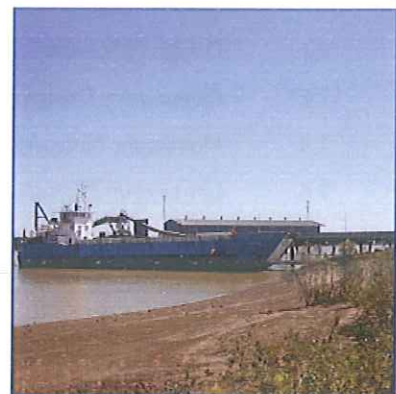
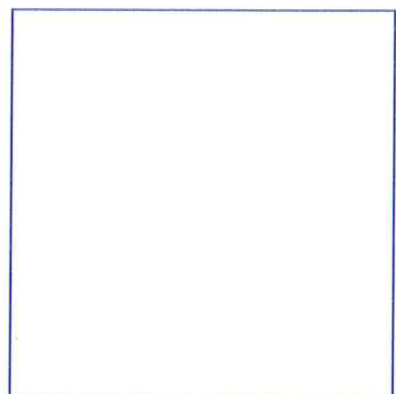
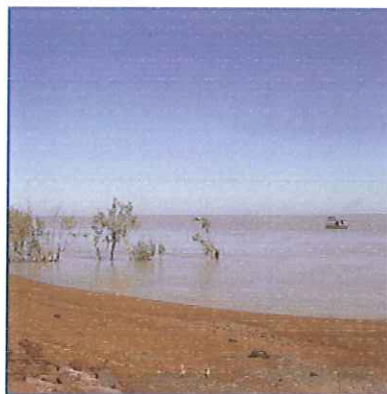
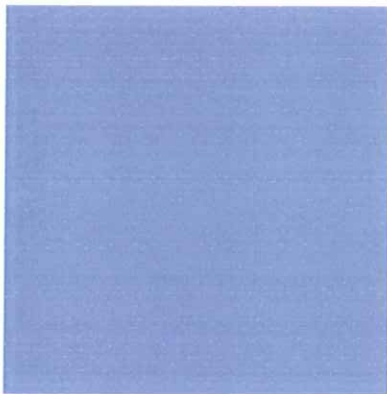
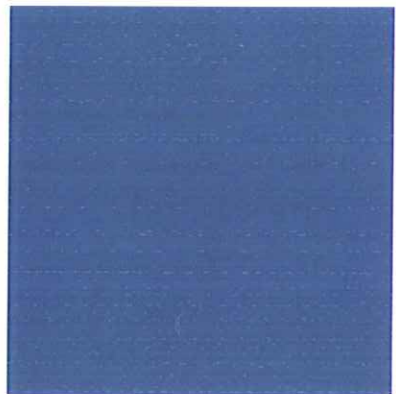
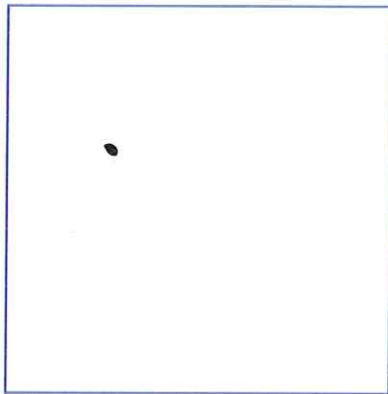
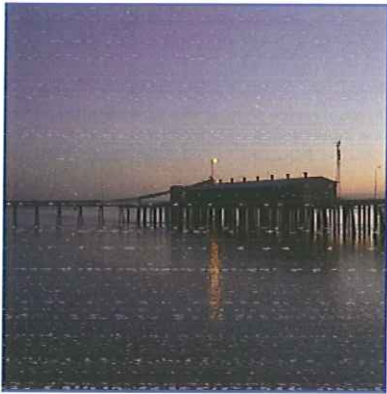


# Derby Development Guide Plan

Lots 3, 4, & 6 Guildford Street & Lots 22 & 23 Fitzroy Street,  
Derby

February 2010



DEPARTMENT OF...  
07 MAY 2012  
FILE SPN/0034

**ENDORSEMENT PAGE**

This structure plan is prepared under the provisions of the Shire of Derby-West Kimberley  
Town Planning Scheme No. 5

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

**23 March 2012**

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

Date of Expiry:

**19 October 2030**

## TABLE OF CONTENTS

|       |  |    |
|-------|--|----|
| 1.    | INTRODUCTION .....   | 1  |
| 2.    | LAND TENURE AND LEGAL DESCRIPTION.....   | 2  |
| 3.    | REGIONAL AND LOCAL CONTEXT .....   | 3  |
| 3.1   | Regional Context.....  | 3  |
| 3.2   | Local Context.....   | 3  |
| 3.3   | Census Data Analysis .....   | 6  |
| 4.    | PLANNING AND ENVIRONMENT FRAMEWORK.....  | 7  |
| 4.1   | Shire of Derby West Kimberley Town Planning Scheme No. 5.....                  | 7  |
| 4.2   | Derby Regional Hotspots Land Supply Update.....                                | 8  |
| 4.3   | State Planning Strategy.....   | 8  |
| 4.4   | State Planning Policy 2.9 – Water Resources .....                              | 8  |
| 4.5   | Liveable Neighbourhoods – October 2007 .....                                   | 9  |
| 4.6   | Western Australian Planning Commission Development Control Policy Manual ..... | 9  |
| 5.    | SITE ANALYSIS .....  | 10 |
| 5.1   | Environmental and Landform .....   | 10 |
| 5.1.1 | Climate .....  | 10 |
| 5.1.2 | Topography.....  | 10 |
| 5.1.3 | Vegetation and Soil .....  | 10 |
| 5.2   | Movement Network.....  | 11 |
| 5.3   | Service Infrastructure .....   | 11 |
| 5.4   | Opportunities and Constraints Analysis.....                                    | 12 |
| 6.    | CONSULTATION .....   | 16 |
| 6.1   | Mr and Mrs Higgins - Lot 22 Fitzroy Street .....                               | 16 |
| 6.2   | Ms Louella McDonald and Mr Don Dunbar - Lot 23 Fitzroy Street .....            | 16 |
| 6.3   | Ms Lillie Grace - Lot 3 and 4 Guildford Road.....                              | 16 |
| 6.4   | Mr Eugene Rose - Lot 6 Guildford Street.....                                   | 16 |
| 7.    | THE DEVELOPMENT GUIDE PLAN .....   | 18 |
| 7.1   | Design Philosophy.....   | 18 |
| 7.2   | Community Design .....   | 19 |
| 7.3   | Movement Network.....  | 19 |
| 7.4   | Lot Layout .....   | 20 |
| 7.5   | Public Parkland.....   | 21 |
| 7.6   | Urban Water Management .....   | 22 |
| 7.6.1 | Engineering Assessment .....   | 22 |
| 7.7   | Utilities.....   | 23 |

|     |                                       |    |
|-----|---------------------------------------|----|
| 7.8 | Activity Centres and Employment ..... | 23 |
| 7.9 | Schools.....                          | 23 |
| 8.  | IMPLEMENTATION .....                  | 24 |
| 8.1 | Development Guide Plan Adoption ..... | 24 |
| 8.2 | Town Planning Scheme No. 5.....       | 24 |
| 8.3 | Detailed Area Plans.....              | 24 |
| 9.  | SUMMARY .....                         | 25 |

**List of Figures**

|          |                                    |
|----------|------------------------------------|
| Figure 1 | Location Plan                      |
| Figure 2 | Aerial Photograph                  |
| Figure 3 | TPS No. 5 Zoning Plan              |
| Figure 4 | Opportunities and Constraints Plan |
| Figure 5 | Drainage Management                |

**List of Appendices**

|            |                        |
|------------|------------------------|
| Appendix 1 | Development Guide Plan |
| Appendix 2 | Stormwater Management  |

**List of Plates**

|         |   |
|---------|---|
| Plate 1 | Lot 22 Fitzroy Street                           |
| Plate 2 | Lot 6 Guildford Road                            |
| Plate 3 | Lot 3 Guildford Road                            |
| Plate 4 | Culverts under crossover along Guildford Street |

**List of Tables**

|         |   |
|---------|---|
| Table 1 | Land Tenure and Legal Description         |
| Table 2 | Lot Yield and Dwelling Numbers            |
| Table 3 | Gross Subdivisible Area and POS Provision |



## I. INTRODUCTION

This Development Guide Plan (DGP) has been prepared by RPS Koltasz Smith on behalf of the Department of Planning (DOP) and the Shire of Derby West Kimberley (SDWK). The DGP has been prepared for Lots 3, 4 and 6 Guildford Road and Lots 22 and 23 Fitzroy Street, Derby (subject land) (see **Figure 1** for a **Location Plan** and **Figure 2 Aerial Photograph**), all these land parcels are under private ownership.

The plans are being prepared to provide a planning framework so as the Shire can address increasing regional pressure for the release of residential land. The preparation of the DGP draws on contemporary design philosophies and planning principles. This has been undertaken following consideration of market forces and demand, community demographics, changing legislation and policies and consultation with community stakeholders and local landowners.

Pressure for residential land has come from a number of economic drivers. One of the major projects proposed for the Town is the proposed Regional Prison, this was announced in April 2007, it will be constructed at an estimated cost of \$150 million. The location of a Regional Prison in Derby will bring significant economic benefits to the Shire in the form of increased local employment opportunities both in the construction and operation of the facility and a commensurate demand for dwellings to house both construction workers and employees of the facility, notwithstanding the multiplier effect on the Town's economy. The prison is expected to be operational by 2011.

The DGP's have been prepared having particular regard for other DGP's that have been progressed by individual landowners and have been designed to integrate with those plans. The finalisation of this DGP project will complement other recent land releases undertaken by the State Government and private landowners and will assist in ensuring that sufficient future landholdings have been made ready to meet future housing demand for housing in a timely and coordinated manner.

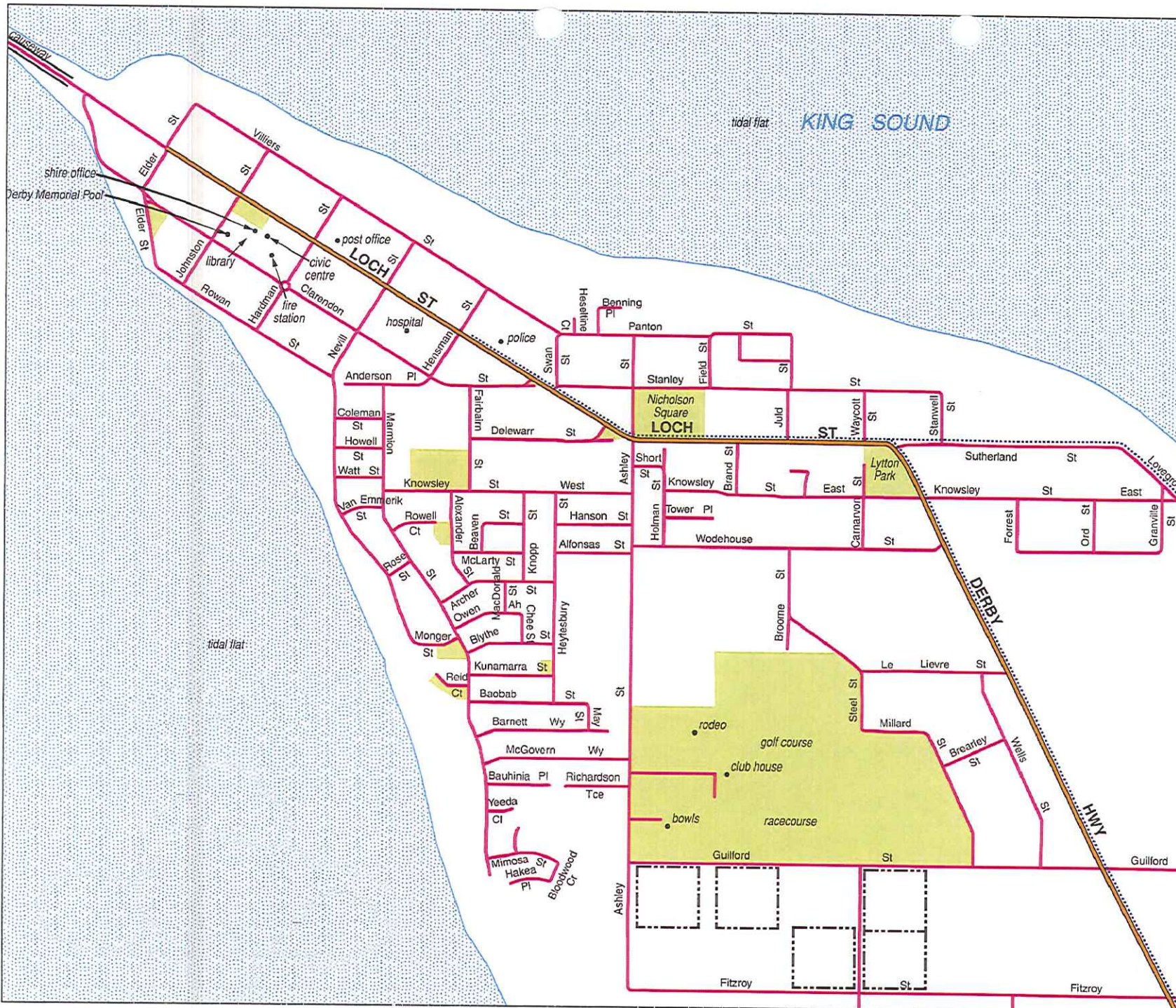


# LOCATION PLAN

LOTS 3, 4 & 6 GUILDFORD ST  
& LOTS 22 & 23 FITZROY ST  
DERBY

## LEGEND

----- SUBJECTS LOTS



**FIGURE 1**

DPI : CLIENT  
 NTS@A3 : SCALE  
 20 AUGUST 2008 : DATE  
 3394-5-001 : PLAN No  
 - : REVISION  
 T.D : PLANNER  
 L.W : DRAWN

