensions shown are subject to survey. Bushfire Prone Planning does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which may arise from relying on any SPC information Agnda depicted. Page 95

Document Path: G:\BushfireProne\Mapping\MXD's\170905\_Various Lots, Caraban BMP (A3L)\v18-2.mxd





REVISED OUTLINE DEVELOPMENT PLAN  
MOORE RIVER SOUTH  
SHIRE OF GINGIN

**Cardno**  
11 novell terrace  
P.O. Box 487  
West Perth 6872  
Telephone (08) 9273 3888  
Facsimile (08) 946 8166

DATE: 23/8/2013  
DESIGNED: JC  
DRAWN: JC  
LOCAL AUTHORITY: SHIRE OF GINGIN  
PROJECT/PHASE/PLAN NUMBER: R2026 CON 001

SCALE: A3: 1:12,500  
CHECKED: [ ]  
APPROVED: [ ]

REVISION: A

# Planning Policy Statements



This Outline Development Plan (ODP), once approved, supersedes any previously approved ODP for the subject land. The implementation of the ODP will be facilitated through the subdivision and development approvals process, which pursuant to Town Planning Scheme 9 will be required to generally conform with the approved ODP. Future applications will be required to demonstrate compliance with the following key Planning Policy Statements:

## 1. Subdivision and Development

- The development of the subject land shall be undertaken generally in accordance with the endorsed Outline Development Plan (ODP). Subdivision of the ODP area requires approval from the Western Australian Planning Commission (WAPC) and shall be undertaken generally in accordance with the ODP.
- Development Applications and Detailed Area Plans will be required for all development generally excluding residential land use being R20-R40 which will be guided by the Residential Density Codes and Design and Settlement Guidelines if appropriate.
- The ODP map is the authoritative document in relation to proposed land uses and conditions attached to subdivision and development. In the event of an inconsistency between the ODP map and any other map contained in the ODP documentation the ODP map prevails to the extent of that inconsistency.

## 2. Retail Floor Space

A maximum of 500 m<sup>2</sup> of retail floor space shall be integrated with the caravan park and tourist resort components of the ODP and provide for local convenience shopping and services in the first stages of the overall development.

## 3. Design and Settlement Guidelines

Detailed Design and Settlement Guidelines (DSG) will be prepared and implemented by the proponent to guide the form and nature of buildings and structures in the ODP area. The DSG:

- Will set appropriate standards for design of dwellings and commercial and tourist development to meet sustainability criteria, building location and orientation, built form, building heights, scale and roof pitch, external colours and materials, curtilage and landscaping, vehicle parking and access and fencing.
- Will promote and encourage the installation of water tanks, water efficient taps and appliances and solar energy harnessing devices in every dwelling.
- Will require that any development in the northern holiday resort site will require consideration to the retention of vegetation and be designed sympathetically to the vegetation and topography of the site.
- May include special provisions for the 'Mixed Business' precinct shown on the ODP map to set standards for lot sizes, separation of uses and setbacks in addition to the matters outlined above.
- Can be undertaken for the tourism sites independently from the residential and commercial sites.

The DSG is intended to supplement the Residential Design Codes. In the event of a contradiction or inconsistency between the DSG and the Residential Design Codes the Residential Design Codes will prevail.

The WAPC and the Local Government may require Detailed Area Plan(s) prior to subdivision of a tourism site and/or as a condition of subdivision approval for the Mixed Business and/or Residential Lots.

## 4. Staging of Subdivision and Development

The progressive subdivision and development of land identified for residential lots (both green tie and strata) on the ODP shall proceed on the basis of a staging plan approved by the Shire and the Western Australian Planning Commission that has regard for the necessity for the introduction of reticulated water and sewerage facilities to the ODP area and the early establishment of foreshore improvement works.

## 5. Tourist Units

The strata subdivision and/or development of any land identified on the ODP for tourist accommodation shall include common management arrangements to ensure the tourist units and any associated facilities are available at all times for tourists, visitors and travellers. These arrangements are not intended to preclude owner use of tourist accommodation for holiday purposes.

