

Dalyellup Beach Estate  
Structure Plan Amendment –  
Modification No.14

## DOCUMENT CONTROL

ISSUE	DATE	ISSUE DETAILS	APPROVED
Draft	07.07.2017	Client Review	GB
A	17.07.2017	Client Review	GB
B	28.07.2019	Submission to Shire of Capel	GB
C	18.10.2017	Modifications for Advertising	GB
D	29.01.2021	WAPC Modifications for Approval	KH
E	13.04.2021	Final WAPC Modifications	KH

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This structure plan is prepared under the provisions of the Shire of Capel Local Planning Scheme No. 7.

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

**May 1999**

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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 2025

*Table of Amendments*

Amendment No.	Summary of the Amendment	Amendment Type	Date approved by the WAPC
12	Amendments to Land Use and Implementation Notes regarding Fire Management Plan and Consolidation of Plan.	Minor	Endorsed by WAPC 20/2/2015
13	Correction of anomaly in the density of coding for Stage 15 Lakeside Ridge.	Minor	Endorsed by the Shire of Capel 11/03/2015
14	Amend layout of residential development in Coastal Precinct in response to environmental factors and amended State Planning Policy	Major	Endorsed by WAPC 02/05/2021



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# 1 BACKGROUND

## 1.1 Introduction and Purpose

This report has been prepared on behalf of Dalyellup Beach Estate Pty Ltd. It forms the basis of a formal request to the Shire of Capel to amend the Dalyellup Beach Estate Structure Plan to modify the layout, land uses and residential densities in the remaining developable beachside portion of the estate.

The need for the proposed modification has been driven by changes in the planning framework since the original Structure Plan was approved. These statutory changes relate to coastal processes, fire management and environmental management and have significantly impacted the developable area of land within the precinct.

This report provides a critical analysis of the refined developable area and the viability of a tourist precinct in this location.

The following consultants have been involved with the preparation of the Structure Plan Amendment, and were responsible for the various technical reports and studies that underpin the Structure Plan design:

- RPS (Planning and Development) – Urban Design
- RPS (Environment) – Environmental
- RPS (Environment) – Foreshore Management Plan
- JDA Consultant Hydrologists – Hydrology
- Wood & Grieve Engineers – Engineering and Servicing
- Emerge Associates – Landscaping Design
- Ecosystem Solutions Pty Ltd – Fire Management Planning
- Shawmac – Transport Assessment
- MP Rogers & Associates – Coastal Assessment

A summary of the key statistics and planning outcomes for the amendment area is provided below in *Table 1*.

*Table 1 - Summary of Structure Plan Amendment Area*

Item	Data
Total area covered by the structure plan	397.04ha
Area of Amendment No. 14	20.87ha
Area of each land use proposed:	
• Residential	7.19ha
• Public Purpose	0.35ha
Estimated lot yield (single)	139 dwellings
R 80 Grouped Housing site (1)	16 dwellings
Total Dwellings	155 dwellings

Estimated Population	
Single lot based on 2.2 persons per dwelling	305
Grouped housing based on 1.8 persons per dwelling	29
<b>Total</b>	<b>334</b>
Estimated Area and percentage of public open space given over to:	
<ul style="list-style-type: none"> <li>• Regional open space</li> <li>• Conservation Areas</li> <li>• Fire Buffers</li> <li>• Local parks</li> <li>• Drainage</li> </ul>	2.18ha 4.37ha 1.39ha 0.30ha 0.13ha
Estimated percentage of natural areas	8.37ha    37.46%

## 1.2 Site description

The land is located in the southwest portion of the Dalyellup Beach Estate and is defined by residential development to the north and east, Foreshore Reserve to the west, and Regional Open Space to the south (Refer *Figure 1 – Subject Area*).

The Spearwood Dune system underlays the site, consisting of Tamala Limestone (off-white to yellowish brown siliceous sands).

The land is vegetated and highly undulating, with ranges in height from 5m AHD up to 35m AHD. There is a centrally located ridge running east west with a hollow north of this ridge. There is also a 35m high hill on the south western portion of the site (see *Figure 2 – Contour Map*).

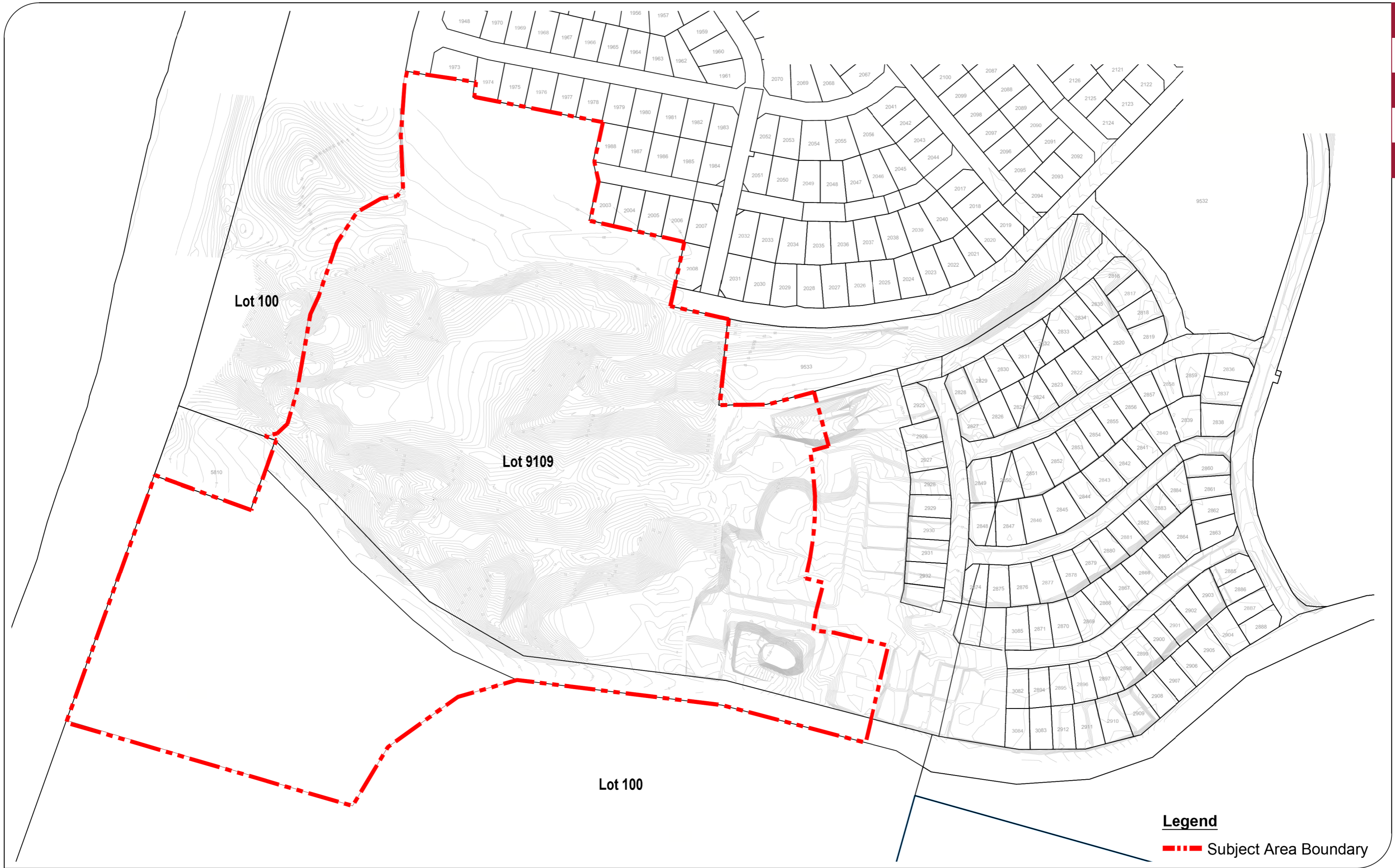
## 1.3 Existing and Surrounding Land Use

Residential development has previously occurred to the north, in accordance with the adopted Structure Plan. The proposed amendment provides an extension to the existing road network, with no impact on established areas.

The area abutting the eastern boundary of the amendment area was recently the subject of a subdivision application; with approval granted in 2016 (refer *Figure 3 – Approved Plan of Subdivision*). This subdivision accords with the adopted structure plan and is not impacted on by the proposed amendment.

The area adjoining south has been acquired by the WAPC as Regional Open Space (Lot 100).









**LEGEND**

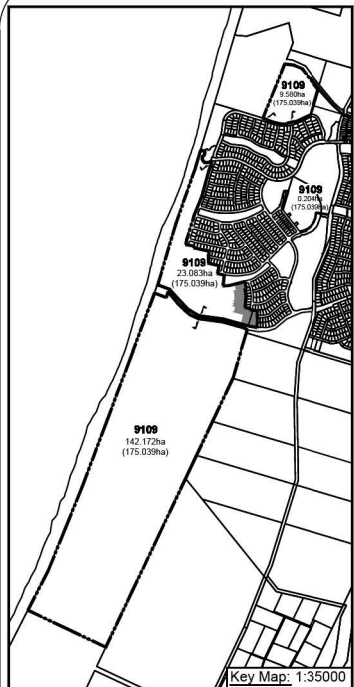
- EXISTING CONTOURS - 5m INTERVALS
- EXISTING CONTOURS - 1m INTERVALS
- SUBJECT LAND