Base data supplied by WAPC  
 Aerial Photography dated January 2007,  
 accuracy +/- 4m, Projection MGA Zone 50  
 Areas and dimensions shown are subject to  
 final survey calculations.  
 All carriageways are shown for illustrative  
 purposes only and are subject to detailed  
 engineering design.  
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# AERIAL PHOTOGRAPH

LOTS 3,4 & 6 GUILDFORD ST  
& LOTS 22 & 23 FITZROY ST  
DERBY

## LEGEND

 SUBJECT LOTS



**FIGURE 2**

DPI : CLIENT  
NTS@A3 : SCALE  
20 AUGUST 2008 : DATE  
3394-5-002 : PLAN No  
- : REVISION  
T.D : PLANNER  
L.W : DRAWN



Shire of Derby /  
West Kimberley

Base data supplied by Landgate Map Viewer  
Aerial Photography dated January 2007,  
accuracy +/- 4m, Projection MGA Zone 50  
Areas and dimensions shown are subject to  
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## 2. LAND TENURE AND LEGAL DESCRIPTION

The Derby DGP area comprises five (5) green title lots ranging in area from 4.0469 hectares to 4.0823 hectares. The total area of the Derby DGP area is just over 22 hectares. The ownership of the five (5) lots is registered to four (4) different entities.

**Table I – Land Tenure and Legal Description**

| Lot Address                      | Landowner  | Certificate of Title | Lot Area |
|----------------------------------|--|----------------------|----------|
| Lot 3 Guildford street,<br>Derby | Neville Henry Evans and<br>Lille Grace                                 | 1997/676             | 4.057ha  |
| Lot 4 Guildford Street,<br>Derby | Neville Henry Evans and<br>Lille Grace                                 | 1393/726             | 4.0469ha |
| Lot 6 Guildford Street,<br>Derby | Eugene Francis Rose,<br>leased to Mundulla<br>(Aboriginal Corporation) | 1252/27              | 4.0669ha |
| Lot 22 Fitzroy Street,<br>Derby  | Richard Shane Higgins and<br>Katrina Mary Higgins                      | 2083/390             | 4.0823ha |
| Lot 23 Fitzroy Street,<br>Derby  | Don Robert Dunbar and<br>Louella McDonald                              | 1252/25              | 4.0668ha |



### **3. REGIONAL AND LOCAL CONTEXT**

#### **3.1 Regional Context**

The Shire of Derby/West Kimberley covers a vast area of 102,706 square kilometres and is located more than 2,000 kilometres north of Perth. The Shire consists of numerous Aboriginal communities and two main towns – Derby and Fitzroy Crossing. Derby is and will remain as the major centre of the Shire and the location of the Shire administration. Derby remains a supply point for an important part of the Kimberley's pastoral, mining, oil and tourism industries and is the western terminus of the scenic Gibb River Road. The port was previously used for sheep and cattle exports and until recently had operated as the export facility of zinc and lead from mines located near to Fitzroy Crossing. The Derby wharf also acts as a tourist node and is an area from which to fish, catch mud-crabs or view fluctuating tides and bird life.

#### **3.2 Local Context**

The land subject to this DGP consists of five (5) lots located adjacent to the south eastern urban front to the Derby Townsite and south of the existing golf course and recreation centre. The total area under investigation is approximately 21 hectares with each lot consisting of approximately 4 hectares. The subject land abuts light industrial areas to the south and south east and land directly east is zoned "Rural Residential".

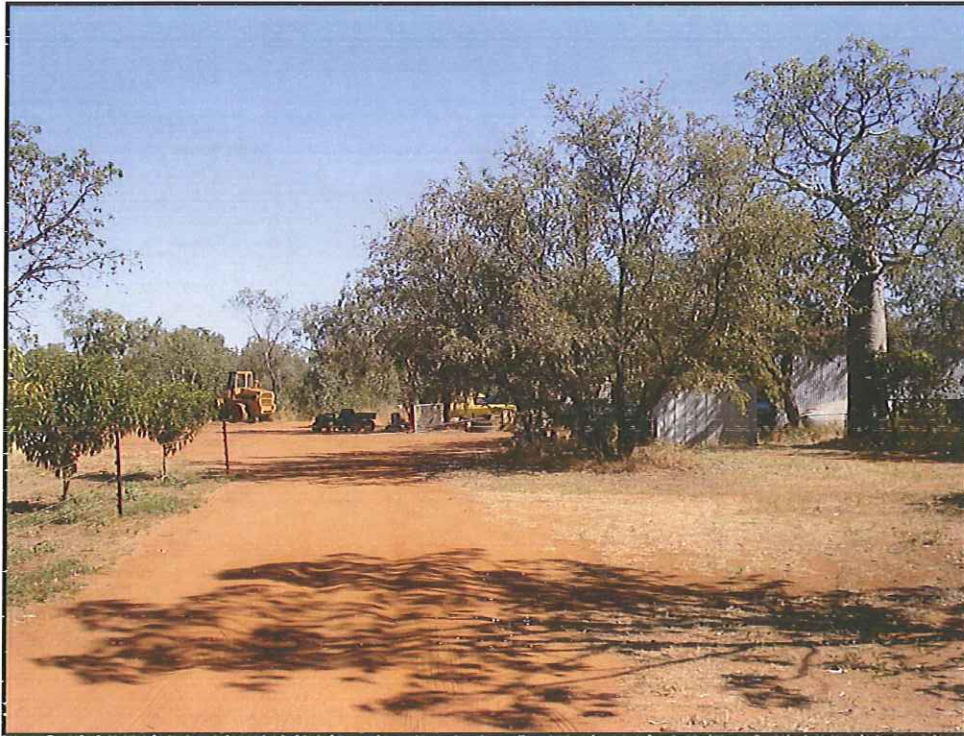
The subject land is approximately 2.5 kilometres from the Derby Townsite and accessed via the Derby Highway and Ashley Street. The Highway also provides southwards access to the Airport and future Regional Prison, the Gibb River Road and Broome. The subject land is zoned for "Rural – Residential Development Area" whereby future development is guided by the formulation of Development Guide Plans and supported by rezoning to "Residential".

The subject land is largely undeveloped with remnant vegetation and existing dwellings and sheds, and short stay accommodation in the case of Lots 3 and 4, located on each site. The sites are relatively flat with a drainage swale located along the southern side of Guildford Road and northern side of Fitzroy Street, road reserves serve an important drainage function in Derby. The natural vegetation mainly consists of grass cover, Eucalypts and Boab Trees.

It should be noted that DGP and/or subdivision approvals have recently been submitted and/or determined for Lot 21 Fitzroy Street and Lot 5 Guildford Road. All development works have been completed on Lot 20 and titles have been issued.

The following photographs illustrate a snapshot of the subject land and its surrounds:

**Plate 1 – Lot 22 Fitzroy Street**



**Plate 2 - Lot 6 Guildford Road**





**Plate 3 - Lot 3 Guildford Road**



**Plate 4 - Culverts under crossover along Guildford Street**



### 3.3 Census Data Analysis

The following represents data from the 2006 Census and provides an indication of the population structure, as compared to Australian averages, and gives an insight into the unique characteristics of Derby:

- In the 2006 Census there were 3,093 persons usually resident in Derby: 50.1% were males and 49.9% were females. Of the total population in Derby 45.0% were Indigenous persons, compared with 2.3% Indigenous persons in Australia;
- In the 2006 Census 26.9% of the population usually resident in Derby were children aged between 0-14 years, and 15.4% were persons aged 55 years and over. The median age of persons in Derby was 31 years, compared with 37 years for persons in Australia;
- In the 2006 Census, there were 658 families in Derby: 43.3% were couple families with children, 35.0% were couple families without children, 20.1% were one parent families and 1.7% were other families;
- In the 2006 Census there were 1,199 occupied private dwellings counted in Derby (1,279 dwellings in total): 64.6% were separate houses, 17.3% were semi-detached, row or terrace houses, townhouses etc, 0.9% were flats, units or apartments and 17.1% were other dwellings;
- In Derby, the median weekly rent was \$100, compared to \$190 in Australia. The median monthly housing loan repayment was \$946, compared to \$1,300 in Australia. The average household size was 2.8 and the average number of persons per bedroom was 1.3;
- In the 2006 Census in Derby, 52.0% of occupied private dwellings were family households, 20.2% were lone person households and 2.3% were group households; and
- In Derby, of the occupied private dwellings being rented, 6.8% were rented from a real estate agent, 42.9% were rented from a State or Territory housing authority and 45.7% were rented from other landlord type. In comparison, in Australia 50.5% were rented from a real estate agent and 14.9% from a state or Territory housing authority.

The above figures indicate that Derby has a high occupancy rate (1,199 occupied dwellings out of a possible 1,279 equals a vacancy rate of only 6.3 percent) and in conjunction with the future demands on housing in the Town through the resources boom, future Regional Prison, additional housing required for Government Regional Officers (up to an additional 90 dwellings) and the subsequent multiplier effect, the current rates of vacancy will not adequately cater for the future population.

The likely types of housing demanded in the future will also be largely influenced by this future growth and the likely need for a diverse range in housing types to cater for families (including both couples with children and couples without children), single person households and group households is apparent. This is based on the differing types of pressures expected in the future, be it prison workers, Government Regional Officers or families relocating to Derby to take advantage of the resources boom. Demand for diversity in housing stock is also underpinned in the younger median age of the population, as compared to the national average (31 years versus 37 years). These themes are further explored in section 7.4 of this report.



## 4. PLANNING AND ENVIRONMENT FRAMEWORK

### 4.1 Shire of Derby West Kimberley Town Planning Scheme No. 5

The SDWK Town Planning Scheme No. 5 (TPS No. 5) was gazetted on 25 September 2001 and is the primary mechanism used to govern land use and development within the SDWK boundaries. The TPS No. 5 zones the subject land parcels "Rural" with a Special Control Area defined as "Residential Development Area" around the boundaries of all the subject land parcels (refer to **Figure 3 – TPS No. 5 Zoning Plan**).

Prior to subdivision and development proceeding on land within the "Residential Development Area" Council requires the preparation and endorsement of a Development Guide Plan (DGP) for the land and rezoning of the land consistent with the proposed uses of the land under the endorsed Development Guide Plan. A Development Guide Plan required by Clause 5.2.2 of TPS No. 5 shall comprehensively address, but not be limited to, the following matters:

- "(a) the physical and environmental characteristics of the land;*
- (b) the proposed allocation of land use, subdivision, including lot sizes and residential codes as applicable;*
- (c) physical features the subdivision is intended to conserve and any areas to be set aside for public open space, pedestrian accessways, foreshore reserves and other reserves;*
- (d) the principal road and other transport systems;*
- (e) public utility and servicing arrangements, including connection to town sewer, water and power services, and groundwater protection;*
- (f) methods to be used to control and dispose of stormwater runoff;*
- (g) the allocation of Buffers and their treatment having regard for adjacent land;*
- (h) the provision of community services and facilities;*
- (i) staging of the development; and*
- (j) such other information as the Council may require."*

Clause 5.2.5 of TPS No. 5 prescribes density limits for DGP areas. Clause 5.2.5 reads as follows:

#### *"5.2.5 Residential Lot Sizes*

*A Development Guide Plan for land in the Residential Development Area shall provide for a range of residential densities at the discretion of Council, and which shall not exceed a maximum density of Residential R40. The Development Guide Plan should include provision for single residential lots and grouped dwelling sites and/or multiple dwelling sites."*

# TPS No.5

Lots 3, 4 & 6 Guildford Street  
& Lots 22 & 23 Fitzroy Street,  
DERBY

## LEGEND

--- Subject land

### LEGEND LOCAL SCHEME RESERVES

|                       |  |
|-----------------------|--|
| LOCAL ROAD            | MAJOR HIGHWAY                                |
| PARKS AND RECREATION  | PUBLIC PURPOSES                              |
| PUBLIC PURPOSES       | PUBLIC PURPOSES                              |
| SPONTANEOUS FIREZONES | AMPHITHEATRE SECT                            |
| C                     | CEMETERY                                     |
| CC                    | CHILD CARE                                   |
| CD                    | COUNCIL DEPOT                                |
| CH                    | COMMUNITY HEALTH                             |
| CP                    | COMMUNITY PURPOSE                            |
| CP                    | COURT  |
| CP                    | COMMUNITY WELFARE                            |
| D                     | DAMAGE                                       |
| H                     | HOSPITAL                                     |
| H                     | HAZARDOUS WASTE                              |
| MRE                   | MAJOR ROAD DEPOT                             |
| NP                    | NATURAL PURPOSES                             |
| P                     | POLICE                                       |
| PS                    | POWER STATION                                |
| RCC                   | R.C. CHURCH                                  |
| RS                    | RESERVE LANDS AND SANITARY EFFLUENT DISPOSAL |
| S                     | SCHOOL                                       |
| T                     | TELSTRA                                      |
| WC                    | WATER CORPORATION                            |
| W                     | WATER SUPPLY                                 |
| WWT                   | WASTEWATER TREATMENT                         |