## 6. Foreshore Reserves

A foreshore management plan shall be prepared under clause 5.1(x) and (y) of State Planning Policy No. 2.6: State Coastal Planning Policy prior to the first stage of subdivision.

The foreshore management plan must:

- include the foreshore reserves for both the ocean and Moore River frontages of the development identified on the ODP and the adjacent Crown Reserve abutting the mouth of the Moore River;
- contain a schedule of works, public facilities, infrastructure and amenities provision and implementation schedule;
- consider and respond to coastal processes, biophysical characteristics and any access requirements, both pedestrian and vehicle access, between the residential development front and Moore River;
- include a strategy for the investigation of the feasibility and provision of a low key boat launching facility;
- define and implement an appropriate foreshore reserve width along Moore River having regard to the above factors and specifically in response to SPP 2.6;
- identify those with responsibility for implementation of the plan and management of the reserves thereafter;
- be subject of its own public consultation process;
- be approved, if acceptable, by the Shire of Gingin; and
- identify required works to be fully implemented prior to the Shire's clearance of the conditions of any subdivision approval granted for the ODP area.

Inclusion of the whole of the land area between the residential development front and the Moore River is intended to allow consideration and a response to relevant issues. Any land use proposals beyond the proposed foreshore reserve do not fall within the scope of the foreshore management plan and would be subject to a separate future Structure Plan.

The staged construction of the Foreshore Management Plan and Public Open Space by the Proponent is to be determined at the Subdivision stage or through a Development Deed between the proponent and the Shire in a manner that reflects progressive development of the project and progressive demand for additional facilities.

The ocean foreshore reserve and adjacent public open space is able to be used for drainage works or functions pursuant to an approved Stormwater and Drainage Management Plan as required by Planning Policy Statement 13, including subsurface stormwater drainage and absorption structures, which do not materially diminish the capacity of the area for public use.

## 7. Fire Management Plan

A fire management plan must be prepared and implemented to the satisfaction of the Shire of Gingin and the Department of Fire and Emergency Services.

Goonmama Rd will be required to be constructed for emergency public access to the satisfaction of the Shire.

Development must be undertaken in compliance with:

- Part 3.7.4 (Bushfire Areas) of the Building Code of Australia
- The WAPC Planning for Bushfire Protection Guidelines; and Australian Standard 3959.

A memorial is to be placed on the Certificate of Title for those lots affected by the fire the requirement to comply with the approved fire management plan and the owner/management plan advising of its responsibility to maintain fire protection measures and emergency access to an appropriate standard.

## 8. Community Facilities

Local Community Facilities will be provided for through a Deed of Agreement between the Shire of Gingin and the Moore River Company. If for any reason, the Deed of Agreement is not executed the Shire will progress Developer Contribution Plans under the provisions of its Local Planning Scheme.

A small multipurpose community facility shall be provided as part of the first stage of development of the ODP area.

## 9. Local Water Management Strategy

A Local Water Management Strategy shall be approved by the relevant agencies prior to the approval of the first stage of subdivision.

## 10. Dust Management

A dust management plan is to be:

- Submitted to and, if acceptable, approved by the Shire; and
- Implemented at each and every stage of development to the satisfaction of the Shire.

## 11. Landscape Strategy

A landscape strategy plan for the road reserves including the primary access road from Indian Ocean Drive and public open space areas shall be prepared, which:

- Indicates the location and species of all trees to be removed and/or retained;
- Indicates the location and type of fencing to be installed;
- Indicates the location and type of reticulation to be installed;
- Indicates the location and type of paving to be installed; and
- Includes a plant schedule nominating each species, the spacing of species, the numbers of plants required, and the size of each plant to be used at the time of planting and the anticipated height of each plant at maturity.

The landscape strategy plan shall:

- be submitted to and, if acceptable, approved by the Shire;
- be the subject of a management agreement between the owner and the Shire;
- include provisions for the specific approval of the Shire for any proposals to remove trees; and
- be implemented to the satisfaction of the Shire.

## 12. Construction Management Plan

Any Construction Management Plan required to be prepared at the subdivision or development stage shall include the technical, physical and contractual measures to minimise environmental impacts during construction and post-construction. Such plan to address Acid Sulphate Soils in accordance with the guidelines of the Department of Environment and Conservation.