**CONTOUR PLAN**  
 Dalyellup Beach Estate  
 Figure 2

Plan No:	19-0002-FI-02
Date:	28/1/2021
Rev:	A
Co-ords:	N/A
Aerial:	N/A





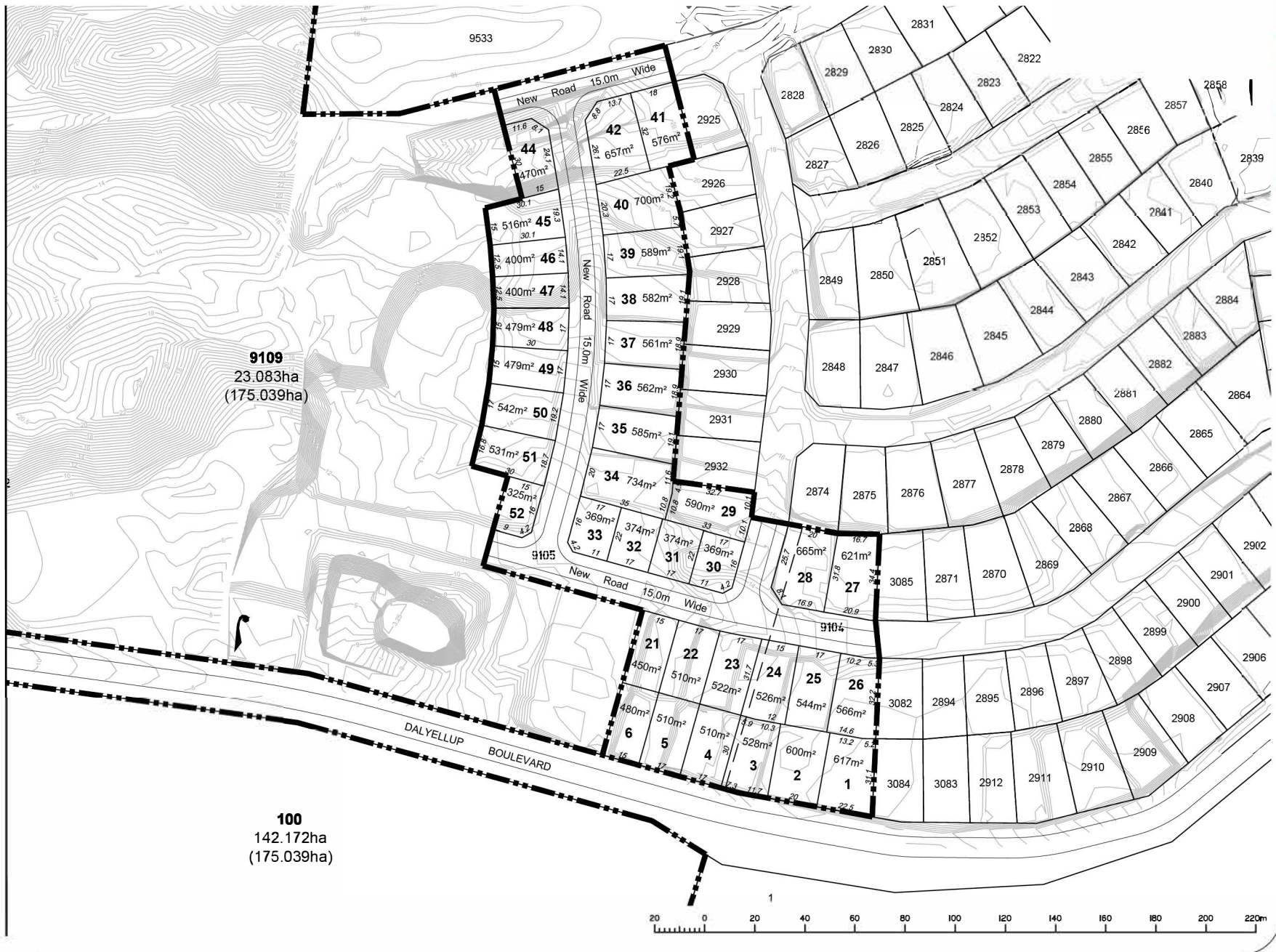


Development Summary	
Total Application Area	177.641 ha
Total Balance Area	175.039 ha
Total Lot Area	1.939 ha
Total Lot Yield	37
Minimum Lot Area	325 m <sup>2</sup>
Maximum Lot Area	734 m <sup>2</sup>
Average Lot Area	524 m <sup>2</sup>
Road Reserve Area	0.663 ha

- Legend:**
- ■ ■ Subdivision Application
  - Proposed Boundary
  - - - Future Subdivision

**Note:**  
The boundaries shown on this plan should not be used for final detailed engineers design.

**Source Information:**  
**Site boundaries:** Landgate  
**Adjoining information:** Landgate  
**Contours:** McMullen Nolan  
**Projection:** BCG



## 2 STATUTORY CONTEXT

### 2.1 Greater Bunbury Region Scheme (GBRS)

The subject land is zoned Urban under the Greater Bunbury Region Scheme (GBRS). The Urban zone is to provide for residential development and associated local employment, recreation and open space, shopping, schools and other community facilities.

The western and southern boundaries of the site immediately adjoin the Regional Open Space Reservation under the GBRS. This has potential implications to the planning of the site when considering fire management and environmental linkages.

### 2.2 Shire of Capel District Town Planning Scheme No.7 (TPS)

The subject area is included within the Shire of Capel District Town Planning Scheme and is zoned 'Urban Development'.

The purpose of this zone is to designate land for future urban development and provide a framework for the preparation and approval of outline development plans prior to subdivision and development. The zoning is intended to be flexible in order to overcome the inherent problems associated with the detailed zoning of land prior to lot boundaries being established for subdivision and development.

### 2.3 Dalyellup Beach Estate Local Structure Plan (2008) (DBELSP)

Addressing the requirements of the 'Urban Development' zone designated by the Scheme, the Dalyellup Beach Estate Local Structure Plan (DBELSP) was prepared. The DBELSP provides guidance with regard to land uses and urban layout that is to be pursued through subdivision and development.

The DBELSP was endorsed by the WAPC in May 1999 and applies to the western portion of Dalyellup, generally west of Dalyellup Boulevard. The area covered by this structure plan is now substantially developed, with the subject area being the last area to be pursued.

A consolidation of the DBELSP was adopted in February 2015 incorporating various modifications which have been made since the plan was originally endorsed. Additional minor modifications have occurred since, with the last having been undertaken in March 2015.

The area subject of this amendment is identified as 'Residential R20', 'Residential 30' and 'Tourist Precinct' serviced by a local road network that includes the extension of Dalyellup Boulevard through to Norton Promenade, completing the Neighbourhood Connector road network. The area of DBLSP 2015 that is subject to the amendment is edged by the broken red line in *Figure 4*.

### 2.4 State Planning Policy No.1: State Planning Framework (SPP1)

The Western Australian Planning Commission's SPP1 sets out the key principles for land use planning and development which apply throughout the state. It brings together existing regional policies and plans into an ordered hierarchy to guide decision making on land use and development. Local governments are required to have "due regard" to the provisions of state planning policies in the preparation of planning schemes and consideration of planning matters.





## 2.5 Liveable Neighbourhoods (LN)

The Western Australian Planning Commission's (WAPC) Liveable Neighbourhoods Policy is intended to guide the subdivision and development of land in Western Australia. The key principles of this policy include:

- Providing a variety of lots sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services;
- To ensure cost-effective and resource efficient development to promote affordable housing; and
- To maximise land efficiency.

Liveable Neighbourhoods provides guidance for the design and development of greenfield subdivision through eight design elements; community design, movement networks, lot layout, public parkland, urban water management, utilities, activity centres and employment, and schools. These various elements have been considered in the preparation of the proposed amendment.

## 2.6 Shire of Capel Land Use Strategy (1999)

The Land Use Strategy was adopted in 1999 and represents the primary strategic land use planning document for the Shire of Capel. The general objectives of the Strategy are to:

- Encourage the use of good agricultural land by economically active farmers and to maximise the productivity of the Shire;
- Provide for long term increase in settlement areas which provide a range of lifestyles within the context of a settlement strategy that will minimise effects on adjoining agricultural and industrial activities and the environment values of the District;
- Recognise the principles and objectives of the State Planning Strategy and the Bunbury/Wellington Region Plan; and
- Provide for compatible and sustainable use of land consistent with key land use including agriculture, mining, industry, residential, rural residential and reserves.

The DBELSP was prepared to reflect the objectives of this document, and the proposed amendment does not change this.

A review of the Land Use Strategy is currently being undertaken by the Council in the preparation of a Local Planning Strategy.

## 2.7 Greater Bunbury Strategy (2013)

The Greater Bunbury Region Strategy (the Strategy) is intended to guide urban and regional land use planning, growth and infrastructure delivery in the Greater Bunbury Sub-Region to 2031 and beyond. The Strategy is underpinned by themes of a compact and connected sub-region, advocating for increased residential densities that make more efficient use of liveable and well-designed urban areas.

Population targets are established within the Strategy, and Dalyellup is recognised as one of the large new residential areas within the region that will contribute to the achievement of this. Within these targets and goals however is also the inherent obligation to ensure that new development is



sensitive to the environment and preserving the characteristics that make the Greater Bunbury region unique.

## 2.8 State Planning Policy No. 2.6 – State Coastal Planning

The State Coastal Planning Policy provides for the long-term sustainability of WA's coast and provides a balanced approach to the often competing needs and desires of communities in a way that takes into account the values of the coastal zone.

The objectives of this policy are to:

- Ensure that the location of coastal facilities takes into account coastal processes, landform stability, coastal hazards, climate change and biophysical criteria;
- Ensure the identification of appropriate areas for the sustainable use of the coast for housing, tourism, recreation, ocean access, maritime industry, commercial and other activities;
- Provide for public coastal foreshore reserves and access to them on the coast; and
- Protect, conserve and enhance coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance.

The site's prominent coastal location and a desire of the community to formalise a site for a future surf club make this policy particularly relevant to this proposal.

## 2.9 State Planning Policy No. 3.7 – Planning in Bushfire Prone Areas

State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) was gazetted on 7 December 2015. SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas.

SPP 3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

The site has been designated bushfire prone. This designation influences the urban design of the site and requires that a bushfire management plan be prepared in support of the application.

## 2.10 Planning Bulletin 83-2013 – Planning for Tourism

Planning Bulletin 83 was first released in 2007, revised in 2011 and subsequently updated with minor amendments in 2013.

The bulletin sets out the policy position of the Western Australian Planning Commission on Tourism Development within the State and will guide decision-making by the WAPC and local government on subdivision, development and scheme amendment proposals for tourism purposes.

This policy position provides a more strategic and flexible approach to tourism planning to encourage and support investment in the industry as follows;

- The Bulletin sets out general location criteria to determine the suitability of sites for tourism purposes.
- Provides for a strategic focus of broader planning concepts such as locations and precincts to replace the existing "strategic" and "non-strategic" tourism sites.

- Places greater emphasis on the local planning framework in addressing regional and local tourism issues and land use planning objectives.
- Highlights that local governments may set a limit to residential development as part of tourism sites within their local planning strategy or a local planning policy.
- Encourages developers to consider other non-tourist development (such as commercial, retail, conference/reception centre, restaurant/café) within tourism sites, before or at the very least in conjunction with any residential component.

The policy position has been considered in the review of the Dalyellup Tourist Precinct and is discussed in more detail at Section 3.1.2.

## 2.11 Planning Bulletin 99 – Holiday home guidelines

The guidelines have been developed in response to the growing number of holiday homes - particularly in popular tourism destinations - over the past decade.

The guidelines propose possible changes to local planning schemes and the preparation of policies tailored to address specific issues encountered by local governments in their region.

Other key proposals include:

- Holiday homes being formalised as a land use class in local planning schemes
- Local governments developing local planning policies on holiday homes
- The identification of preferred areas for holiday homes.