### ZONES

|                   |  |
|-------------------|--|
| RESIDENTIAL       | COMMUNITY PURPOSES                     |
| SETTLEMENT        | GENERAL INDUSTRY                       |
| TOWN CENTRE       | LIGHT INDUSTRY                         |
| SPECIAL USE       | PORT INDUSTRY                          |
| SPECIAL USE       | SERVICE INDUSTRY                       |
| AP                | AGED PERSONS                           |
| CCP               | CARAVANS AND CAMPING PARK              |
| DDCC              | DISPOSABLE MATERIALS DEWASTEMENT STORM |
| TA                | TOURIST ACCOMMODATION                  |
| TAD               | TOURIST ACCOMMODATION & OFFICE         |
| RESIDENTIAL       | RESIDENTIAL                            |
| GENERAL INDUSTRY  | GENERAL INDUSTRY                       |
| LIGHT INDUSTRY    | LIGHT INDUSTRY                         |
| PORT INDUSTRY     | PORT INDUSTRY                          |
| SERVICE INDUSTRY  | SERVICE INDUSTRY                       |
| RURAL             | RURAL                                  |
| RURAL RESIDENTIAL | RURAL RESIDENTIAL                      |

### OTHER

|     |                 |                                   |
|-----|-----------------|-----------------------------------|
| R20 | P CODES         | RECREATIONAL DEVELOPMENT AREA     |
| AI  | ADDITIONAL LOTS | GROUNDWATER PROTECTION AREA       |
| SCH | SCH             | LIGHT INDUSTRIAL DEVELOPMENT AREA |
| --- | ---             | NO ZONE                           |
| --- | ---             | ---                               |
| --- | ---             | ---                               |
| --- | ---             | ---                               |
| --- | ---             | ---                               |

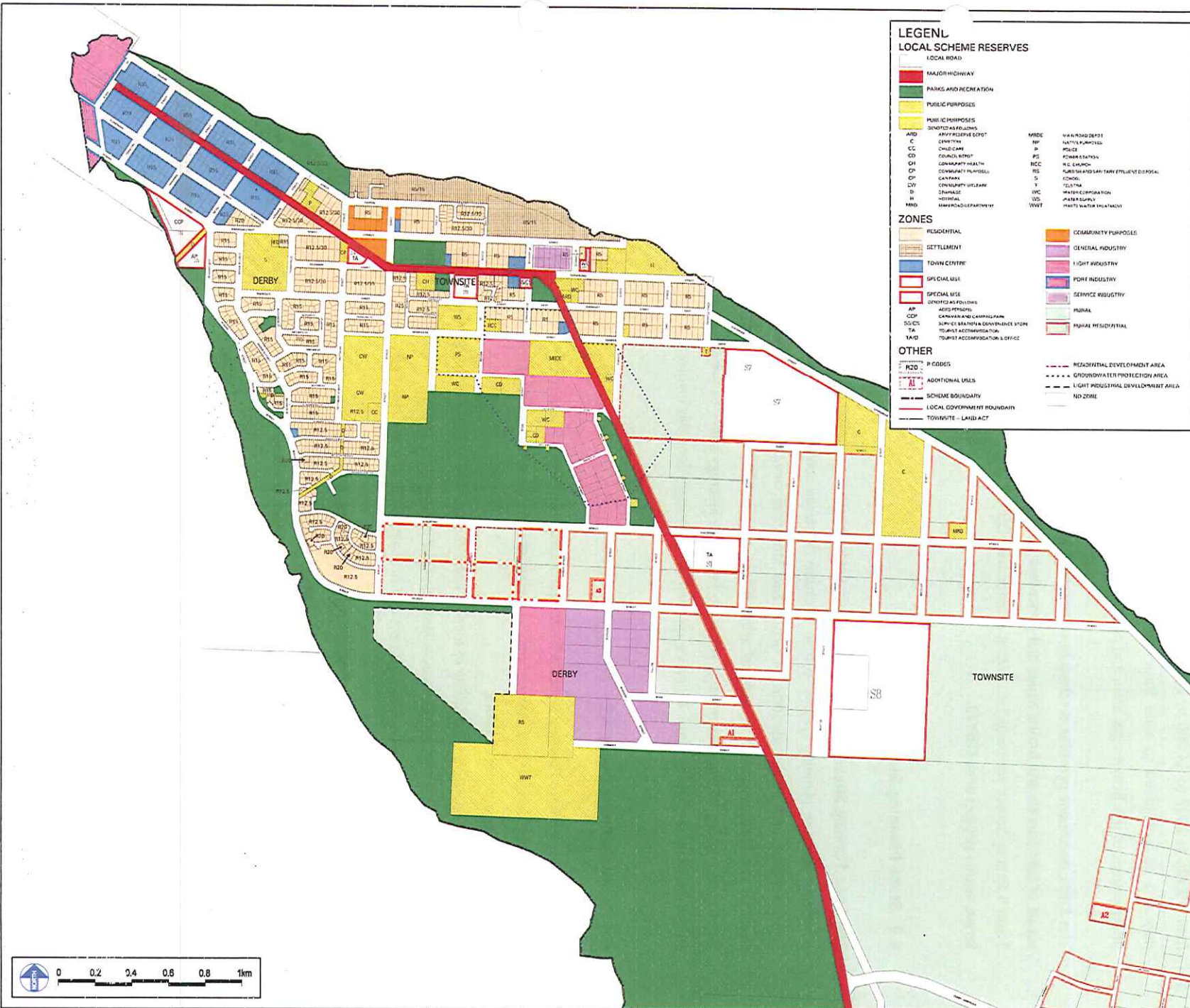


FIGURE 3

|                |   |          |
|----------------|---|----------|
| DPI            | : | CLIENT   |
| 1:2,000@A3     | : | SCALE    |
| 29 April 2009  | : | DATE     |
| 3394-5-003.dgn | : | PLAN No  |
| -              | : | REVISION |
| T.C            | : | PLANNER  |
| R.F            | : | DRAWN    |

Data supplied by VWA/PC  
Projection MGA Zone 60

Areas and dimensions shown are subject to final survey calculations.  
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## 4.2 Derby Regional Hotspots Land Supply Update

The Derby Regional Hotspots Land Supply Update (DRH) provides a snapshot of land supply in Derby with the aim of addressing land and housing supply pressures as a result of the growth in the resources sector. As previously discussed one of the additional drivers of growth in Derby is the Regional Prison with an expected permanent workforce of 120 and expected to be finished between 2009 and 2011. Population in SDWK is expected to grow from 10,100 in 2007 to 14,000 by 2017. In addition to the projected growth rates, interim spikes in housing demand may also be anticipated to arise from the progression of other major infrastructure projects associated with the development of the Browse gas basin and other mining projects in the region.

The DRH document provides a schedule of potential land release projects areas and provides detail on the current status of land parcels and future issues and processes in facilitating development of land for residential purposes. Lots 3 and 4 Fitzroy Street are contained within project area DBY12 and Lot 6 Guildford Street and Lots 22 and 23 Fitzroy Street within project area DBY13.

## 4.3 State Planning Strategy

The State Planning Strategy provides a strategic guide for land use planning through to the year 2029 and aims to develop a land use planning system to help Western Australia achieve a number of key goals. Included in this is the regionalisation and decentralisation of urban and industrial development in Western Australia and the direction towards accelerating growth in regional areas driven by extensive natural resources available throughout the State, and the desirability of regional areas as places to live. The Strategy seeks to promote a logical and informed approach to the development of the state, balancing the multiple considerations this involves.

## 4.4 State Planning Policy 2.9 – Water Resources

The objectives of State Planning Policy 2.9 – Water Resources (SPP 2.9) are to:

1. *“protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values;*
2. *assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources; and*
3. *promote and assist in the management and sustainable use of water resources.”*

The SPP 2.9 addresses a number of water resource issues including those associated with wetlands, groundwater, drinking water and waterways and estuaries but the principles of water sensitive urban design are relevant to the Derby DGP area, especially in the context of the unique climatic conditions and therefore unique strategies in addressing stormwater flow and water sensitive urban design issues in the DGP area.

#### **4.5 Liveable Neighbourhoods – October 2007**

The WAPC's Liveable Neighbourhoods Community Design Code 2007 is an operational policy and the WAPC's preferred approach to the structure planning and subdivision of land. Liveable Neighbourhoods provides guidance on a number of elements including the movement network, public parkland, lot layout and urban water management, based on the 'New Urbanist' school of planning and design. The DGP has been designed in accordance with the principles and objectives of the Code, and this is discussed in further detail in later sections of the report.

#### **4.6 Western Australian Planning Commission Development Control Policy Manual**

The WAPC's Development Control Policy Manual is an operational policy that guides statutory land use planning across the State. A number of the policies relate specifically to structure planning and the subdivision of land and are generally complementary to Liveable Neighbourhoods. The DGP has been designed in accordance with the principles and objectives of the policies and this is discussed in later sections of the report.



## 5. SITE ANALYSIS

### 5.1 Environmental and Landform

#### 5.1.1 Climate

The climate of Derby is characterised by a distinct wet season and dry season. The Kimberley is described as being subject to a tropical monsoon climate. The dry season is from May to October and the wet season November to April. The average temperature in summer is approximately 35 degrees Celsius and in winter 31 degrees Celsius. The wettest months are January and February with an average rainfall of approximately 193.5 millimetres.

Annual wind roses, constructed from wind speed and direction data collected at Derby Aero (the nearest Bureau of Meteorology station to the project area) at 9am and 3pm indicate that:

- In summer, in the morning, the winds in the area are predominately westerlies (over 20 per cent of the time), westerlies (15 per cent) or north westerlies (15 per cent); and
- In summer, in the afternoon, winds are predominately north westerly (45 percent);
- In winter, in the morning, the winds in the area are predominately easterlies (35 percent) or south westerlies (25 percent) and
- In winter, in the afternoon, the winds in the area are predominately north westerlies (45 percent) or northerlies (21 percent).

#### 5.1.2 Topography

In general the topography of all sites is flat, with slopes of no more than 2 to 3 percent. There are no wetlands mapped or present in the area and the stormwater runoff generally travels along roadside swales (Fitzroy and Guildford Streets) to the marsh in the south west. A detailed site feature survey to confirm site levels will be a prerequisite to future subdivision and development.

#### 5.1.3 Vegetation and Soil

The soil conditions on site are typical of the central Kimberley Plateau and consist mainly of pindan soils. The owners of Lot 6 Fitzroy Street noted that the eastern portion of the site consists of some clay soils. A detailed geotechnical report to confirm soil characteristics and the sites land capability for residential development will be a prerequisite to subdivision and development.

A number of Boab Trees exist on the subject land parcels. These trees are an important regional species and are protected under TPS No. 5. In this regard and due to the presence of other vegetation types, for example eucalypts and wattles as observed during the site inspection, a survey of vegetation on the subject land would be required prior

to formal subdivision and development and a tree retention plan be prepared to ensure that trees are not damaged during development phases.

## 5.2 Movement Network

The existing road pattern consists of a traditional grid style pattern of roads where Ashley Street in the west and Guildford Street in the north are sealed and Fitzroy and Steel Street are unsealed. Edgar, Brown and Herbert Streets have not yet been constructed. Edgar, Brown, Steel and Herbert Streets are all shown as 40 metre road reserves and it has been recognised by the Council that this width is excessive and they could be reduced to 20 metres. In this regard procedures have been initiated and/or completed under section 58 of the *Land Administration Act* to close portions of Edgar Street (20 metres of the eastern side adjacent to Lot 21) and Brown Street (20 metres of the eastern side adjacent to Lot 5 and 10 metres on the eastern side adjacent to Lot 21).

Steel Street provides a connection to the rubbish tip and industrial area and as such there are opportunities to remove heavy traffic from it by giving up portions of the road reserve and redirecting traffic along Fitzroy Street. Guildford Street provides access to the recreation centre and southern section of the Derby Townsite from Derby Highway and Fitzroy Street provides connections to the industrial area to the south of the subject land.

There is no established pedestrian or cycle network, provision for pedestrian and bicycle access (footpaths and dual use paths) will be required throughout the site as part of any development, in accordance with current standards.

## 5.3 Service Infrastructure

The Water Corporation will require that all residential lots be provided with a connection to its reticulated distribution system. It is anticipated that this will be achieved by extension from the existing network from Ashley Street or extended as the subdivisions on Lots 20 and 21 Fitzroy Street or Lot 5 Guildford Street are developed.