A plan addressing cutfill and retaining requirements (i.e. bulk earthworks) shall be prepared and submitted to the Shire of Gingin prior to or concurrent with the subdivision application process.

## 13. Stormwater and drainage

A stormwater and drainage management plan shall be:

- Prepared, which identifies the locations and dimensions of all proposed pump stations, infiltration basins and surges;
- Submitted to and, if acceptable, approved by the Shire and the Department of Water; and
- Implemented to the satisfaction of the Shire.

The design objectives of the stormwater and drainage management plan will be to optimise the infiltration of stormwater at source and the reuse of water.

## 14. Utilities and Services

All development is to be connected to underground power, telecommunications and reticulated water and sewerage services.

The design of utilities and services will be aimed at the maximum feasible use of technology capable of capture of energy from wind and solar sources and the reuse of wastewater so as to minimise the demands of the new development for importation of energy and water.

All utilities and services are to be contained within the ODP area or where outside the ODP area within a public road reserve, Shire managed reserves or easements specifically created for that purpose.

These connections are to occur at the first stage of development at the full cost to the owner/developer and to the satisfaction of the Shire and, in relation to water and sewerage, the Water Corporation.

## 15. Traffic Management and Parking

- A traffic and parking strategy shall be prepared by a suitably qualified traffic engineer, which:
- Shows the required upgrading works for the local road system, including the intersection of the primary access road and Indian Ocean Drive;
- Shows the staging of these works relative to the staging of the development;
- Assesses the future public, private residential and tourist car park requirements generated by the development proposed in the ODP area;
- Is able to demonstrate that sufficient foreshore parking or alternative access is provided for tourist and residential development as well as the demands of visitors and the general public;
- Include a noise impact assessment undertaken for Barragoon Road adjoining Woodridge Estate so as to demonstrate the need for any noise attenuating requirements as part of the road upgrading work
- Submitted to the Shire and, if acceptable, approved by the Shire and Main Roads WA; and

The strategy shall be implemented to the satisfaction of the Shire prior to the Shire's clearance of any condition of any approval granted for the subdivision or strata subdivision of land within the ODP area. All residential lots are to contain on-site car parking in accordance with the Residential Design Codes.

## 16. Further Subdivision

Subdivision of the residential areas depicted on the ODP will only be permitted in accordance with the Residential Design Codes.

## 17. Special Land Use Controls

The following special land use exemptions will apply to development in the ODP area:

- For the purposes of facilitating provision of community facilities in the initial stages of development land identified as being within the 'Residential zone' on the ODP map may be developed for the purposes of 'educational establishment', 'medical centre', 'shop', 'civic use' and/or 'office' as defined under the Shire of Gingin Town Planning Scheme No. 9 (TPS 9) and on the basis of being an 'SA' use for the purposes of Table 1 - Zoning Table in the scheme;
- Civic use and 'educational establishment' are deemed to be 'AA' uses in the Town Centre zone under TPS 9; and
- Land in the area shown as 'Mixed Business RS' on the ODP map may be developed for a 'Single House' in conjunction with any mixed business use subject to the application processes and considerations that apply according to a dwelling under the RS coding under the Residential Design Codes (as amended from time to time).
- The land shown as 'Caravan Park' on the ODP is restricted to that land use as defined in TPS 9, including all associated land uses that are ordinarily ancillary, subsidiary and incidental to the primary use of a caravan park.

## ADOPTION SIGNATURE

This Outline Development Plan was endorsed by the council of the Shire of Gingin pursuant to clause 5.7.5 of the Shire of Gingin Town Planning Scheme No. 9