Given the changing nature of tourism with the advent of self-managed holiday homes and various social media and web-based leasing platforms it is considered that this guideline should be carefully regarded when determining the future direction of the Dalyellup tourist precinct.

The Shire of Capel does not currently have a land use definition for Holiday Home in its current Town Planning Scheme. It is understood from Shire staff however that this is likely to be introduced as part of its Scheme review, which is underway. This would enable the area to be included within a Local Planning Policy area as part of the Scheme review process if considered appropriate at the time.

### 3 PROPOSED STRUCTURE PLAN AMENDMENT

The proposed Structure Plan Amendment is depicted by *Figure 5 - SP Amendment*.

The changes proposed to the adopted structure plan comprise;

- Removal of the Tourist Precinct and creation of a Coastal Precinct.
- Proposed Public Purpose site (Surf club site);
- Modified road layout;
- Revised open space configuration;
- Revised residential layout; and
- Change of residential density from R20/30 to R20/30/80
- Associated changes to Land Use Implementation Notes.

A consolidated amendment request incorporating the full Structure Plan and Land Use Implementation Notes is included at Appendix A.

#### 3.1 Removal of Tourist Node

##### 3.1.1 History of Tourist Precinct

The Tourist Precinct has been through a number of changes over the years. A tourist area was first identified in the Usher, Gelorup and Dalyellup District Structure Plan in 1993. At that time the prevailing demand for tourism accommodation in the region was for Caravan Parks. As a result, a significant area of over 47 hectares was shown indicatively on this plan with a notation as follows;

*Lower quality vegetation immediately north of the Five Mile Brook diversion drain provides opportunity for tourist and water-based recreation sites. Further opportunities may exist to link south to rehabilitated mineral sands site.*

The Dalyellup Beach Estate Local Structure Plan (DBELSP) was endorsed by the Western Australian Planning Commission in May 1999. In this plan the Tourism Precinct was seen as providing a recreational destination of regional significance. This destination experience was to be enhanced by development of a tourist precinct providing for a range of uses.

In addition, the location and configuration of the site was seen as providing a transition between urban development and the regional coastal conservation reserve. It also provided opportunities to control access to the adjoining reserve. Approximately 14 hectares was allocated to the Tourist Precinct.

The DBELSP was reviewed in 2003. A minor reconfiguration of the Tourist Precinct occurred with a reduction of the total area of the precinct to 13 hectares. This review also resulted in an annotation for the Tourism Precinct requiring coastal setbacks be established as part of the outline development planning process.

Tables 3 and 4 of the report outline that 50% of the tourism precinct would be used for “commercial uses”.

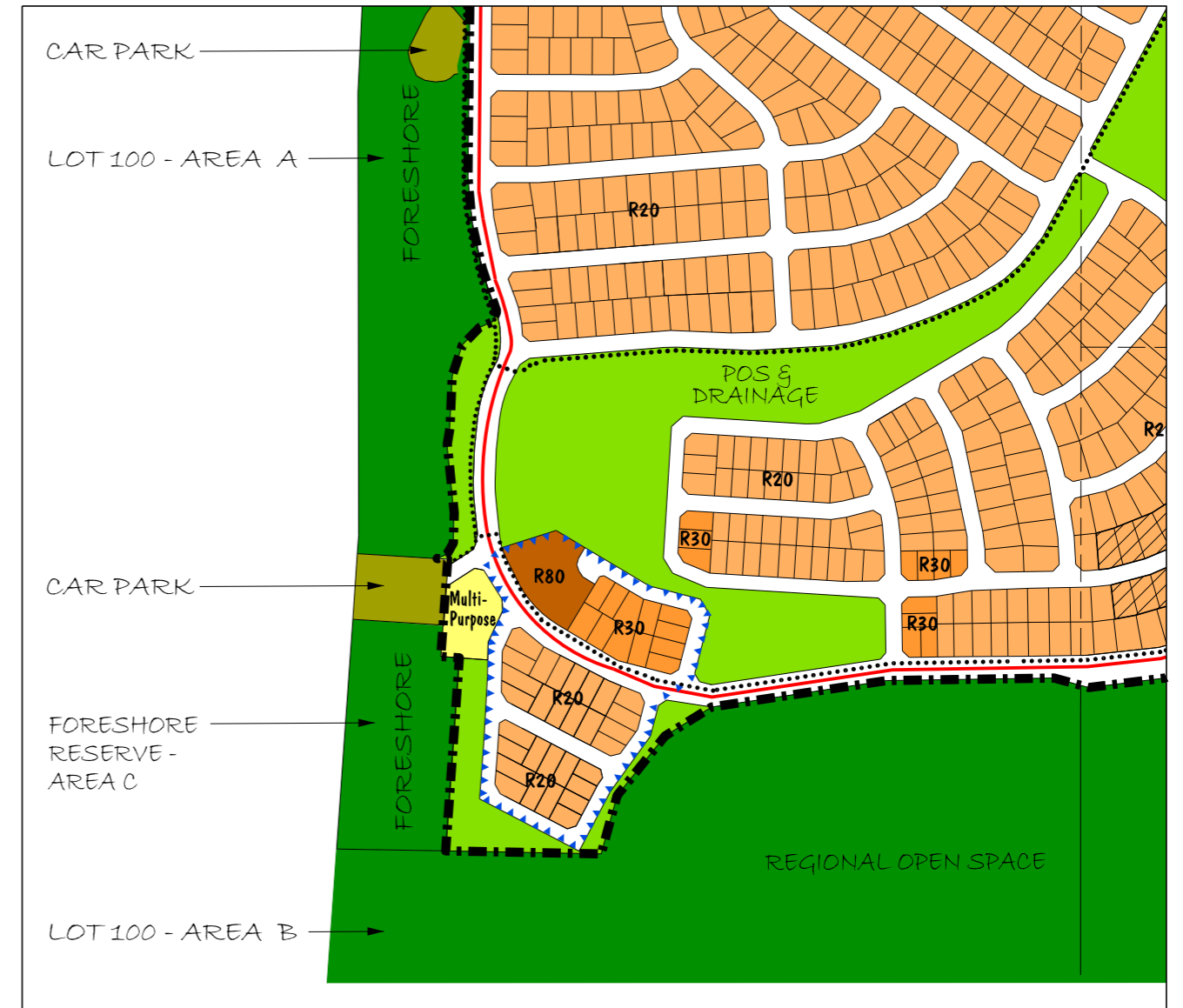
The 2008 Local Structure Plan Consolidation Map depicts a reduced “Tourism Precinct” area. This reduced area (6.9 hectares) was the result of the Greater Bunbury Region Scheme process that identified a portion of the subject land as containing “regionally significant remnant vegetation”.

This map also acknowledges a “Public Purpose” function within the site and that a portion of the site would incorporate “commercial” activity.

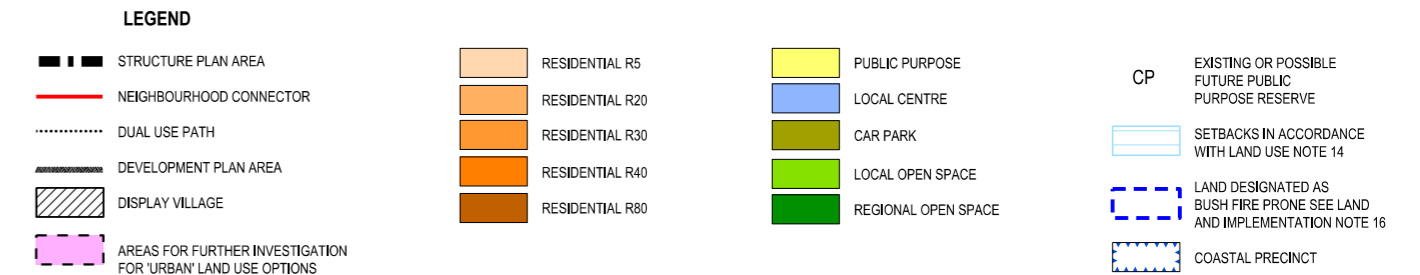
*Figure 6* shows the changes to the Tourist Precinct over time. Subsequent changes in planning policy, increasing site constraints and changes in tourism demand since 2008 have shown that the site is no longer viable or suitable for development as a tourism precinct. These considerations are summarised in the following sections.



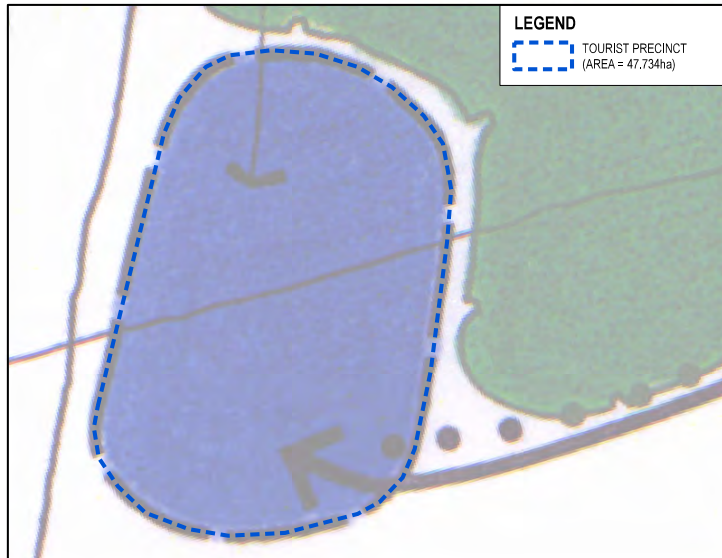
DALYELLUP BEACH ESTATE STRUCTURE PLAN



MODIFICATION No. 14 - DALYELLUP BEACH ESTATE STRUCTURE PLAN

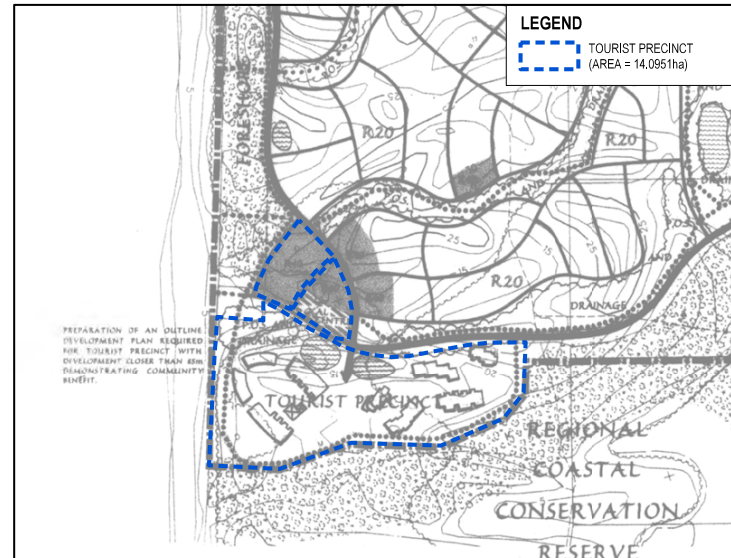






**LOCAL STRUCTURE PLAN - 1993**

SCALE: AS SHOWN BELOW



**LOCAL STRUCTURE PLAN - 1999**

SCALE: AS SHOWN BELOW



**LOCAL STRUCTURE PLAN - 2003**

SCALE: AS SHOWN BELOW



**LOCAL STRUCTURE PLAN - 2007**

SCALE: AS SHOWN BELOW



### 3.1.2 Planning Policy Considerations

The Tourism Precinct is not zoned for Tourism under the Shire of Capel TPS7.