Extension of gravity sewerage connections to all sites will be required as a condition of development. Investigation undertaken for the DGP over Lot 5 Guildford Street and Lot 21 Fitzroy Street indicates that there is sufficient capacity to cater for increased demand from development of the subject land parcels. These will require prefunding at the cost of the developer of each site. It is noted that the Water Corporation have required Landcorp to make provision for the upgrade of the existing temporary sewer pumping station as a condition of their Bloodwood Crescent subdivision and that new pump station has been designed to accommodate flows from the future release of lots within the area of the DGP project.

Overhead power lines currently run along the southern side of Guildford Road and west side of Steel Street. Extension of necessary services (underground power and telecommunications) to the site will occur as pre-requisites to subdivision. Preliminary investigations have identified no inhibitions to this, with the exception of gas, for which no network currently exists which is the norm in regional locations.

With regard to stormwater it should be noted that the pindan spoils within Derby do not have sufficient infiltration capacity to cater for stormwater runoff, especially during the regular wet season storm events, and as such the design

will need to reflect the unique climatic and geotechnical conditions of the Derby Townsite. There are currently large open swales along all road reserves but primarily along the south side of Guildford and north side of Fitzroy Streets and stormwater runoff is directed to the marsh in the south west. One of the issues with the unique conditions of Derby is that there are not the same opportunities to combine drainage infiltration with public open space areas consistent with the integrated urban water management principles generally espoused by the WA Planning Commission and Department of Water. Rather, the impetus and imperative is to create stormwater disposal systems that can quickly disperse stormwater flows away from the town environment in order to prevent flooding and the ponding of water occurring. Apart from property protection issues, there are environmental health implications from vector borne diseases which demands that water be dispersed as expediently as practicable.

#### 5.4 Opportunities and Constraints Analysis

A general overview of the planning framework underpinning the land, site analysis, as well as the regional and local context has been undertaken. It has resulted in the attached opportunities and constraints plan. The opportunities and constraints analysis and the issues are summarised below and illustrated on the attached **Figure 4 - Opportunities and Constraints Plan**.

##### Existing Adopted Development Guide Plan's

In assessing the opportunities and constraints of the subject land it is important to note that there are Council adopted DGP's for Lots 20 and 21 Fitzroy Street and Lot 5 Guildford Road. These appear in **Appendix I** and are further referred to and addressed in the detail below.

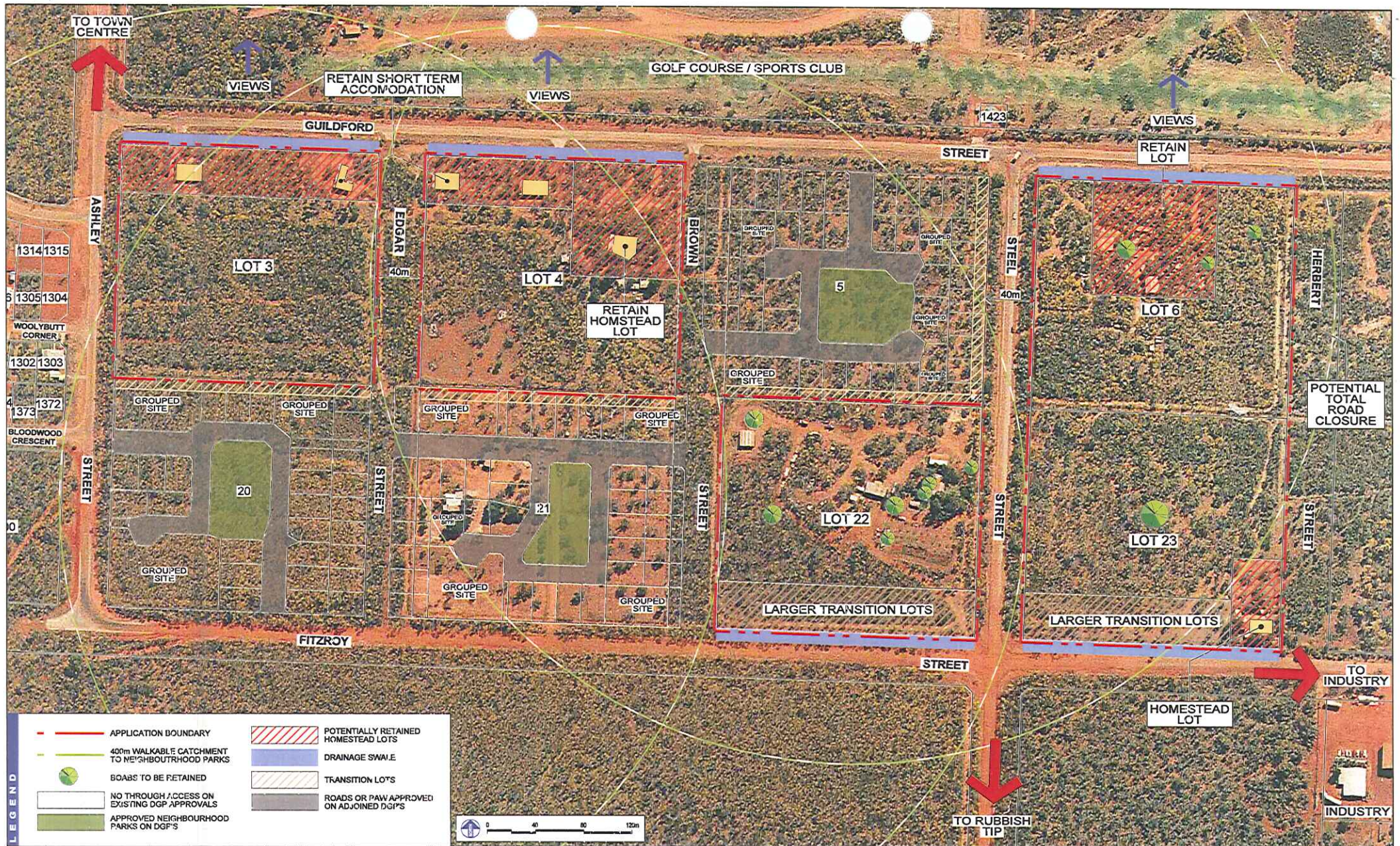
##### Existing Vegetation

It is reiterated that a number of Boab Trees exist on the subject land. These trees are an important regional species and have been clearly identified on the Opportunities and Constraints Plan for retention within the sites. Further analysis to precisely map the location of all Boab Trees will be required prior to formal subdivision. Boab Trees are to be retained in accordance with clause 4.9.3 of TPS No. 5. Clause 4.9.3 states as follows:

- "4.9.3 To maintain and enhance the character of the Town of Derby, no person shall remove a Boab Tree from any land within the scheme area without the prior written consent of the Council. For the purpose of this Clause:*
- (a) the consent of Council shall not be unreasonably withheld and shall be issued where the tree is dead, dying or dangerous;*
  - (b) it shall be sufficient defence to show that a tree that has been removed was dead, dying or dangerous prior to its removal."*

Clause 4.9.4 also requires that any other vegetation may require to be retained depending on environmental or landscape significance. In this regard and due to the presence of other vegetation types, for example eucalypts and wattles as observed during the site inspection. A survey of vegetation on the subject land would be required prior to formal subdivision and development. Clause 4.9.4 states as follows:





**FIGURE 4: OPPORTUNITIES AND CONSTRAINTS**

| Revision | Date | Item |
|----------|------|------|
|          |      |      |
|          |      |      |
|          |      |      |

**NOTES**

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DPI/SHIRE OF WEST KIMBERLY : CLIENT  
 1:2,000 @ A2/NTS @ A3 : SCALE  
 15 April 2009 : DATE  
 3394-8-001.dgn : PLAN No  
 - : REVISION  
 T.J.S : PLANNER  
 R.F. : DRAWN

Property Description:  
**LOTS 23 & 22 FITZROY STREET & LOTS 3, 4 & 6 GUILDFORD ST DERBY**

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“4.9.4 When considering an application for Planning Consent the Council shall determine whether any Boab tree or other vegetation on the subject site has landscape or environmental significance and should be retained and in granting consent to an application may:

- (a) impose a condition on the planning consent requiring the retention or relocation of the tree or trees;
- (b) request a modification of the proposal; and/or
- (c) permit a variation of the site development requirements to provide for retention of the tree or trees”

Notwithstanding the above, the Council recognises that not all Boab trees are able to be retained in-situ and there maybe opportunities for some trees to be relocated into areas of POS or to other strategic locations within the future subdivisions. It is the usual practice of the Council to request the preparation of tree management/retention plans as conditions of subdivision approval.

#### Road Reserves

The existing road reserve widths of Edgar, Brown, Steel and Herbert Streets at 40 metres were generally acknowledged by the SDWK as being excess to requirements and as such up to 20 metres could be closed. This would take the form of either 10 metre on either side or 20 metres on one side. The opportunity to close Road Reserves would be affected by any existing services and areas of road closed by SDWK over the course of formulation of this DGP report.

It should be noted that adopted DGP's for Lot 21 Fitzroy Street and Lot 5 Guildford Street have included an extra 20 metres of road reserve on the eastern boundary with a further 10 metres included for Lot 21 on the eastern boundary. In the case of the Guildford Street lot, the reserve tapers in as it reaches the southern boundary with lot 22. The Council initiated and adopted Road Reserve closures, under section 58 of the *Land Administration Act 1997*, at its Ordinary Meeting held on 28 August 2008. Opportunities for additional closures include:

- Eastern side of Lot 4 (20 metres);
- Western side of Lot 22 (10 metres); and
- Western side of Lots 6 and 23 (20 metres).

The decrease in size of the road reserves provides opportunities to control traffic on these roads as heavy vehicles accessing the industrial areas to the south would be directed towards Ashley Street or Derby Highway and Fitzroy Street. A lesser road reserve width is also more attuned to an urban scale and reduces the maintenance burden on landowners and the Council and will assist in creating a better level of amenity for future residents.

During consultation it was noted that Herbert Street may be wholly closed and therefore opportunities to sell to adjoining owners may be possible. At this stage, and in light of the land east of Herbert Street being "Rural Residential" and required lot sizes being no less than 2 hectares in area Herbert Street could be considered superfluous to the Shire's requirements, this DGP however, does not intend to include this area at this stage.

### Parks and Recreation Reserves

**Figure 4** illustrates a small number of proposed neighbourhood parks as shown on the approved DGP's for Lots 20 and 21 Fitzroy Street and Lot 5 Guildford Road with resultant walkable catchments of 400 metres to demonstrate the suitability of the Public Open Space (POS) locations for new development. There is some concern identified regarding connectivity between those previously prepared DGP areas for both pedestrians and vehicles which impacts on access to the proposed POS areas on Lots 20 and 21 Fitzroy Street and Lot 5 Guildford Road. Connectivity issues are further detailed below and will be addressed in accordance with the philosophy to increase internal connectivity between all of the lots within the Land Release Area.

The SDWK has identified the need to provide for high quality consolidated neighbourhood parks. The opportunity created by this is to provide for a range of site responsive POS areas which have clear sightlines from residential dwellings which are safe and conveniently located for the local community. There is also an opportunity to consolidate the POS for Lots 3 and 4 and close a portion of Edgar Street, this would create better access to a larger more usable area of POS.

### Connectivity

There are three proposed DGP's recently approved by the Shire, as referred to above. Analysis of these approvals has been undertaken to examine the potential linkages and any constraints for proposals for the land parcels under investigation as part of the DGP process for the subject land. The opportunities and constraints plan shows that all approved DGP's have lots fronting or backing onto Lots 3 and 4 and 6 Guildford Road and Lot 22 Fitzroy Street with any potential for through access being non-existent.

This presents connectivity issues for the land subject to this DGP and the lots with adopted DGP's. It is proposed to best management this through efficient lot layout and access to POS and other amenities. It is recognised however, that the pedestrian movements between the various cells is likely to be of an incidental nature only and the travel distances are still well within acceptable ranges.

### Proximity to Industry

The sites proximity to land zoned both 'Light Industry' and 'General Industry' under TPS No. 5 indicates a requirement to sensitively manage the sites interface with these industrial areas. This provides opportunities to provide for larger transition lots, which facilitates the provision of diverse lot sizes to cater for a diverse population, along the southern boundaries to Lots 22 and 23 Fitzroy Street. It also provides opportunities to provide for home based businesses within the transition lots.

### Golf Course

In addition to providing an important overarching community role, the multiple use recreation area to the north of the subject land provides for increased visual amenity and vistas for those portions of the subject land fronting Guildford Road. This is in addition to ensuring the proposed DGP areas are well serviced by local recreational facilities.



### Existing Landowners and Retention of Homestead Lots

Given the fragmented ownership of the sites, there are a number of differing expectations by the landowners with respect to their involvement in the process and the likely outcomes for them. In light of this the DGP's will be designed so that lots may be retained as homesteads or short term accommodation in the short to medium term with potential development of these lots in the long term at the discretion of individual landowners. Provision for this to occur is to be included without undermining the robustness of the plan and is necessary to allow for staged development and to limit impact on existing and remaining residents.