on 17 day of Sept 2013

*[Signature]*

Chief Executive Officer

and

Endorsed by the Western Australian Planning Commission

on 30 day of October 2013

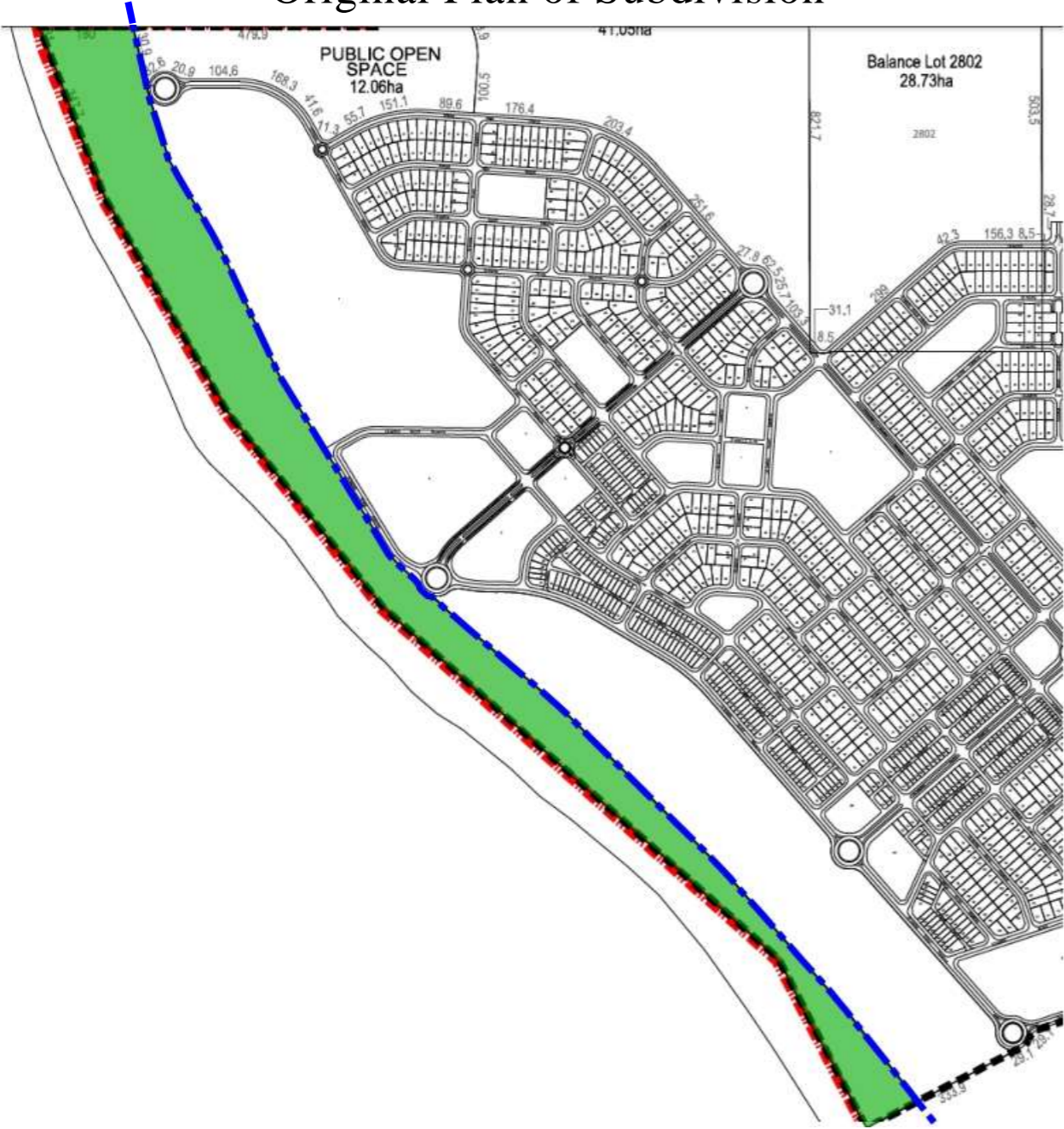
*[Signature]*

Signed by an officer duly authorised by the Western Australian Planning Commission pursuant to section 24 of the Planning and Development Act 2005