The site is not identified as a tourism site under the Shire of Capel Land Use Strategy (1999). Also, the strategy does not provide any rationale for identifying the site for tourism purposes. The Shire of Capel is currently preparing a local planning strategy which it is expected will reflect the outcome of this amendment.

It was not intended in the current DBLSP (2008) that the site be entirely used for tourism purposes. The Structure Plan also includes use for Public Purposes and did not exclude short residential accommodation.

The DBLSP 2008 was prepared in the context of State Planning Policy No 2.6: State Coastal Planning (2006). The WAPC released an updated SPP2.6 in 2013 which contained revised policy measures for managing coastal development and land use change, establishment of coastal reserves, and for the protection, conservation and enhancement of coastal values.

An assessment of coastal processes was undertaken by MP Rogers & Associates, and is included as Appendix E.

The key findings of the Coastal Assessment include;

- Erosion Allowance of 39m
- Coastal Processes setback of 149m.

These revised coastal setbacks have significantly reduced the previously identified area allocated to the Tourist Precinct.

State Planning Policy 3.7 Planning in Bushfire Prone Areas was gazetted on 7 December 2015 together with Guidelines which were updated in February 2017. The bushfire planning policy requires a substantial buffer to vegetation (which is required to be retained by a clearing approval under the EPBC Act) in order to provide for appropriate bushfire attack levels for any future development of the site. Bushfire buffers are also required to the vegetation within the coastal reserve and adjoining regional open space.

The site has been assessed against the criteria in Planning Bulletin 83-2013 (refer *Table 2*). This assessment confirms that the site does not meet the general or site specific criteria for a tourism site as outlined in the Planning Bulletin, in particular:

- The size of the tourist precinct has been reduced from the original 14ha in the DBELSP to the current 1.8ha due to changing policy requirements, the need to retain additional vegetation, and increased setbacks for coastal processes and bushfire protection, and there is now very little scope to establish recreational and commercial activities on this much reduced development footprint;
- The location is not unique in a regional, district or local context as a tourist attraction and there are significant, better located and much more accessible locations for tourist developments along the Greater Bunbury coast and in the wider South West Region;
- The site, likewise, is not unique and current activities are limited to casual recreational activities such as beach fishing, swimming, walking, surfing and 4-wheel driving;

- Whilst Dalyellup has been highly successful as a residential community, it has no tourism profile and changing this perception would require a much larger site with more unique attributes than that now available;
- The site is located at the southern end of Dalyellup, there is no direct access to the regional road network, access to the site is limited to residential roads through the Dalyellup Beach estate and public transport to the site is limited to the nearest bus stop around 800m from the site;
- The site is adjacent to current and planned residential development, and development of the site for tourist purposes could potentially detract from the amenity of nearby residents due to increased traffic and tourist activities;
- The reduced size of the site (in addition to the locational limitations) is inadequate to accommodate a viable tourism development.

The most appropriate future use of this location is as a local beach primarily to serve the residents of Dalyellup with supporting uses including the proposed surf club development as well as local amenities such as walking paths and picnic areas.

### 3.1.3 Physical Site Constraints

The potential for development for tourism purposes has been significantly limited by the increased requirements for coastal setbacks, vegetation retention and bushfire buffers. As a result of these constraints, the tourist precinct is significantly reduced in size down to 1.8ha. Combined with the extremely steep slopes, the remaining developable land becomes almost impossible to develop as a tourist product. These combined impacts area shown on *Figure 7*.

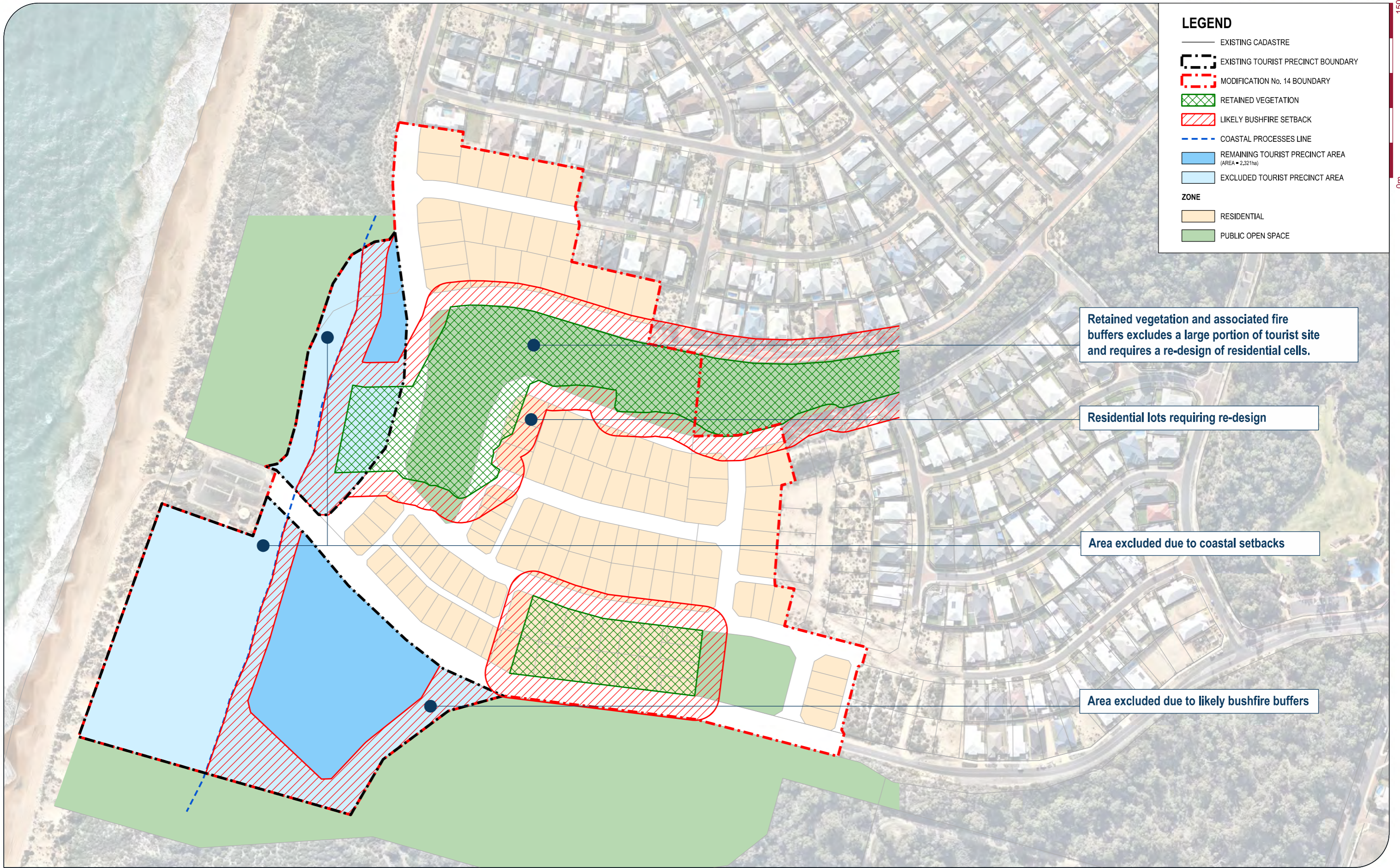
*Table 2 – Planning Bulletin 83-2013 Criteria Assessment*

GENERAL LOCATIONAL CRITERIA	Tourism Precinct Comments
<p><i>Accessibility</i></p> <p>The site has adequate existing or proposed transport links (such as major road or airport access)</p>	<ul style="list-style-type: none"> <li>• The subject site is located within an established residential estate with access points limited to Bussell Hwy.</li> <li>• The site is not directly linked to the Bunbury coastline or CBD by road. The site is located at the end of Dalyellup Boulevard which winds through a residential estate.</li> <li>• Public Transport to the site is limited to bus. The nearest bus stop is approximately 800m from the proposed Tourist site.</li> </ul>
<p><i>Uniqueness</i></p> <p>The site contains, or is in the vicinity of, an attraction or prominent and/or unique landmark of local, regional or State significance.</p>	<ul style="list-style-type: none"> <li>• The subject site is not unique to the region and has no tourism profile. There are significant, more accessible and better located sites with similar physical characteristics along the Bunbury coastline and foreshore environment.</li> <li>• There are no unique landmark values evident for this site.</li> <li>• Significant examples nearby include: Bunbury Back Beach, Koombana Bay, Busselton Beach and Jetty, Dunsborough and Margaret River Coastline</li> </ul>