### Servicing

All residential lots will need to be provided with a connection to the Water Corp distribution system as well as extensions made to ensure gravity sewerage connections to all sites. These would be conditions of formal subdivision approval issued for the land and at the cost of individual developers. It is understood all services, including power (which is required to be provided underground) are available and able to be extended to accommodate the development of the land parcel. In this regard it is understood the sewerage system has capacity to cater for development of the subject land parcels and the water main may need upgrading to cope with the increased demand. This increase in capacity may be undertaken ahead of development of the subject land parcels as other developments on Lots 20 and 21 Fitzroy Street are progressed.

### Drainage

As outlined in section 5, both Guildford Street and Fitzroy Street include open drainage swales that impact on the accessibility to crossovers for each site. This is especially prevalent on Guildford Street where crossovers are to be limited and where possible access to be provided from the south, in fact all access is to be limited over the drainage swales. The benefits of limiting access over the swales will also minimise potential for drains to block with silt etcetera in large rainfall events and therefore the swales and drainage network can be efficiently and cost effectively maintained.

The drainage requirements will require clarification by engineers at formal subdivision stage and any drainage will need to be effectively managed (through the provision of Urban Water Management Plans, refer to section 5.3 above). A survey plan will also be required to detail site levels. Drainage flow will generally be within road reserves and directed to the marsh in the south west. It should be noted that due to the overall volume of stormwater flows in Derby, the increase in hard services resulting from urban development on the subject land parcels and the subsequent infiltration capacity of the soils it is not feasible to combine drainage functions within POS areas. All stormwater flows emanating from lots east of Edgar Street will need to be moved hydraulically to the southern side of Fitzroy Street so as to avoid overloading the existing drain that bisects Ashley Street, near the intersection of Fitzroy Street.



## **6. CONSULTATION**

A site visit and ground truthing exercise was accompanied by discussions with the various land owners to determine their desires and expectations for the future development of their land. This was undertaken on the morning of 3 June 2008. These discussions were facilitated by Officers from SDWK. All owners were met at this time except for Mr Eugene Rose, owner of Lot 6 Guildford Road.

A meeting was held with Mr Rose at the offices of RPS Koltasz Smith on 18 June 2008. The DGP process was explained to Mr Rose and his expectations and views on future development of his land were discussed at this time. The following is a summary of the discussions and consultation with the landowners subject to this DGP.

### **6.1 Mr and Mrs Higgins - Lot 22 Fitzroy Street**

Mr and Mrs Higgins currently reside on their premises and run an existing earthmoving business from the property. They were amenable to development of their land for urban purposes with a decision yet to be made as to whether they would sell to a developer or develop themselves. They have had a previous offer for the purchase of their land on the basis that it could be subdivided into 30 or more residential lots and/or dwellings.

### **6.2 Ms Louella McDonald and Mr Don Dunbar - Lot 23 Fitzroy Street**

Ms MacDonald and Mr Dunbar have sold a portion of their property to a developer with a 3,000m<sup>2</sup> area in the south east corner being retained as a homestead lot. They plan on living on the retained lot and also own "Rural Residential" zoned lots in the east and have noted that if the Herbert Street Reserve could be closed, they would be interested in looking to purchase it. The purchaser of the balance portion of Lot 23 is expecting to yield at least 34 residential lots and/or dwellings from subdivision of the land.

### **6.3 Ms Lillie Grace - Lot 3 and 4 Guildford Road**

Ms Grace was not receptive to development of her land for purely residential purposes and suggested the best design would be for a retirement village or up market short stay accommodation. Ms Grace said she would like to see these land use types developed but would not embark on these herself and is unlikely to sell to a developer at this stage. In light of this the DGP will be designed to accommodate residential development on the southern portions of Ms Grace's land with potential future stages over the northern section being able to be tied in later.

### **6.4 Mr Eugene Rose - Lot 6 Guildford Street**

Mr Rose is the caretaker of his family's ownership of the land and he stressed that he would need to consult with his family before any viewpoints were confirmed regarding future development of their land parcel. Lot 6 Guildford Road was originally bought to house the entire family but is currently vacant with a number of buildings in the central northern portion that Mr Rose would potentially like retained.

Mr Rose suggested that the family would be amenable to development of the land for urban purposes and was unsure if they would undertake it themselves or sell to a developer. In any development scenario it is likely that they would like to retain lots to house the family, this was notionally discussed as being up to 10 lots being required for the family. As with Ms Grace's land parcel it is possible we design around the existing development with a staged development over the retained area at a later time. Mr Rose also detailed the clay type nature of soil in the east of his property. It should be noted that geotechnical reporting will be required to be undertaken to determine soil characteristics over the entire DGP area prior to development of the land for residential purposes.

## 7. THE DEVELOPMENT GUIDE PLAN

### 7.1 Design Philosophy

The design of the Derby Development Guide Plans has sought to follow New Urbanist principles of walkability and sustainability, whilst being sympathetic to the unique characteristics of Derby (refer **Appendix I – Development Guide Plan**). Key elements of this approach have included the consolidation of open space, the increase in residential densities in proximity to the areas of open space and the modified grid road network. In essence the proposed DGP facilitates a small urban infill development to provide for the Towns' inner expansion to cater for the growth in demand for residential land.

The proposed Derby DGP is based on a Traditional Neighbourhood Design (TND) philosophy. The principle of this design philosophy is a walkable layout to minimise car use and create a stronger sense of community. The vision for Derby DGP is to focus this around the POS areas while providing good access to surrounding facilities.

The design also responds to the changing household structure within Derby and the resultant need for diverse housing stock to cater for the range of household types. The diversity in housing stock will also assist in addressing issues of housing affordability and supply in the Derby region to cater for future demand.

The Derby DGP design will protect and enhance the existing natural environmental features that currently exist whilst minimising the impact on adjacent land uses and resources. This is demonstrated by the following:

- The DGP promotes efficient use of land by increasing densities around public open space;
- The DGP will establish a variety of lot sizes giving residents a range of housing options thereby providing for a diverse population and creating a greater sense of community;
- Existing Boab trees have been utilised in open space or road reserves to ensure their retention and this also adds to the amenity of the DGP area and the unique characteristics of Derby; and
- The residential area of the DGP has been designed to maximise passive solar opportunities as well as internal and external view lines. It is also intended that detailed site design of dwellings be encouraged to give due consideration of solar access and local breezes. Some of this could be addressed in design guidelines, to be included in applications for the subdivision of lots.

The following section of the report outlines the appropriateness of the DGP design with specific reference to the Western Australian Planning Commission's Liveable Neighbourhoods (LN) Policy, which is to be followed in the design and approval of urban development throughout Western Australia. The design elements include:

- Community design;
- Movement network;
- Lot layout;



- Public parkland;
- Urban water management;
- Utilities;
- Activity centres and employment; and
- Schools.

## 7.2 Community Design

The design of the DGP will contribute to a highly interconnected urban structure. The proposed street network provides a high level of internal connectivity and good external linkages for local vehicle, pedestrian and bike movements. A range of densities from R12.5 to R40 are proposed in the DGP, which will provide for a range of housing types and community needs, in accordance with the requirements of Liveable Neighbourhoods.

## 7.3 Movement Network

The DGP has been designed using a modified grid road layout of local streets. Guildford and Fitzroy Streets act as the existing district distributors, linking the area subject to the DGP to other areas of the Derby Townsite and major arterial routes.

The roads proposed in the DGP have been designed in accordance with Table 4 of the WAPC's Liveable Neighbourhoods policy (LN), with a 15 metre road reserve width. In addressing the objectives of Element 2 of LN, the local roads (access streets) proposed by the DGP discourage traffic travelling long distances from passing through the future residential area to provide acceptable levels of safety and convenience for all street users, while ensuring acceptable levels of amenity. Where roads abut public open space areas, the road reserve width has been reduced to 12 metres. Under LN, verge widths on access streets abutting parks can be reduced from 4.1m to 1m on the park side, as the location of the open space on one side of the road maintains the open aspect of the reduced road reserve.

An existing drainage swale along Guildford Street constrains vehicular access to the proposed single residential lots situated in the northern portion of the DGP area. A ten (10) metre wide laneway has therefore been proposed to provide vehicular access to the rear of these proposed residential lots. The width of the laneway exceeds the minimum prescribed under LN, and is designed with a mid-lane link as recommended by LN, given its overall length (approx. 240m).

A roundabout is proposed on Brown Street between the Council approved DGP on Lot 5 Guildford Street and proposed access road on this proposed DGP for Lot 4 Guildford Street. It is proposed that the first to develop these lots will prefund the cost of the roundabout, this will be included as part of a conditional subdivision approval.

The exact location of the pedestrian pathways is not identified in the DGP, however the intent to provide pathways at the subdivision stage is acknowledged. The pedestrian paths will be provided within the subdivision in association with the road reserves and/or open space areas.

## 7.4 Lot Layout

The single residential lots proposed by the DGP range in size from 481m<sup>2</sup> to 2,640m<sup>2</sup>, providing a variety of lot sizes to meet the projected requirements of the expected future demographic profile. Street blocks have been designed in accordance with the requirements of LN to facilitate an urban structure that is pedestrian friendly.

The grouped housing lots proposed by the DGP have been located either close to neighbourhood connectors or adjacent to public open space areas. The grouped housing lots will assist in the provision of housing diversity and delivering a housing product to suit people with different needs.

As required by LN, all lots proposed by the DGP have been designed with a rectangular shape to enable efficient siting and construction of a dwelling. The frontages proposed exceed the minimum prescribed by the Residential Design Codes in order to accommodate a range of housing designs, increase access to cross-breezes and to provide additional space to accommodate a boat, caravan or trailer; which are common items for households in this region. Lots with rear lane access will be subject to a Detailed Area Plan, which will be prepared at the time of subdivision. The lot layout provides for all lots having either a north-south or east-west orientation, maximising opportunities for solar efficient housing design.

The table below provides an outline of the lot yield and estimate dwelling numbers proposed by the DGP:

**Table 2 – Lot Yield and Dwelling Numbers**

| DGP AREA  | LOTS       | DWELLINGS  |
|---|------------|------------|
| <b>CELL 1 [LOTS 3 &amp; 4]</b>                          |            |            |
| - Single Residential Lots (R20)                         | 70         | 70         |
| - Grouped Dwelling Lots (R40)                           | 5          | 76         |
| <i>Sub-Total</i>  | 75         | 146        |
| <b>CELL 2 [LOT 22]</b>                                  |            |            |
| - Single Residential Lots (R20)                         | 23         | 23         |
| - Grouped Dwelling Lots (R40)                           | 4          | 25         |
| - Transition Lots (R12.5)                               | 10         | 10         |
| <i>Sub-Total</i>  | 37         | 58         |
| <b>CELL 3 [LOTS 6 &amp; 23]</b>                         |            |            |
| - Single Residential Lots (R20)                         | 47         | 47         |
| - Grouped Dwelling Lots (R40)                           | 9          | 70         |
| - Transition Lots (R12.5)                               | 10         | 10         |
| - Retained Homestead                                    | 1          | 1          |
| <i>Sub-Total</i>  | 67         | 128        |
| <b>TOTAL</b>  | <b>179</b> | <b>332</b> |
| <b>TOTAL DWELLINGS PER HECTARE</b>                      |            |            |
| <b>CELL 1 (8.9088 ha) = 16.38 dwellings per hectare</b> |            |            |
| <b>CELL 2 (4.0704 ha) = 14.25 dwellings per hectare</b> |            |            |
| <b>CELL 3 (8.9088 ha) = 14.37 dwellings per hectare</b> |            |            |



**NOTES:**

- I. Estimated dwelling numbers for the R40 density areas have been calculated based on a minimum average site area requirement of 220m<sup>2</sup> and are subject to detailed design and provision of access ways, open space and other amenities.

**7.5 Public Parkland**

Three (3) public open space areas have been proposed in the DGP, all of which are located centrally to maximise walkability to and from the proposed residential areas. The public open space areas have primarily been designed to be bound by residential streets to enhance passive surveillance. The grouped housing sites abutting public open space will also be designed to overlook these areas. The plan has been notated to ensure areas are designed with visually permeable fencing and habitable rooms overlooking the POS to ensure passive surveillance. In addition to their recreational function, the POS areas serve to break the urban development and assist in promoting the penetration of breezes into the subdivision to assist in enhancing the amenity of the areas.

The size of the open space areas are as follows:

- Lots 3 and 4 - 9,023m<sup>2</sup>;
- Lot 22 - 6,645m<sup>2</sup>; and
- Lots 6 and 23 – 8,358m<sup>2</sup> (Lot 6 – 4,793m<sup>2</sup> and Lot 23 – 3,565m<sup>2</sup>).

Overall this represents approximately 11.82% of the gross subdivisible area and includes an allowance for drainage within POS areas, refer to 7.6 below. **Table 3** details POS provision for the entire DGP area.