SHEET 2 OF 2 SHEETS FIGURE 7

Foreshore Reserve

Original Plan of Subdivision




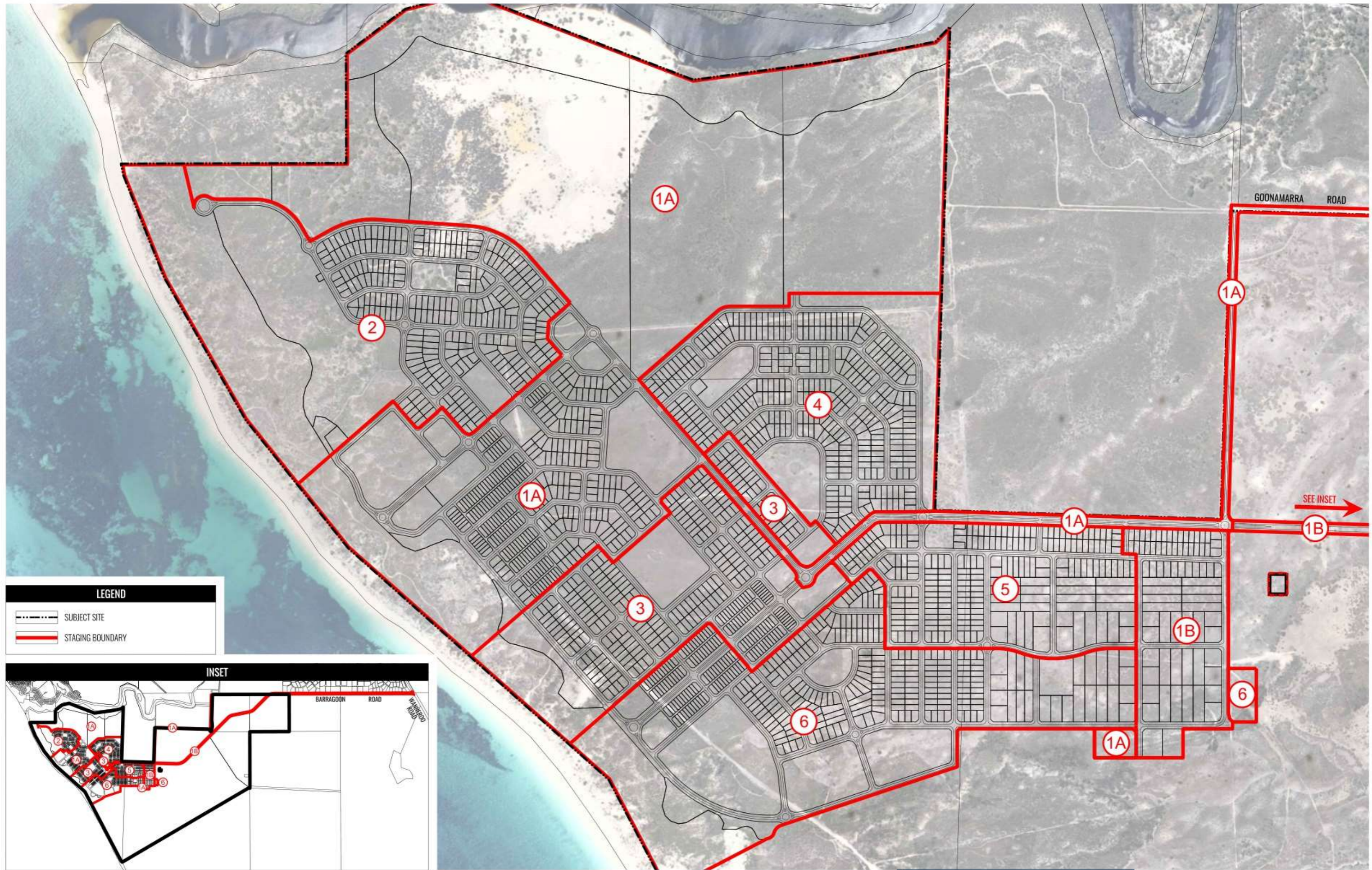
Modified Plan of Subdivision



\*Measurements are the width of the foreshore reserve beyond the physical processes line

 Foreshore Reserve

 Coastal Physical Processes



## INDICATIVE STAGING

Moore River South

DEPARTMENT OF PLANNING, LANDS  
AND HERITAGE

DATE  
30-Oct-2018

FILE  
156906



Scale: 1:10000 @ A3  
0 100 200 300m  
Date: 31/10/2018 Plan: MRCMR-1-007B