<p><i>Setting</i></p> <p>The setting of the site has an aspect and outlook that supports recreational tourism activities and/or the creation of a tourism character and ambience (e.g. immediately adjacent to a beach).</p>	<ul style="list-style-type: none"> <li>• The site is located within a residential estate with limited accessibility or connectivity to the wider community or commercial areas. There is limited scope to incorporate significant recreational activities or commercial activity due to its location, size of the development footprint and site constraints.</li> <li>• Similar outlooks of coastline with better accessibility and tourism character, ambience and amenities are located nearby in Bunbury, Busselton and Dunsborough.</li> </ul>
<p><i>Tourism Activities and Amenities</i></p> <p>The site provides, has easy access to, or is capable of development of supporting activities and amenities such as tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops and the like.</p>	<ul style="list-style-type: none"> <li>• The site provides limited localised amenities of a low-key nature. This includes swimming, 4- wheel drive access and beach fishing. There are opportunities for walking along the foreshore path networks that service Dalyellup Beach residents.</li> </ul>
<p><i>Supply of Land</i></p> <p>The site has an element of scarcity in that it may be the only opportunity, or one of a limited number of opportunities, to achieve a significant tourism development in an area.</p>	<ul style="list-style-type: none"> <li>• There are a significant number of better located and appropriate tourism sites along the Bunbury and Busselton coastline that can serve a wider market.</li> <li>• This site is restricted in terms of access and ability to form part of a wider node for commercial/tourism development.</li> </ul>
<b>SITE SPECIFIC CRITERIA</b>	
<p><i>Suitability (in a land use context)</i></p> <p>The site is located in a land use context that will not limit the extent of activities available to guests due to amenity impacts on adjoining residents or where the adjoining uses potentially detract from the tourism character of the site (e.g. located within a residential area).</p>	<ul style="list-style-type: none"> <li>• The site is located within a residential estate which significantly limits the potential for tourist activities without detracting from the amenity of adjoining and nearby residents.</li> <li>• It is further constrained due to retention of on site and adjoining remnant vegetation, site topography and bush fire setbacks.</li> <li>• The location of the site within the residential estate also poses an accessibility aspect, as it does not have direct access or linkage to major roads and highways.</li> </ul>
<p><i>Capability</i></p> <p>The site has the capacity to be developed for tourism purposes and accommodate the associated services in a manner that does not detract from the natural attributes of the site or result in environmental degradation.</p> <p>Examples include: clearing for bushfire protection, sewerage capacity, water supply and rubbish disposal.</p>	<ul style="list-style-type: none"> <li>• The capacity to be developed is limited by the topography of the site which would require significant modification to provide a single, level, developable site. There is scope to spread the earthworks over a number of smaller lots similar to traditional residential development however this limits the footprint available for viable tourism and commercial uses.</li> <li>• The development footprint has been significantly reduced, since it was first identified to accommodate bushfire risk setbacks, vegetation retention and coastal setbacks.</li> <li>• The reduced development footprint and its location is now considered an unviable size for many tourism uses and accommodation forms.</li> </ul>

<p><i>Size</i></p> <p>The size of the site should be adequate to accommodate a sustainable tourism facility with respect to its design, operation and function, and its site specific and wider impacts and consideration of future growth/expansion. This will require a site to be able to be developed without compromising the sustainable use of natural and cultural resources or existing social structures. Development of the site should also contribute to the delivery of diversified and balanced tourism opportunities.</p>	<ul style="list-style-type: none"> <li>• The site has been significantly reduced from the original structure plan area due to regional and public open space considerations, urban expansion, bushfire risk management measures and coastal setbacks.</li> <li>• This in addition to the topography of the site constrains design opportunities for development.</li> <li>• The reduced size of the development footprint is considered to be unviable with regards to the development of a suitable and sustainable tourism facility and/or accommodation.</li> </ul>
<p><i>Function</i></p> <p>The use of the site meets a particular accommodation, market need and/or ensures a range of tourism accommodation within the locality.</p> <p>Examples are: beachfront caravan parks, school holiday camps and Crown tourism leases.</p>	<ul style="list-style-type: none"> <li>• The site does not serve a specific social or cultural role. At present, it provides opportunities for 4-wheel drive beach access, beach fishing, swimming and leisurely beach enjoyment from within a residential estate.</li> <li>• Due to the major reduction in development footprint, the function of the site as a tourism hub is considered unsuitable.</li> <li>• The site is within close proximity to the Cities of Bunbury and Busselton, both of which provide ample accommodation and tourism options to meet the market needs and are better placed to do so.</li> </ul>





**LEGEND**

- EXISTING CADASTRE
- EXISTING TOURIST PRECINCT BOUNDARY
- - - MODIFICATION No. 14 BOUNDARY
- ▨ RETAINED VEGETATION
- ▩ LIKELY BUSHFIRE SETBACK
- - - COASTAL PROCESSES LINE
- REMAINING TOURIST PRECINCT AREA (AREA = 2.321ha)
- EXCLUDED TOURIST PRECINCT AREA

**ZONE**

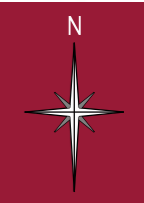
- RESIDENTIAL
- PUBLIC OPEN SPACE

Retained vegetation and associated fire buffers excludes a large portion of tourist site and requires a re-design of residential cells.

Residential lots requiring re-design

Area excluded due to coastal setbacks

Area excluded due to likely bushfire buffers



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



### 3.1.4 Tourism Demand

There are no specific numbers available for potential visitors to the Dalyellup area due to the fact that it has no current holiday accommodation facilities. This would be a challenge for any new dedicated tourism facility to break into the established tourism markets of Bunbury and Busselton.

The emergence of digital platforms is modifying the behaviour of consumers in the holiday market as more travellers adapt to the sharing economy as witnessed by applications such as Airbnb accommodation platform and web-based holiday home marketing such as Stayz.com.au. This has opened up far more opportunities for accommodation that influences consumer choice.

There is a rising trend of holiday makers choosing houses and apartments over traditional hotels and resorts. A 2014 study commissioned by Tourism Western Australia found that rented houses and apartments were the most popular type of accommodation used by international visitors in Australia and in Western Australia. It is expected that domestic visitation follows a similar trend. Details of the top 5 accommodation types are detailed in the table below.

*Table 3 – Details of Top 5 Tourist Accommodation Types*

	YE June 2010	YE June 2011	YE June 2012	YE June 2013	YE June 2014
<b>Western Australia – % of international visitor nights</b>					
Rented house / apartment/ unit / flat	33%	32%	38%	40%	35%
Home of friend or relative	31%	33%	31%	31%	34%
Hotel, resort, motel, motor inn	8%	9%	8%	7%	7%
Other non-commercial property	5%	5%	5%	5%	6%
Backpacker / hostel	6%	7%	6%	6%	6%
<b>Australia - % of international visitor nights</b>					
Rented house / apartment/ unit / flat	38%	39%	40%	40%	38%
Home of friend or relative	27%	29%	28%	29%	31%
Hotel, resort, motel, motor inn	12%	12%	11%	10%	11%
Backpacker / hostel	8%	7%	7%	7%	7%
Homestay	5%	4%	4%	4%	4%

### 3.2 Proposed Surf Club

The proposed amendment seeks to retain an area as Public Purpose that will be developed for a Surf Club. This will benefit the wider community and could provide complimentary services such as a café for use by the nearby residents and visitors.

The location of the site has been carefully selected to ensure a building could be built outside of the coastal setback line, while providing direct beach access through the existing carpark.

The development of the ‘surf club’ facility will be subject to a development application to be progressed with the Shire of Capel. It is important that any development application addresses the critical issues for the site. As such it is proposed to include a new land use implementation note to Addendum 1 of the Structure Plan which will read as follows:

18. *A Planning Development Application for the Public Purpose - Surf Club site on Lot 9105 is to be lodged and approved prior to commencement of any works on site. The Planning Development Application will address the following requirements to the satisfaction of the Shire of Capel:*

- i) *The location and design of building infrastructure including but not limited to the Surf Club, change rooms and cafe;*
- ii) *Landscaped vegetated buffers, fencing/walls, drainage and landfill;*
- iii) *Vehicle and pedestrian access to the site, carparking, 4wd vehicle and pedestrian access to the foreshore reserve;*
- iv) *The interface with proposed adjoining residential lots, public roads and the Regional Open Space*
- v) *Fire management and emergency access*

### 3.3 Concept Development

#### 3.3.1 Design Overview

As previously mentioned in this report, the proposed design change has been undertaken to address issues that have arisen since the initial endorsement of the structure plan, and also the change in strategic policy and market position over time.

The primary land use in the subject area was originally residential (R20), with the amendment retaining this.

The street network retains the interconnected road network previously approved; the reconfiguration of the Neighbourhood Connector road is proposed to provide a loop road configuration.

The subdivision of the amendment area will result in the creation of approximately 142 residential lots ranging in size from around 375m<sup>2</sup> to 760m<sup>2</sup> and a group housing site of around 4,400m<sup>2</sup> which together will yield approximately 180 dwellings (*Figure 8 – Concept Plan of Subdivision*). This mix will deliver a range of density and housing product that will suit the wider residential market. The road system will provide for predominantly north-south and east-west oriented, regular shaped lots, whilst accommodating the necessary setbacks from remnant vegetation to address fire impediments.

A large portion of the existing vegetation will be retained on site within the open space area, strengthening the link between the open space area and foreshore reserve.

With the amendment being confined to the south western corner of the site, a comparative analysis between the existing land uses and those proposed has been undertaken. The land use breakdown and associated areas is detailed in *Table 4* below.

Table 4 – Land Use Breakdown

Land Use	Endorsed DBELSP	Proposed Amendment
Residential	6.9250 ha	7.1964 ha
Tourist Precinct	6.9578 ha	0.0000 ha
POS / Public Purpose	2.5832 ha	6.683 ha
Road Network	4.3394 ha	4.8782 ha
Regional Open Space	0.0000 ha	2.0478 ha
Total Structure Plan Area	20.8054 ha	20.8054 ha



### LEGEND

- SUBJECT AREA
- SUBDIVISION APPLICATION
- RETAINED VEGETATION

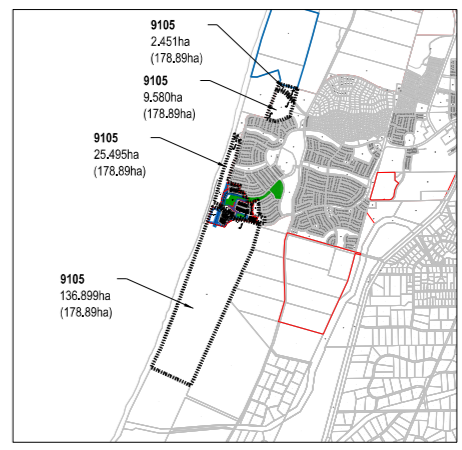
### NOTE

THE BOUNDARIES SHOWN ON THIS PLAN SHOULD NOT BE USED FOR FINAL DETAILED DESIGN.