**Table 3 – Gross Subdivisible Area and POS Provision**

|   |                   |
|---|-------------------|
| <b>Total Area</b>                               | <b>20.3199 ha</b> |
| Less Deductions                                 | Nil               |
| Net Developable Area                            | 20.3199 ha        |
| POS required at 10% (maximum 2% restricted POS) | 2.03199 ha        |
| POS/Drainage Provided                           | 1.9224 ha         |
| Percentage of POS/Drainage Provided             | 11.82%            |
| Estimated Lot Yield                             | 179               |
| Estimated Dwelling Yield                        | 332               |

## 7.6 Urban Water Management

An objective of LN with regard to urban water management is to integrate appropriate water management measures in an efficient urban structure and range of parkland types. The orientation of the roads and the overall layout of the DGP is designed to assist with drainage flow. LN requires public open space to be designed to incorporate urban water management measures to promote the detention and retention of run-off through the use of swales, depressions, contour banks, or other suitable measures without compromising the principal function of the public open space. The areas of public open space will assist in reducing the flow of drainage across the site subdivision; however it is not proposed to be directly part of the drainage system for the area. The drainage flow for the site will be accommodated within the road reserve of the subdivision, which is the typical method within the Derby and Kimberley area (refer **Figure 5 - Drainage Management**).

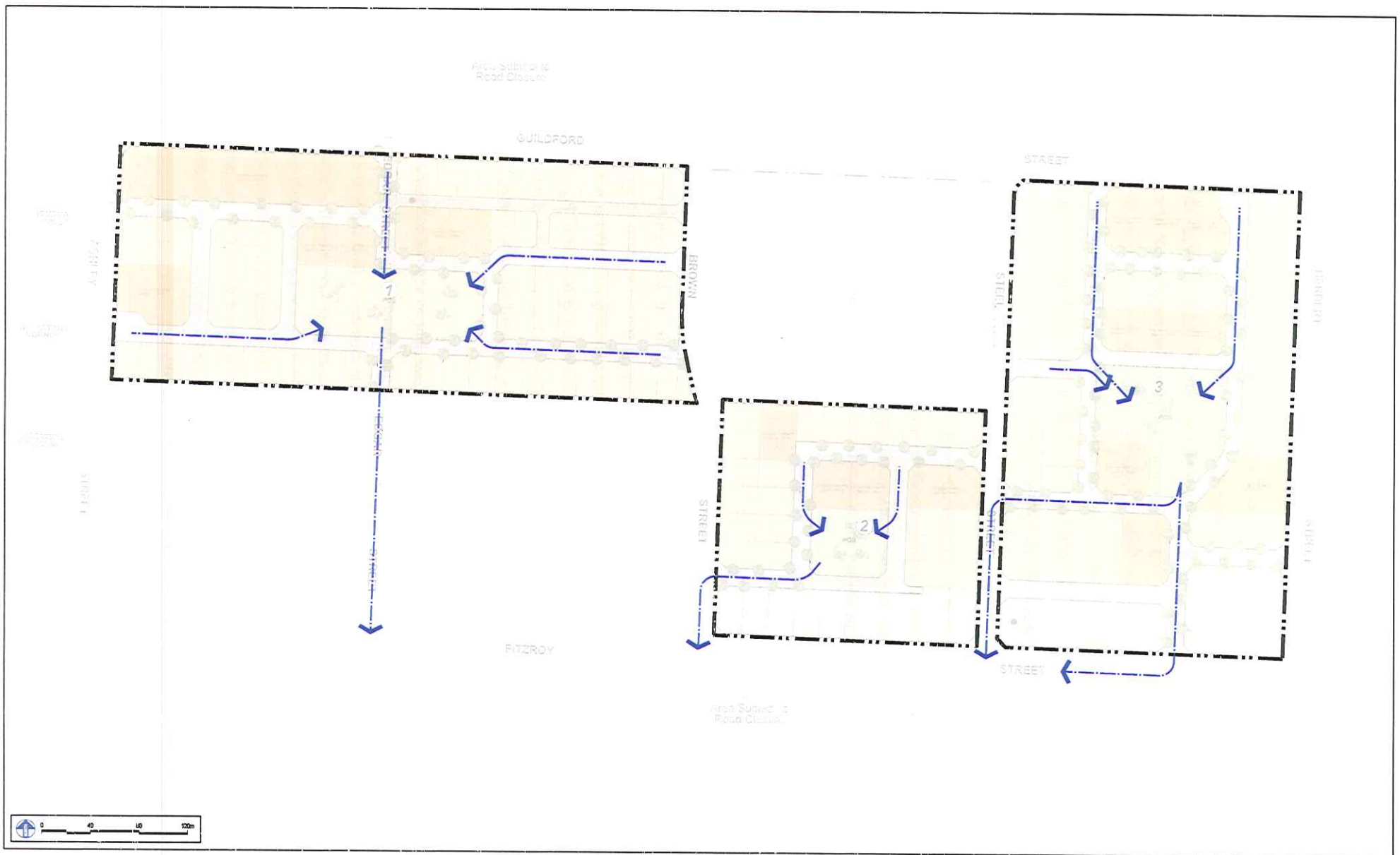
Therefore, and due to the unique climate and significant volume of water in yearly storm events the layout has been designed with the primary objective of flood control through rapid dissipation. The management of stormwater has therefore followed a more traditional focus of conveyance of flows to the south western marshes through the road reserve with adoption of some retention of water in the public open space. The above method will ensure that stormwater is appropriately managed in an efficient and sustainable manner and one that can be effectively maintained into the future.

### 7.6.1 Engineering Assessment

In assessing the urban water management principles underpinning design of the DGP it should be noted that the DGP has been prepared at the cost of SWEK, through funding from DOP. This has been undertaken to ensure a framework is in place for local land owners to progress with development, at their own cost, to provide for future demand for residential land. In light of the above a Local Water Management Strategy (LWMP) has not been prepared but alternatively some indicative comments have been obtained from RJ Menzies and Associates Pty Ltd engineers to ensure the design will be suitable. The comments relate to Lots 3, 4, 6, 22 and 23, as included in this DGP and Lots 5, 20 and 21 as prepared by Lankester Planning Services. The comments are provided for in Appendix 2 – Stormwater Management.

RJ Menzies and Associates Pty Ltd have confirmed that the layout will be sufficient to address stormwater run-off and note that a LWMP is to be prepared. Whilst it is acknowledged that this is ordinarily prepared at the structure planning stage it is deemed appropriate in this instance to have the private developers fund the cost of the strategy and not the state or local government. To this end the state and local government have already provided significant assistance and funds in preparing the DGP over private land holdings and there are no more funds available. The preparation of the LWMP is therefore to be undertaken as part of subdivision and will be conditioned as such on any approval to be issued by the WAPC. This will not result in any differing outcome if the LWMP was prepared at the structure planning stage; it is simply a modification to the process to ensure the government is not encumbered by the cost of preparing a LWMP that could cost in the order of \$13,000 to \$20,000.





**FIGURE 5: DRAINAGE MANAGEMENT**

**LEGEND**  
 ■■■ Subject Area  
 → Run Off Direction

**NOTES**  
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 Projection MGA60  
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DPI/Shire of Derby : CLIENT  
 1:2 000 @ A2/1:3,000 @ A3 : SCALE  
 17 April 2009 : DATE  
 3394-S-004.dgn : PLAN No  
 - : REVISION  
 T.D : PLANNER  
 F.F : DRAWN

Property Description:  
 Lots 23 & 22 Fitzroy Street &  
 Lots 3, 4 & 6 Guildford Street  
 DERBY  
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### **7.7 Utilities**

All residential lots will need to be provided with a connection to the Water Corp distribution system as well as extensions made to ensure gravity sewerage connections to all sites. These would be conditions of formal subdivision approval issued for the land and at the cost of individual developers. It is understood all services, with the exception of gas, are available and able to be extended to accommodate the development of the land parcel. The street layout enables the efficient provision of utility services to the future residential lots, while the street verges will be of a sufficient width to contain all of the anticipated services.

### **7.8 Activity Centres and Employment**

The proposed DGP is residential in nature with the Derby Town Centre being the primary retail and commercial area servicing the Town and the subject land. The proposed DGP has been prepared to allow for Derby's expansion to cater for the construction and operation of the new Regional Prison as well as future demands generated by other drivers as they may arise. The prison will bring significant economic benefits to the Shire in the form of increased local employment opportunities both in the construction and operation of the facility and thus the DGP area is adequately serviced by new employment opportunities to cater for the future residents.

In addition to the above, and given some of the larger lots proposed within the DGP, there may be opportunities for home-based businesses to establish in this area. LN requires a minimum of five per cent of all residential lots to be identified for home-based businesses, which equates to a total of nine (9) lots within the area of the DGP being suitable for home-based business. It is considered that the transition lots, given their location, frontage and size, would be suitable sites for service trades operators (e.g. plumbers, landscape gardeners, etc), for example. Individual development applications would be required to be lodged with SDWK for approval under TPS No. 5 prior to operation.

### **7.9 Schools**

The proposed DGP does not generate a requirement for a new school site. An existing primary school is located approximately 800 metres to the north of the subject land.



## **8. IMPLEMENTATION**

### **8.1 Development Guide Plan Adoption**

The Development Guide Plan has been prepared for ultimate adoption by SDWK under its Town Planning Scheme and endorsement by the WAPC. It is anticipated that this plan form the basis for the submission of subdivision applications as required.

In accordance with Clause 5.2.6 of TPS No. 5, following receipt of a Development Guide Plan that the Council considers adequately addresses the orderly and proper planning of the land, the Council shall require the Plan to be advertised in a local newspaper for a period not less than 21 days and invite comments from the public and affected authorities on the plan. Once the Council has resolved to adopt a Development Guide Plan, it shall as soon as practicable, send to the Western Australian Planning Commission a copy of the development plan, details of any conditions, and a précis of submissions received and request the Commission to endorse the plan.

### **8.2 Town Planning Scheme No. 5**

Following endorsement of the Development Guide Plan, an amendment to Town Planning Scheme No. 5 will need to be initiated by the SDWK Council to rezone the land consistent with the proposed uses of the land under the endorsed Development Guide Plan. It is envisaged that the land will be rezoned from "Rural" to a mixture of "Residential" with a corresponding residential density code, "Parks and Recreation Reserve" and "Road Reserve".

### **8.3 Detailed Area Plans**

The Development Guide Plan provides for a range of land use interfaces and lot size allocations. It is intended that Detailed Area Plans be prepared to address such matters as the interaction with POS and the range of lot sizes proposed.

## 9. SUMMARY

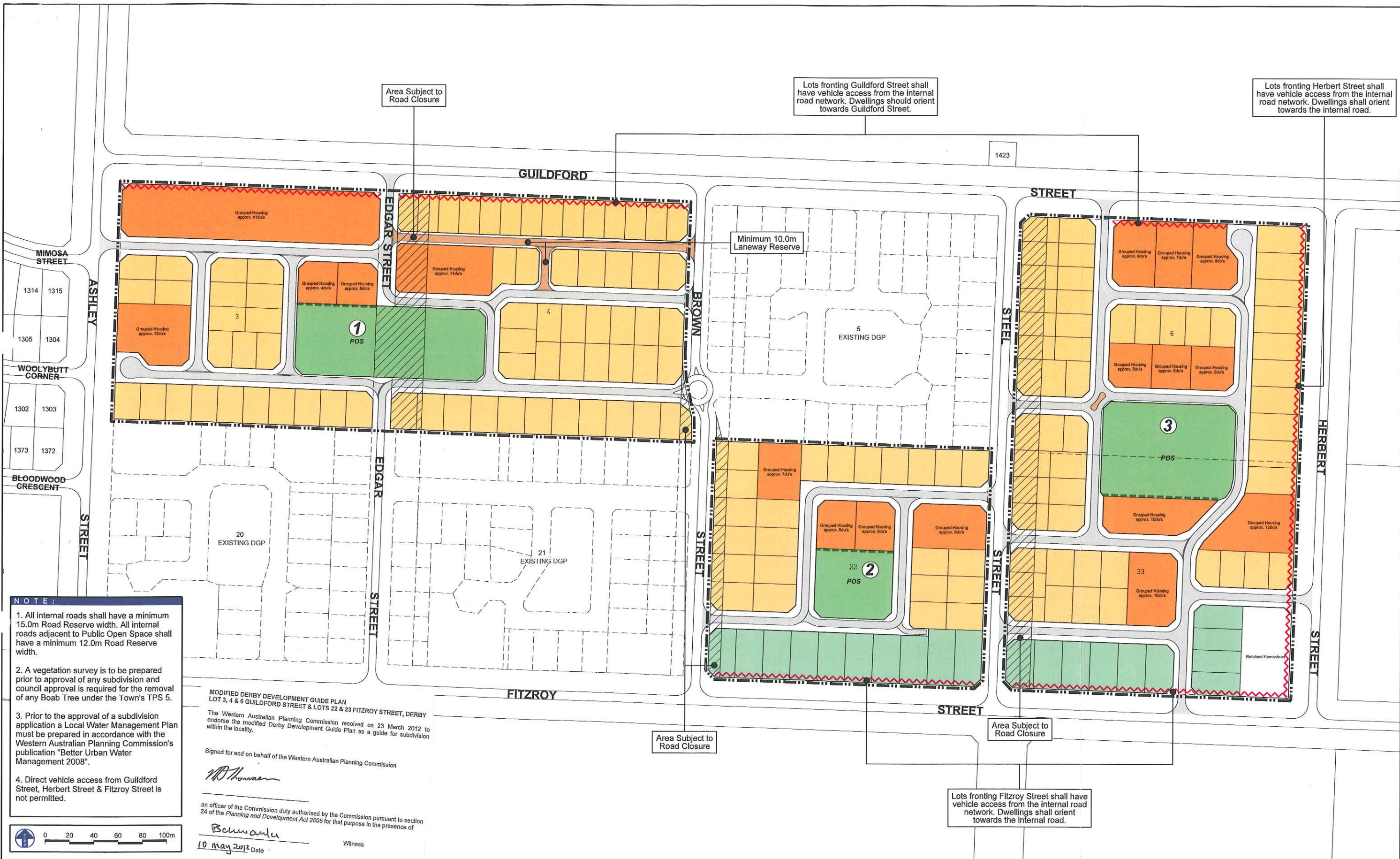
This Development Guide Plan has been prepared drawing on contemporary design philosophies and planning principles. The DGP will guide the subdivision and development of the subject area, which is within close proximity of the Town's community and recreation facilities, commercial and industrial services and employment centres. The development of this area for residential purposes recognises the existing designation of the landholdings as Residential Development Areas under TPS No. 5 and is therefore consistent with the proper and orderly planning of the area.