### SOURCE INFORMATION

ORIGINAL DESIGN: RPS AUSTRALIA EAST PTY LTD  
 SITE BOUNDARIES: LANDGATE  
 ADJOINING INFORMATION: LANDGATE  
 PROJECTION: GDA 94 MGA50

DEVELOPMENT SUMMARY	
TOTAL APPLICATION AREA	178.890ha
PARKS AND RECREATION	145.699ha
BALANCE LOT AREA	151.203ha
<b>TOTAL OPEN SPACE</b>	<b>8.417ha</b>
TOTAL SURF CLUB	0.350ha
TOTAL GROUP HOUSING AREA	0.447ha
TOTAL RESIDENTIAL LOT AREA	6.750ha
<b>TOTAL LOT YIELD</b>	<b>139</b>
MINIMUM LOT AREA	369m²
MAXIMUM LOT AREA	833m²
AVERAGE LOT AREA	485.6m²
<b>TOTAL ROAD</b>	<b>3.629ha</b>



**LOCALITY PLAN**  
 SCALE: A1 @ 1:50 000, A3 @ 1:100 000

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# CONCEPT PLAN OF SUBDIVISION

## Dalyellup Beach Estate

### Figure 8

**Plan No: 19-0002-CO-04A**  
 Date: 12.4.2021  
 Rev: A  
 Co-ords: N/A  
 Aerial: N/A



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



### 3.3.2 Working with Nature

The site contains a number of key environmental features that have been recognised as a significant opportunity for this area of the structure plan, with effort made to preserve and compliment the natural characteristics of the site through retention, rehabilitation, fauna linkages, open space network and landscaping. The guiding landscape objectives for the amendment area have been:-

- To create interesting spaces and promote community interaction via a variety of landscape character and experience;
- To protect and restore natural ecosystems on site;
- Develop suitable landscape and rehabilitation strategies to assist in the overall drainage scheme for the site;
- Minimise required maintenance; and
- Retain and enhance key views through the site.

#### Retention of Significant Vegetation

The significant vegetated bushland areas will be retained and enhanced for their long term protection. Vegetation will be retained in proposed parkland and will add to the creation of character, visual relief and a softening of the urban landscape.

The area of open space within the amendment area has increased in area from 25,832m<sup>2</sup> to 65,400m<sup>2</sup>. This area of open space will include conservation areas, informal public open space, and associated walk trails. This is in addition to the area of Regional Open Space that has also been identified (20,478m<sup>2</sup>).

### 3.3.3 Movement Systems – Road Networks and Bicycles/Pedestrians

#### Residential Streets

The Structure Plan Amendment retains the primary street network as reflected by the endorsed structure plan. The road network however is proposed to be modified in the following manner;

- Removal of laneways
- Extension of Dalyellup Boulevard to connect with Norton Promenade.
- Internal road network in southern section to provide road interface with Regional Conservation Reserve, and
- Neighbourhood Connector to provide interface with Coastal Foreshore Reserve.

The local access road network is proposed in similar fashion to that previously approved, with an interconnected street network being an extension to the existing surrounding network.

#### Pedestrian and Cycle Movements

With the connection of Dalyellup Boulevard with Norton Promenade, the dual use path as proposed on the endorsed structure plan will be retained, though is now proposed to follow the road reserve for its entirety.

The interconnected street network will form the main walking and cycling networks. In addition, there will be walking and cycle paths through open space providing direct links to the residential precincts, foreshore, and public purpose site.

### 3.3.4 Housing Diversity (Typologies)

The revised layout that will be facilitated by the amendment will provide for a range of housing opportunities. The aim is to provide choice, including affordable housing opportunities, with base density codes of R20 to R30 providing for diverse housing and greater flexibility.

Whilst the majority of the amendment area will be developed as single lot residential, there is provision for a grouped housing lot of approximately 4000m<sup>2</sup>+ in area. It is proposed that this lot be designated as R80 to allow for apartment or townhouse development which will also appeal to the potential holiday home market while adding built form interest to the Precinct.

The R80 development site is impacted by a fire management setback identified in the Fire Management Plan. Careful design will be required to ensure passive uses such as parking and landscaping occur in this buffer, while built form is located outside the buffer. In order to control these development issues, as well as identifying relevant height limits and built form controls, it is proposed that a Local Development Plan be prepared for the Coastal Precinct. As such, this modification proposes to amend Addendum 1 – Land Use and Implementation Notes of the DBELSP as follows.

Existing Note 2	Proposed Note 2
<p><i>Within the land nominated as Town Centre, Mixed Use Precinct, Tourist Precinct and Local Centres it is anticipated that an Outline Development Plan will be produced to further refine the land use proposals and that the Outline Development Plan will specify anticipated land uses and indicate appropriate development standards.</i></p>	<p><i>Within the land nominated as Town Centre, Mixed Use Precinct, Coastal Precinct and Local Centres it is anticipated that a Local Development Plan will be produced to further refine the land use proposals and that the Local Development Plan will specify appropriate development standards.</i></p>

## 4 TECHNICAL CONSIDERATIONS

### 4.1 Environment

Ecoedge was commissioned to prepare a Level 1 Flora and Vegetation Survey (refer *Appendix B*) to inform the structure plan amendment. The assessment identified the key environmental features present within the structure plan amendment area.

In addition to the Flora and Vegetation Survey, a Fauna Assessment was undertaken by Greg Harewood (Zoologist) for the structure plan amendment area. (refer *Appendix C*).

A summary of the report's findings is as follows:

#### 4.1.1 Flora/ and Vegetation

The survey conducted by Ecoedge concluded that seven vegetation types are present within the structure plan area. These are detailed in Section 3.2 of Appendix B. The quality of the vegetation varies from Degraded through to Very Good, with the subject area having also been subject to an EPBC referral reflecting the development footprint proposed by the amendment.

The key findings of the Flora and Vegetation Survey include;

- No declared Rare Flora or Priority-listed flora were found, however *Eremophila glabra* subsp. *albicans*, which is found in vegetation unit B1 south of Dalyellup Boulevard, is at the southern limit for this taxon on the Swan Coastal Plain (although the taxon has very wide distribution within the state). Consequently, the plant within the Survey Area may have a relatively high conservation value.
- Vegetation units C and D are likely to belong to the 'Tuart (*Eucalyptus gomphocephala*) woodlands of the Swan Coastal Plain' Priority Ecological Community which is categorised as Priority 3 (DPaW, 2016b). The other vegetation units do not correspond to any threatened or priority ecological community.
- Vegetation within the Amendment Area forms part of a regional ecological linkage and is also part of a local linkage that connects coastal vegetation from Stratham in the south to the Maidens Reserve in the north.

Full detail of the flora contained within the amendment area is included in the report included as Appendix B.

#### 4.1.2 Fauna

The key findings of the survey conducted by Greg Harewood include;

- The extent of actual vegetation clearing likely to be required for the proposal to proceed in its current form is relatively small (~12.1 ha) most of which is low open coastal scrub and therefore, with respect to fauna in general, no substantial impacts are anticipated. In cases where some impact is anticipated, the degree of the impact is only expected to be low and as most species are common and/or widespread, no overall change in their conservation status is anticipated, despite a possible localised reduction in habitat extent.
- An assessment using published DotEE criteria suggests that "significant impact" is not likely to any of these four species (or their habitat) primarily given the small area of vegetation likely to be affected.

Full detail of the fauna findings associated with the amendment area are included in the report included as Appendix C.

#### 4.1.3 Groundwater and Surface Water

A WMP was prepared by JDA in 2010 for the Dalyellup Beach Estate Structure Plan (refer *Appendix D*). This document outlines the following:

- The overarching urban water management strategy for the development; and
- A framework for the application of total water cycle management.

The proposed amendment does not change the intent or implementation of the adopted WMP, with the modification to the land use and road layout not requiring any change to this document.

Proposed drainage basins will be included within POS areas, as indicated in *Figure 9 – Landscape Concept Plan*.

#### 4.1.4 Heritage

No areas of European or Aboriginal Heritage significance fall within the Structure Plan Area.

#### 4.1.5 Coast and Foreshores

The amendment area includes an area abutting the coastline in the southwest corner. This area was previously identified as Tourist Precinct and included the landholding all the way to the coast.

With the amendment seeking to remove the Tourist Precinct, an area of ‘Urban’ land identified by the GBRS, has advanced ahead of this Structure Plan and has now been acquired as Regional Open Space, as well as reflecting recent additional coastal setbacks.

As mentioned in section 3.1.2 of this report, an assessment of coastal processes was undertaken by MP Rogers & Associates, and is included as Appendix E.

The key findings of the Coastal Assessment include;

- Erosion Allowance of 39m
- Coastal Processes setback of 149m.

The proposed amendment adheres to the recommendation of this report, including an increased foreshore reserve area in the south west corner some 16m beyond the coastal processes setback of 149m. Full detail of the coastal assessment in relation to the amendment area is included in the report included as Appendix E.

## 4.2 Bushfire Management

Strategen were commissioned to review the development of the Structure Plan Amendment area and prepare a Bushfire Management Plan (BMP). This report assesses the current vegetation, slope and other parameters present on the site under the criteria outlined in Australian Standard AS 3959-2009 Construction of Buildings in Bushfire Prone Land.

The assessment has also been carried out in accordance with State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP3.7) (WAPC, 2015). The assessment concludes that, with the inclusion of appropriate management measures, no dwelling (building envelope) will attract a BAL rating that exceeds BAL-29. A detailed explanation of the recommended bushfire management regime is outlined within the Bushfire Assessment Report enclosed as Appendix F.

## 4.3 Public Open Space

The existing Dalyellup Beach Estate Structure Plan has been designed to ensure the provision of a minimum of 10% POS is provided in accordance with the WAPC's *Liveable Neighbourhoods*. The existing structure plan includes a total of 2.577ha of POS identified within the proposed amendment area.

Due to the various issues relating to bushfire management and ecological linkages outlined in the preceding sections, the redesign of the amendment area has resulted in an increase in the POS area of 3.764ha for a total of 6.683ha provided within the amendment area. In addition, a further 2.005ha has also been ceded as Regional Open Space compared to the existing plan.

The POS proposed within the subject land is designed to create amenity and walkable recreation opportunities for future residents, while maintaining the required vegetation and ecological linkages in accordance with the requirements of the EPBC Act. Drainage will be accommodated within the POS in the subject land.

The POS areas that are required for conservation purposes will be retained and enhanced where required. Other areas of POS will be developed and landscaped to a high standard by the proponent for the benefit of the future community.

A landscape concept plan for the amendment area has been prepared and is included as *Figure 9*.

## 4.4 Earthworks

Due to the topography of the existing land there is a requirement for retaining walls within the developable areas. A preliminary earthworks plan is included as *Figure 10* which indicates the proposed lot levels, likely retaining heights and earth batters. The earthworks design has carefully accommodated areas that are required to retain vegetation to ensure the development does not impact these areas. New Implementation Notes have been added to manage these earthworks, including at the interface and within the Foreshore Reserve, stating no earthworks to encroach into Foreshore Reserve or Regional Open Space.



**RECOMMENDED SHRUBLAND PLANT SPECIES:**



LEPIDOSPERMA GLADIATUM



DAMPIERIA LINEARIS



HEMANDRA PLUNGERI



TEMPLETONIA RETUSA



SCAEVOILA CRASSIFOLIA



WESTRINGIA FRUTICOSA

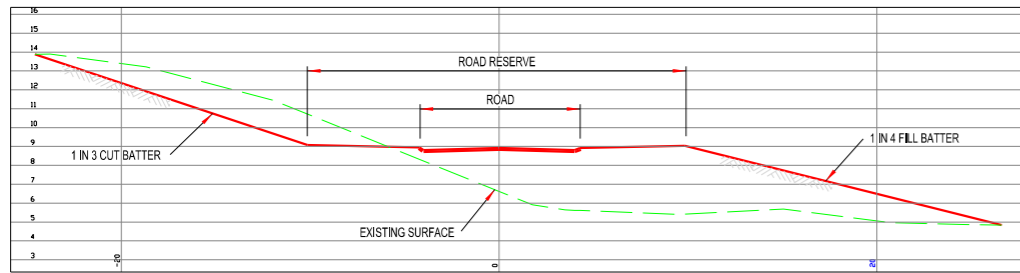


- LEGEND**
- FIRE BUFFER AND CARPARKING
  - COMMERCIAL LOTS INCLUDING SURF LIFESAIVING CLUB
  - SEWER PUMP STATION
  - DRAINAGE BASIN
  - RETAINING WALL
  - FOOTPATH
  - EXISTING CONSERVATION FENCE
  - PROPOSED CONSERVATION FENCE & GATES
  - PROPOSED LANDSCAPE PLANTING LINKING EXISTING BUSHLAND AREAS
  - SHRUBLAND PLANTINGS <2.0M MATURE HEIGHT
  - DRAINAGE PLANTING
  - PROPOSED TURF AREA
  - VERGE AREA BY LOT OWNER
  - MULCH ONLY VERGE AREA
  - EXISTING BUSHLAND AREA TO REMAIN

DWG: DB-110  
REV: 1  
DATE: 03.07.2020 SCALE: 1:1000 @ A1  
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**TYPICAL SECTION**  
SCALE 1:200

REVEGETATION AND REHABILITATION OF BATTERS TO OCCUR IN ACCORDANCE WITH BUSHFIRE MANAGEMENT AND ENVIRONMENTAL REQUIREMENTS

**NOTES:**

1. WHERE POSSIBLE AT DETAILED DESIGN DURING SUBDIVISION, EARTHWORK BATTERS SHALL BE DESIGNED TO AVOID ENCROACHMENT INTO REGIONAL OPEN SPACE OR FORESHORE RESERVES.
2. WHERE BATTERING SOLUTIONS EXTEND INTO REGIONAL OPEN SPACE OR FORESHORE RESERVES, THE DETAILS OF THESE AND ACCESS WILL BE NEGOTIATED WITH THE WAPC AT SUBDIVISION STAGE. THIS WILL BE TO ENSURE SENSITIVE DESIGN TO THE NATURAL ENVIRONMENT, INCLUDING SHAPING OF BATTER TO MATCH AND BLEND WITH EXISTING DUNES PLUS REVEGETATION AND REHABILITATION IN ACCORDANCE WITH BUSHFIRE MANAGEMENT AND ENVIRONMENTAL REQUIREMENTS.
3. ONLY BATTERS WITHIN THE SOUTHERN REGIONAL OPEN SPACE AND FORESHORE RESERVE AREAS ARE SHOWN ON THIS PLAN.

**LEGEND**

- EXTENT OF EARTHWORKS IN CUT (1 IN 3 BATTERS)
- EXTENT OF EARTHWORKS IN FILL (1 IN 4 BATTERS)
- CONCEPT EARTHWORKS DESIGN CONTOURS

**NOTE:**

This earthworks plan is a preliminary concept plan only and is required to be revised prior to any subdivision to the satisfaction of the Western Australian Planning Commission to ensure that no earthworks will encroach into the foreshore reserve (Area C) or surrounding Regional Open Space located on Lot 100 (Area B) prior to subdivision.

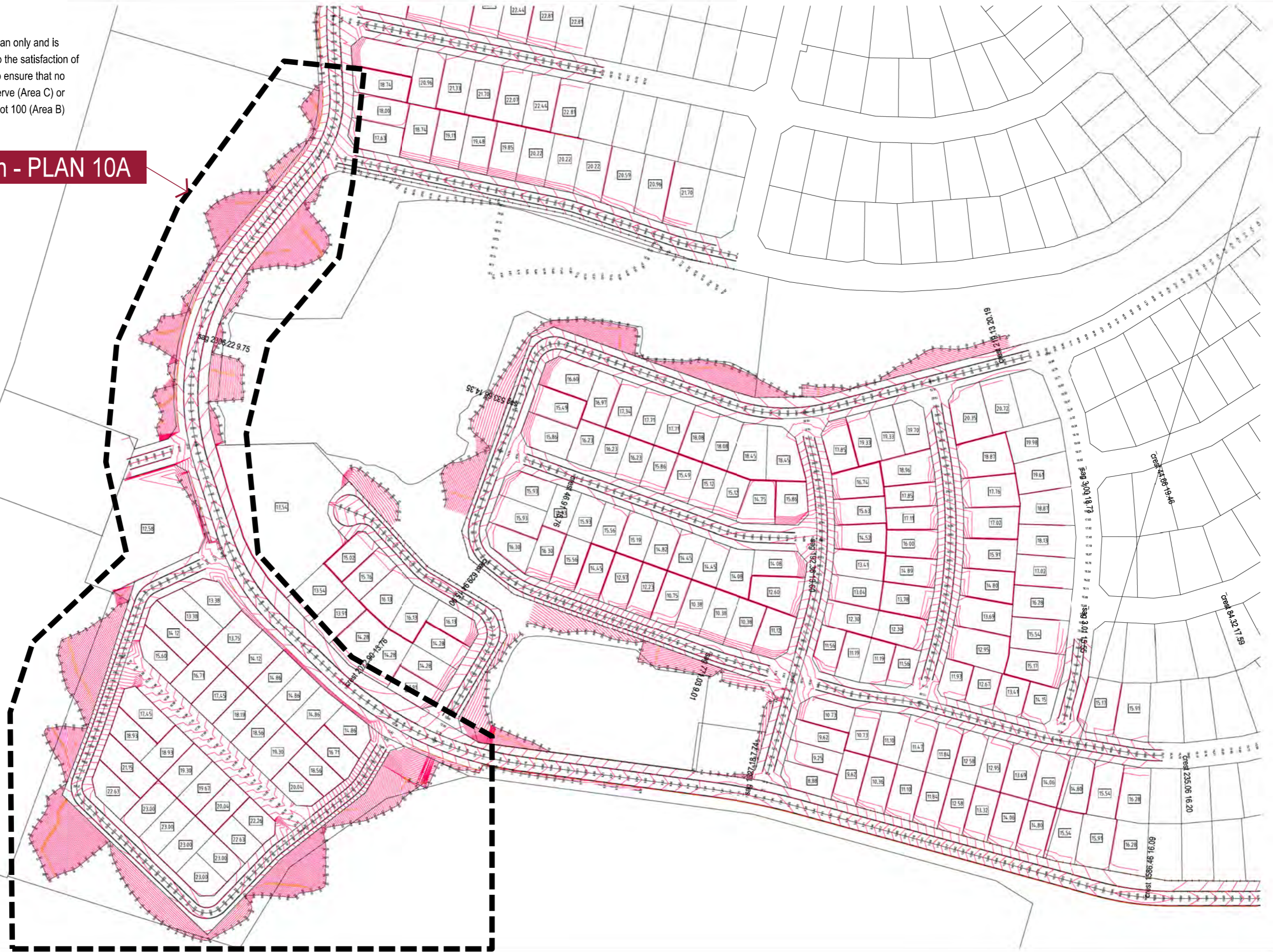




**NOTE:**

This earthworks plan is a preliminary concept plan only and is required to be revised prior to any subdivision to the satisfaction of the Western Australian Planning Commission to ensure that no earthworks will encroach into the foreshore reserve (Area C) or surrounding Regional Open Space located on Lot 100 (Area B) prior to subdivision.

**See Revised Design - PLAN 10A**



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# PRELIMINARY EARTHWORKS PLAN (November 2019)

## Dalyellup Beach Estate

### Figure 10b

Plan No: 19-0002-FI-10  
Date: 1/2/2021  
Rev: A  
Co-ords: N/A  
Aerial: N/A



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



## 4.5 Traffic Engineering

Shawmac were commissioned by the proponent to investigate and provide advice on the transport and traffic management matters associated with the proposed internal road network proposed by the amendment.

The traffic investigations have involved the modelling of road network including all the major routes proposed, being the majority of the proposed access roads, neighbourhood connectors and district distributors, within the area.

Given the historic traffic analysis that was undertaken in 2015, the traffic report concentrated primarily on the proposed amendment area, and the redistribution of generated traffic. Given the location of the amendment area, it was concluded that the volume of traffic originating from and destined to locations outside of the amendment area are negligible.

The detail traffic analysis of the amendment area concluded;

- The proposed change in land use would result in a minimal change in traffic generation and therefore would not impact on the capacity of the existing and proposed road network.
- The road network layout and proposed hierarchy is considered to be appropriate.
- Based on the predicted traffic flows, it has been recommended that all intersections within the site are un-signalised, priority-controlled intersections.

A detailed explanation of the traffic findings and recommendations is outlined within the Transport Assessment enclosed as Appendix G.

## 4.6 Landscape Assessment / Foreshore Management Plan

Emerge Associates were commissioned to undertake a landscape assessment of the site's natural attributes to build upon the natural character of the Dalyellup Beach Estate and seek to address this in open space and foreshore areas.

The landscape design outcomes have been closely aligned with other project disciplines, specifically civil engineering, planning, environmental and hydrology input which has served to provide an integrated design response that capitalises on the site's natural assets. The Landscape Strategy Plan is included as Appendix H.

Where appropriate, the open space areas will include (but not limited to) vegetation and habitat retention, public facilities, barbeque facilities, interpretive signage, water features, public art and playground equipment that will compliment and soften the surrounding built form.

The following points summarise the inherent site opportunities and the intent of the Structure Plan design:

- Retain and protect existing stands of intact vegetation
- Retain and protect existing significant trees in desirable locations
- Maximise pedestrian linkages throughout the development, particularly to significant attractants including shops, town centre, schools and similar.
- Utilise open space to accommodate drainage and water quality improvements

- Ensure the agreed design approach extends through many elements and materials

A detailed explanation of the landscape assessment findings and recommendations is given in the Landscape Assessment Report enclosed as Appendix H.