The DGP is presented to the SDWK and Department of Planning for adoption and endorsement. The SDWK, in accordance with the provisions of TPS No. 5, is requested to adopt this DGP before forwarding to the DOP and WAPC for their endorsement.

rp 3394 DGP FINAL 180210



**APPENDIX I – DEVELOPMENT GUIDE PLAN**



**NOTE:**

- All internal roads shall have a minimum 15.0m Road Reserve width. All internal roads adjacent to Public Open Space shall have a minimum 12.0m Road Reserve width.
- A vegetation survey is to be prepared prior to approval of any subdivision and council approval is required for the removal of any Boab Tree under the Town's TPS 5.
- Prior to the approval of a subdivision application a Local Water Management Plan must be prepared in accordance with the Western Australian Planning Commission's publication "Better Urban Water Management 2008".
- Direct vehicle access from Guildford Street, Herbert Street & Fitzroy Street is not permitted.

**MODIFIED DERBY DEVELOPMENT GUIDE PLAN**  
 LOT 3, 4 & 6 GUILDFORD STREET & LOTS 22 & 23 FITZROY STREET, DERBY

The Western Australian Planning Commission resolved on 23 March 2012 to endorse the modified Derby Development Guide Plan as a guide for subdivision within the locality.

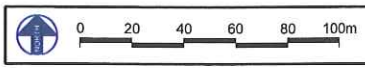
Signed for and on behalf of the Western Australian Planning Commission

*[Signature]*

an officer of the Commission duly authorised by the Commission pursuant to section 24 of the Planning and Development Act 2005 for that purpose in the presence of

*[Signature]* Witness

10 May 2012 Date

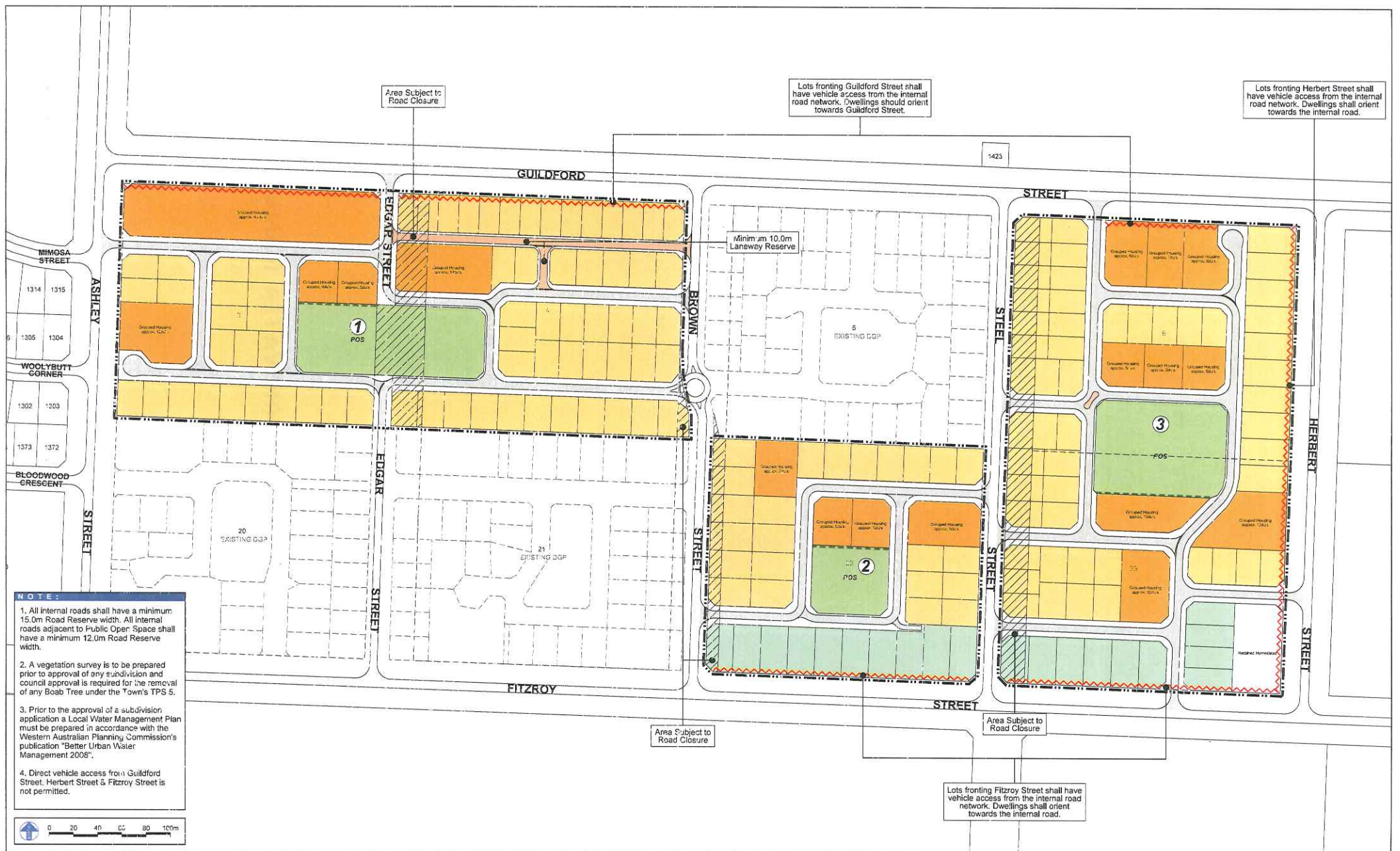


**APPENDIX 1: DEVELOPMENT GUIDE PLAN**

|   |   |  |  |  |   |
|---|---|--|--|--|---|
| <p>Base data supplied by Landgate.<br/>Accuracy +/- 4m. Projection MGA Zone 50.</p> <p>Areas and dimensions shown are subject to final survey calculations. All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.</p> | <p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li><span style="border-bottom: 1px dashed black; width: 20px; display: inline-block;"></span> Subject Area</li> <li><span style="border: 1px dashed black; width: 10px; height: 10px; display: inline-block;"></span> Requires visually permeable fencing and habitable rooms overlooking POS</li> <li><span style="border: 1px solid black; border-radius: 50%; width: 10px; height: 10px; display: inline-block;"></span> Cell Number</li> </ul> | <ul style="list-style-type: none"> <li><span style="background-color: #FFD700; width: 15px; height: 10px; display: inline-block;"></span> Residential R20</li> <li><span style="background-color: #FFA500; width: 15px; height: 10px; display: inline-block;"></span> Residential R40 / Grouped Housing</li> <li><span style="background-color: #90EE90; width: 15px; height: 10px; display: inline-block;"></span> Transition Lots (R12.5)</li> <li><span style="background-color: #3CB371; width: 15px; height: 10px; display: inline-block;"></span> Public Open Space</li> </ul> | <p>DoP / DWK : CLIENT<br/>       1:2,000@A2 : SCALE<br/>       30 April 2012 : DATE<br/>       3394-4-001e.dgn : PLAN No<br/>       e : REVISION<br/>       T.C. : PLANNER<br/>       R.F. : DRAWN<br/>       N.T. : CHECKED</p> | <p>Property Description:<br/> <b>Lots 23 &amp; 22 Fitzroy Street &amp; Lots 3, 4 &amp; 6 Guildford Street, DERBY</b></p> | <div style="background-color: #003366; color: white; padding: 5px; text-align: center; font-weight: bold; font-size: 24px;">RPS</div> <p>RPS Environment and Planning Pty Ltd<br/>       ACN 108 680 977<br/>       ABN 45 108 680 977</p> <p>PO Box 465 Sublaco WA 6904<br/>       38 Station Street<br/>       Sublaco WA 6908</p> <p>T +61 8 9211 1111<br/>       F +61 8 9211 1122<br/>       W rpsgroup.com.au</p> |
|---|---|--|--|--|---|

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**APPENDIX 1: DEVELOPMENT GUIDE PLAN**

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 Accuracy ±1.4m Projection MGA Zone 50.  
 Areas and dimensions shown are subject to final survey calculations.  
 All cartways are shown for illustrative purposes only and are subject to detailed engineering design.

**LEGEND**

- Subject Area**
- Requires visually permeable fencing and habitable rooms overlooking PCS
- Cell Number
- Residential R20
- Residential P40 / Grouped Housing
- Transition Lots (R12.5)
- Public Open Space

DoP, DWK : CLIENT  
 1:2,000@A2 : SCALE  
 30 April 2012 : DATE  
 3384-4-021.e.dgn : PLAN NO  
 @ : REVISION  
 T.C. : PLANNER  
 AWN  
 ECKED

Property Description:  
**Lots 23 & 22 Fitzroy Street & Lots 3, 4 & 6 Guildford Street, DERBY**



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 F +61 8 9211 1122  
 W rpsgroup.com.au

**APPENDIX 2 – STORMWATER MANAGEMENT**



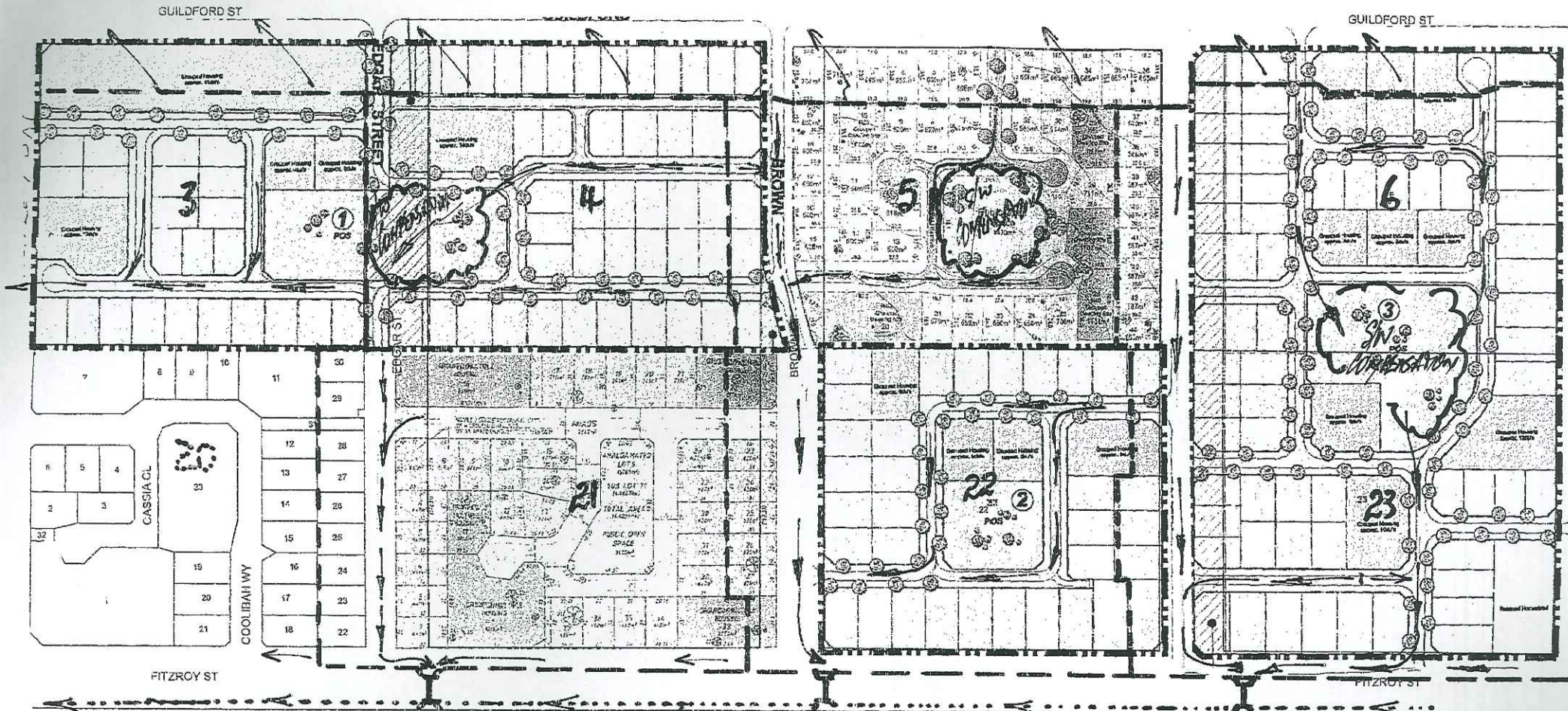
**From:** Rob Menzies [mailto:RobM@broomeair.com.au]  
**Sent:** Tuesday, 9 June 2009 12:45 PM  
**To:** Myers, Noel  
**Cc:** Pettingill, Kevin  
**Subject:** Derby - Fitzroy/Guildford Development Guide Plan

Noel,

Further to our discussion last week, I offer the following comment in regard to the treatment of stormwater run-off from the potential development of the lots bounded by Ashley, Fitzroy, Guildford and Herbert Streets in accordance with the DGP's produced by RPS Koltasz Smith (Lots 3,4,6,22 & 23) and Lankester Planning Services (Lots 5 & 21 and already completed Lot 20).