The proposed amendment also results in an area of the Foreshore Reserve no longer being within the Tourist Precinct, and to be created as an extension to the Foreshore Reserve to the north. In light of this, a Coastal Foreshore Management Plan (CFMP) has been prepared covering this southern portion (refer Appendix I).

## 4.7 Essential Infrastructure

Wood & Grieve Engineers has been commissioned to investigate the engineering and servicing constraints for the land and present preliminary servicing strategies for the future development of the amendment area.

A copy of the Servicing and Infrastructure Review is contained within Appendix J of this submission, a summary of which is outlined below.

### 4.7.1 Sewerage Reticulation

The sewer reticulation will gravitate to this proposed pump station which will then discharge into an existing main constructed within Dalyellup Boulevard.

This future Station will be pre-funded if it is constructed within the Water Corporation's Capital Works Programme. WGE has advised Satterley that discussions with the Water Corporation must commence as soon as the structure plan has been lodged to ensure it is placed on the Capital Works Programme as prefunded infrastructure.

### 4.7.2 Water Reticulation

The proposed residential area will be serviced via internal water reticulation, as is the case with the existing residential areas.

This water reticulation will be developed in accordance with associated standards for residential areas.

### 4.7.3 Stormwater Drainage

Stormwater drainage design will need to be established as discussed in the Water Management Plan (WMP) (2010) prepared by JDA Consultant Hydrologists. These will need to comply with relevant guidelines by relevant government authorities.

### 4.7.4 Road Construction / Upgrades

The road network within the proposed development will connect to, and extend from, the existing road network within the existing stages of the Dalyellup Beach Estate.

Roads will be constructed to the appropriate standards and approved by Council.



#### 4.7.5 Gas Supply

ATCO Gas has confirmed that the high-pressure gas network within the existing stages of the Dalyellup Beach Estate has capacity to supply the proposed development. As development continues east, the internal gas mains will be extended to supply future stages.

#### 4.7.6 Power

The proposed development will be serviced via underground power using standard Western Power equipment and street lighting consistent with previous stages.

Services will be extended from the abutting residential development.

## 5 CONCLUSION

The proposed Structure Plan Amendment aims to deliver a development outcome that provides a variety of housing product and choice in one of the last stages of the Dalyellup Beach Estate. The proposed modifications have been undertaken to address the outstanding issues associated with the Tourist Precinct and Foreshore Reserve (Regional Open Space), whilst facilitating development that is more closely aligned to the current residential market demand.

The Structure Plan recognises the importance and responsibility of ensuring the most efficient use of land for urban purposes, whilst respecting the ecological, environmental and conservation values of the site. Furthermore, it responds appropriately to the site's key elements and has addressed the site-specific constraints and opportunities identified.

The proposed Structure Plan Amendment has carefully considered the implications of removing the Tourism Precinct while proposing a more contemporary approach to urban development appropriate to the location. This precinct will be supported by the Public Purpose site for the proposed surf club.

## 6 TECHNICAL APPENDICES

## APPENDIX A CONSOLIDATED AMENDMENT 14 REQUEST





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 Town Centre, Mixed Use Precinct, Coastal Precinct and Local Centres it is anticipated that a Local Development Plan will be produced to further refine the land use proposals and that the Local Development Plan will specify 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.

4. Prior to approval of any development within areas identified as 'Areas For Further Investigation For Urban Land Use Options', a detailed assessment of the land and associated plans shall be submitted for approval by each of the Shire of Capel and Western Australian Planning Commission. Such proposals shall be considered as a 'major modification' to an Outline Development Plan and be subject to the requirements of sub-clause 5.10.9 of the Shire of Capel Town Planning Scheme No.7
5. Earthworks associated with urban development are a permitted use subject to compliance with the following to the satisfaction of the Shire of Capel:
  - Preparation of and compliance with a clearing and timber disposal strategy and site stabilisation and revegetation strategy.
  - Compaction Certification shall be confirmed by competent geotechnical engineers for all earthworked areas.
  - A building license shall be obtained for all retaining walls.
  - Areas to be subject to public open space development improvement shall comply with an overall program for the estate which provides for consistency of finishes and sustainable maintenance.
  - All works as outlined in the foreshore management plan that are undertaken on Lot 100 are to be implemented by the applicant to the satisfaction of the Western Australian Planning Commission in consultation with the Shire of Capel.
  - An access agreement with the Western Australian Planning Commission for the works within Lot 100 as set out in the foreshore management plan will be required prior to the commencement of any works.
6. Design plans setting out finishes 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.
  - Preparation and endorsement of a detailed foreshore management works plan to be implemented with each adjacent stage of subdivision. Prior to undertaking works that require entry into the proposed foreshore reserve to create sustainable levels an on-site meeting with the Shire will take place to confirm clearing lines.
  - 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.
  - All works as outlined in the foreshore management plan that are undertaken on Lot 100 are to be implemented by the applicant to the satisfaction of the Western Australian Planning Commission in consultation with the Shire of Capel.
  - An access agreement with the Western Australian Planning Commission for the works within Lot 100 as set out in the foreshore management plan will be required prior to the commencement of any works.
7. Subdivision shall be generally in accordance with the endorsed Dalyellup Beach Estate Local Structure Plan.
8. Within the area of land nominates as R5 the setbacks from lot boundaries for all buildings shall be:
 

Front	minimum 9m with an average of 12m
Rear	minimum 9m
Side	minimum 3m (this will allow vehicle access to the rear of the property whilst maintaining a non-combustible area for fire protection).
Secondary	minimum 6m street
9. Within the area of land nominated R10 the setbacks from lot boundaries for all buildings shall be in accordance with the Residential Design Codes of Western Australia. A minimum lot size of 1300m<sup>2</sup> will apply to lots coded R10 and no further subdivision of such lots will be permitted.
10. A 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.
11. The maximum wall height for outbuildings in areas coded R20 is 2.7m.
12. The subdivider shall provide level building pads of a minimum area 1500m<sup>2</sup>, a site survey and geotechnical report for all possible future community purpose sites and such shall be provided with connections to reticulate sewer, water, underground power, gas and telephone services prior to seeking final approval to an adjacent stage of subdivision. An area adjacent to the building pad areas shall be demonstrated to be suitable for the development of car parking. In so far as certain sites (Green Patch and old tip site) are not related to areas of POS a bond to the value of the estimated cost of providing service connections to a total of two new sites shall be lodged with the Shire of Capel prior to clearance of the Stages 14 and 15 subdivision areas respectively.
13. The Shire of Capel may adopt by minor modification to this Local Structure Plan a Public Open Space Staging Strategy and thereafter the subdivider shall provide public open space at the time of subdivision in accordance with the strategy.

14. The Shire of Capel may adopt a Building Envelope Plan for the lots included within the blue boundary and thereafter, notwithstanding Land Use Note No. 8, setbacks shall be in accordance with the following:
  - i. The approved building envelope plan.
  - ii. Any approved Fire Management Plan.
  - iii. For side setbacks - whichever is the greater of the building envelope or R20 standards (including any other relevant elements of the Residential Design Codes)."
15. The Shire of Capel may agree to the endorsement of a group of lots as a 'Display Home Centre Precinct' wherein display home, sales office, carparking and other associated incidental uses are deemed 'AA' uses under the Scheme. An endorsed precinct shall be demarcated on the local structure plan by a dark blue border and blue cross hatching.
 

All development within a Display Home Centre Precinct will require planning consent and is subject to compliance with:

  - Design Guidelines for 'Sustainability Display Home Centres' as endorsed by the Shire of Capel for the precinct.
  - A Signage and Advertising Device Strategy as endorsed by the Shire of Capel for the precinct; and
  - An Urban Landscape Improvement Plan adopted by the Shire of Capel for the street verges contained within the precinct.
16. Any development within the identified Bush Fire Prone Area is to demonstrate compliance with AS 3959: Construction of Buildings in Bush Fire Prone Areas and to demonstrate compliance with relevant components of the Fire Management Plan as approved by the Department of Fire and Emergency Services.
17. Prior to any subdivision of any of the land designated as 'undeveloped land' or within the identified 'Amendment No. 14 boundary' on the structure plan, a Bushfire Management Plan (including a Bushfire Attack Level (BAL) Contour Map) is to be prepared and implemented in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas. A condition of subdivision may be imposed requiring the preparation of a Local Development Plan to specifically exclude development on land subject to a BAL of BAL-40 or BAL-FZ.
18. Within the 'Amendment No.14 boundary' staging of any subdivision is to ensure that access requirements as set out in State Planning Policy 3.7 - Planning in Bushfire Prone Areas can be satisfied, including provision of two access routes, in the first and any subsequent subdivision stages.
19. A Development Application for the Community Purpose site on Lot 9109 is to be lodged and approved prior to commencement of any works on site. The Development Application will address the following requirements to the satisfaction of the Shire of Capel:
  - i. The location and design of building infrastructure, including, but not limited to, the Surf Club, change rooms and cafe;
  - ii. Landscaped vegetated buffers, fencing/walls, drainage and landfill;
  - iii. Vehicle and pedestrian access to the site, car parking, 4wd vehicle and pedestrian access to the foreshore reserve;
  - iv. The interface with proposed adjoining residential lots, public roads and the Regional Open Space;
  - v. Fire management and emergency access;
  - vi. Management of coastal erosion and inundation risks"
20. Prior to any subdivision of the Coastal Precinct south of Dalyellup Boulevard, a revised earthworks plan is to be prepared to demonstrate to the satisfaction of the Western Australian Planning Commission that no earthworks will encroach into the Foreshore Reserve (Area C) or surrounding Regional Open Space reserve (Lot 100 - Area B).
21. Prior to the commencement of works for the construction of the southern extension Norton Promenade, suitable arrangements are to be made with and to the satisfaction of the Western Australian Planning Commission, to demonstrate that the road and associated battering (as may be applicable) are contained entirely within Lot 9109.
22. Should access be required to Lot 100 (Area A) during subdivision or development for works that do not form part of the endorsed foreshore management plan (i.e. general subdivisional or development works) a separate access agreement with the Western Australian Planning Commission for the works will be required.

December 2020

## APPENDIX B FLORA AND VEGETATION SURVEY

## APPENDIX C FAUNA ASSESSMENT



## APPENDIX D WATER MANAGEMENT PLAN

## APPENDIX E COASTAL ASSESSMENT

## APPENDIX F BUSHFIRE MANAGEMENT PLAN



## APPENDIX G TRANSPORT ASSESSMENT REPORT

## APPENDIX H LANDSCAPE STRATEGY PLAN

## APPENDIX I FORESHORE MANAGEMENT PLAN



## APPENDIX J SERVICING AND INFRASTRUCTURE REVIEW

## APPENDIX K GEOTECHNICAL ASSESSMENT



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