1. A stormwater drainage Concept Plan needs to be prepared to cover the entire DGPs area. The concept Plan would show an overall catchment with sub-catchments similar to the sketch plan attached.
2. Nearly all stormwater flows from the DGP area are directed to Fitzroy St with some flows to the Guilford St drain and some directly into the Ashley St drain (Lot 3).
3. Culverts will be required under Fitzroy St to convey flow into a main open drain to be constructed along the south side of Fitzroy St (partly constructed across Lot 20 frontage)
4. The depth of the Fitzroy St open drain will be governed by the size (height) of the culverts under Fitzroy St. Some preliminary design of this open drain would be advisable to ensure there is enough width within the road reserve and fall to the outfall west of Ashley St.
5. Public Open Space should be used for compensation/retention of stormwater flows to minimise the rate of flow off site and the size of downstream drainage infrastructure. A low flow pipe outlet will be required to ensure compensation/retention areas are free draining to prevent standing water and the potential for mosquito breeding.
6. Stormwater flows from the development of Lots 4,5, & 6 will discharge through Lots 21,22 & 23 (mainly along Edgar, Brown & Steel Streets). There is a real risk that stormwater flows along Edgar, Brown and (to a lesser extent) Steel Street will exceed the capacity of the road pavement (kerb to kerb) during storm events above a certain intensity.
7. The presence and effectiveness of stormwater compensation/retention within lots 4,5, & 6 will determine what is required to convey excess stormwater south down Edgar, Brown & Steel Streets.
8. The timing of development of each of the lots within the DGPs may require expenditure by one development for the benefit of another upstream development. These "prefunded" costs would need to be recovered by the initial developer. A mechanism for this to happen would need to be formulated.





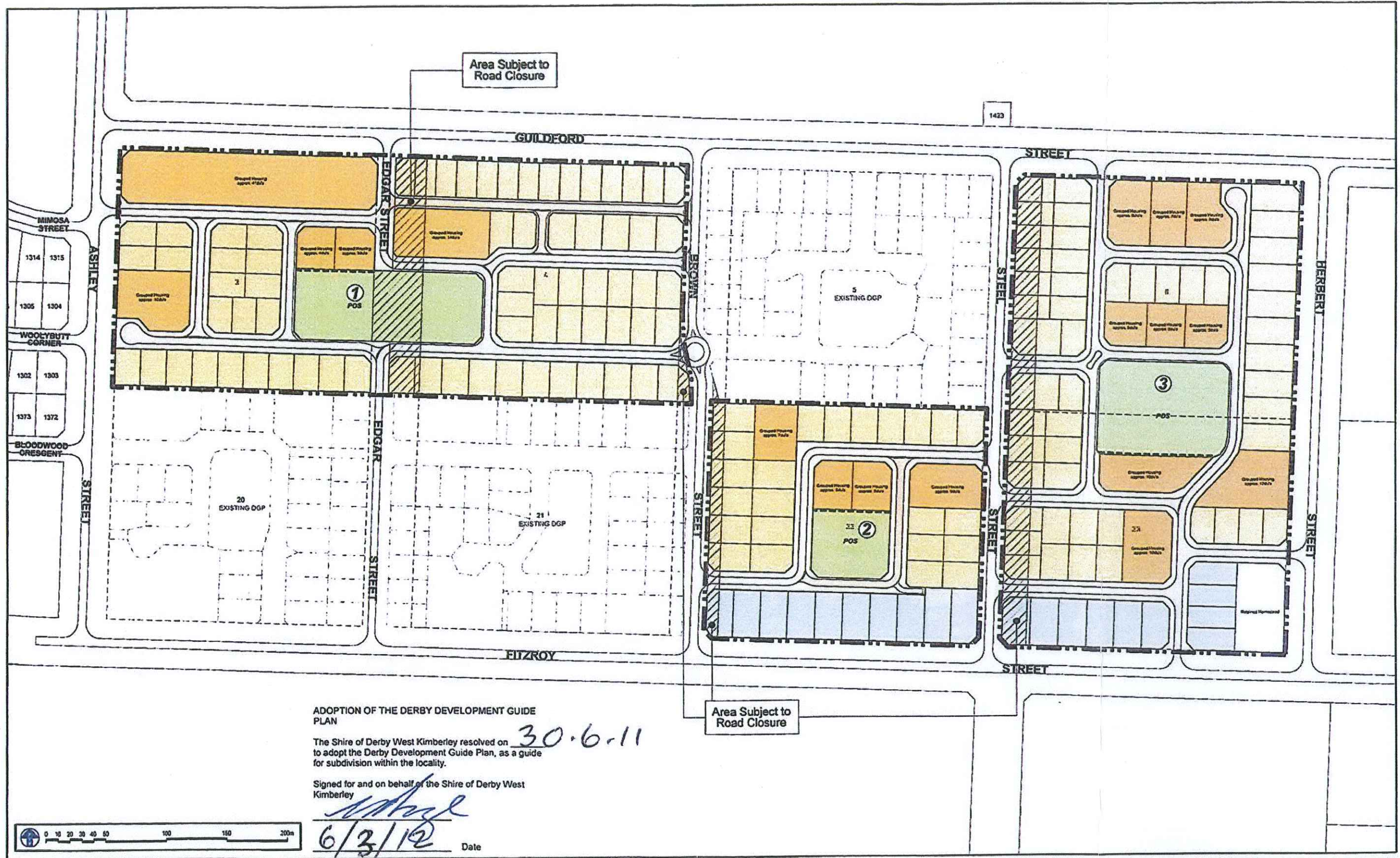
CHIMNEY No 1

CHIMNEY No 2  
MAIN OPEN DRAIN  
(DEPTA COMPANIES BY CHIMNEYS)

CHIMNEY No 3

PRELIMINARY DRAINAGE CONCEPT  
R. MENZIES & ASSOCIATES P/L



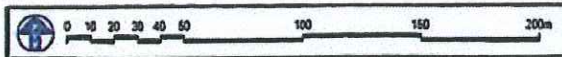


**ADOPTION OF THE DERBY DEVELOPMENT GUIDE PLAN**

The Shire of Derby West Kimberley resolved on 30.6.11 to adopt the Derby Development Guide Plan, as a guide for subdivision within the locality.

Signed for and on behalf of the Shire of Derby West Kimberley

*[Signature]*  
 Date 6/3/12



**LEGEND**

- Subject Area
- - - - - Requires visually permeable fencing and habitable rooms overlooking POS
- ② Cell Number
- Residential R20
- Residential R40/ Grouped Housing
- Transition Lots (R12.5)
- Public Open Space

**NOTES**

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 Projection MGA94  
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 18 February 2010 : DATE  
 3304-4-001c.dgn : PLAN No  
 T.D. : REVISION  
 R.F. : PLANNER  
 N.T. : DRAWN  
 : CHECKED

**Property Description:**

**Lots 23 & 22 Fitzroy Street & Lots 3, 4 & 6 Guildford Street, DERBY**

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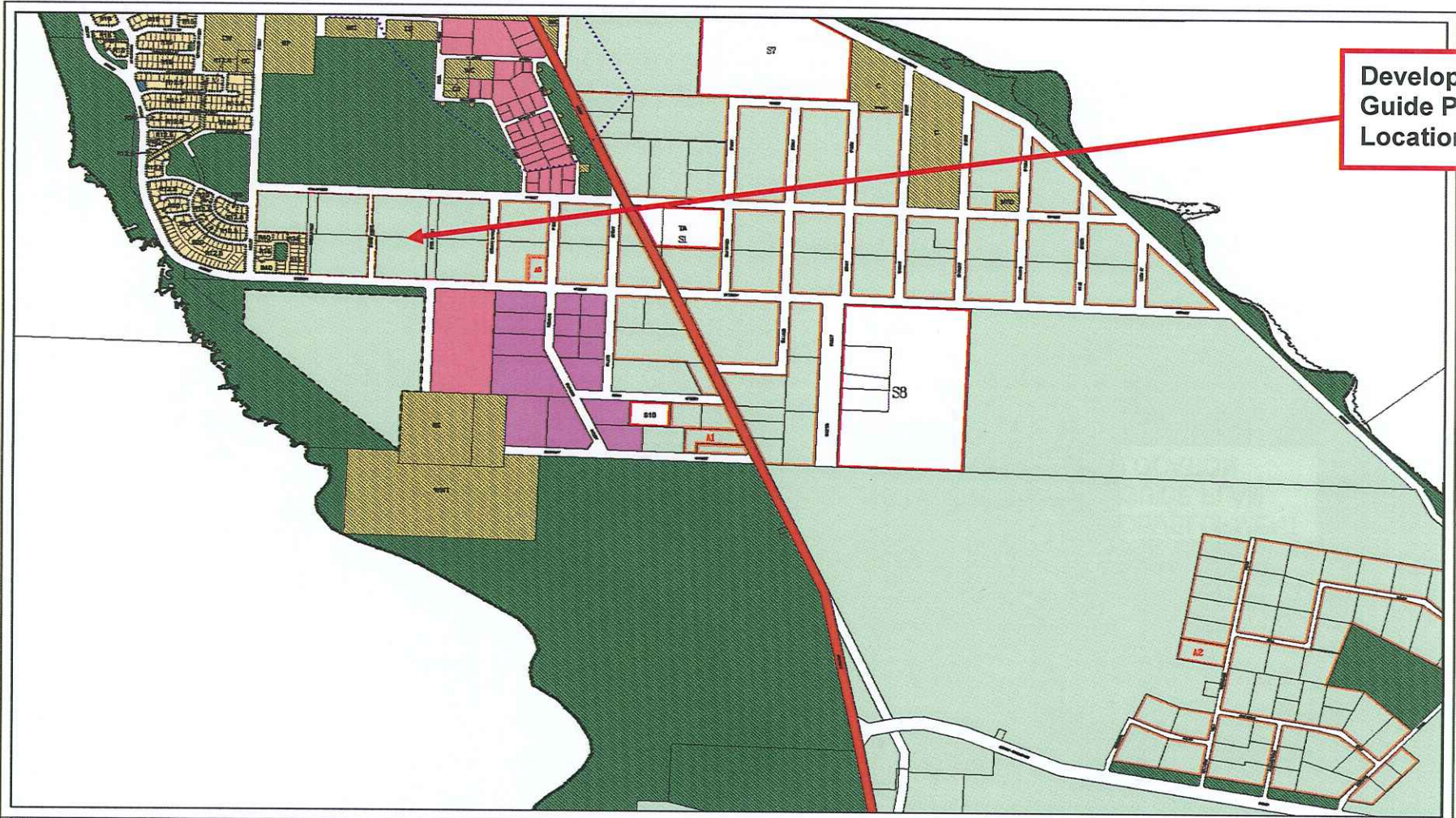
**RPS koltasz smith**  
 TOWN PLANNING PROJECT MANAGEMENT URBAN DESIGN DEVELOPMENT CONSULTING  
 141 Ruswood Road BURSWOOD WA 6100 Tel: (08) 9485 2222 Fax: (08) 9486 2333  
 PO Box 127 BURSWOOD WA 6100 Email: parth@rpsgroup.com.au

**APPENDIX 1: DEVELOPMENT GUIDE PLAN**

| Revision | Date       | Item                                    |
|----------|------------|---|
| a        | 18/02/2010 | Modify Brown Street and POS charges     |
| b        | 18/06/2009 | Custom O.M. extended & Roundabout added |
| c        | 17/04/2009 | Notations Added                         |
| d        | 29/03/2008 | Created                                 |



# ATTACHMENT 2- LOCATION & ZONING PLAN

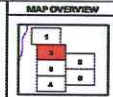


Development  
Guide Plan  
Location

For further mapping and detailed zone descriptions, refer to the Shire of Derby-West Kimberley Town Planning Scheme No. 5 (District Scheme) and the Shire of Derby-West Kimberley Development Guide Plan.

**SHIRE OF DERBY-WEST KIMBERLEY**  
**TOWN PLANNING SCHEME NO 5**  
**(DISTRICT SCHEME)**

  
**SCALE 1:15000**  
0 250 m

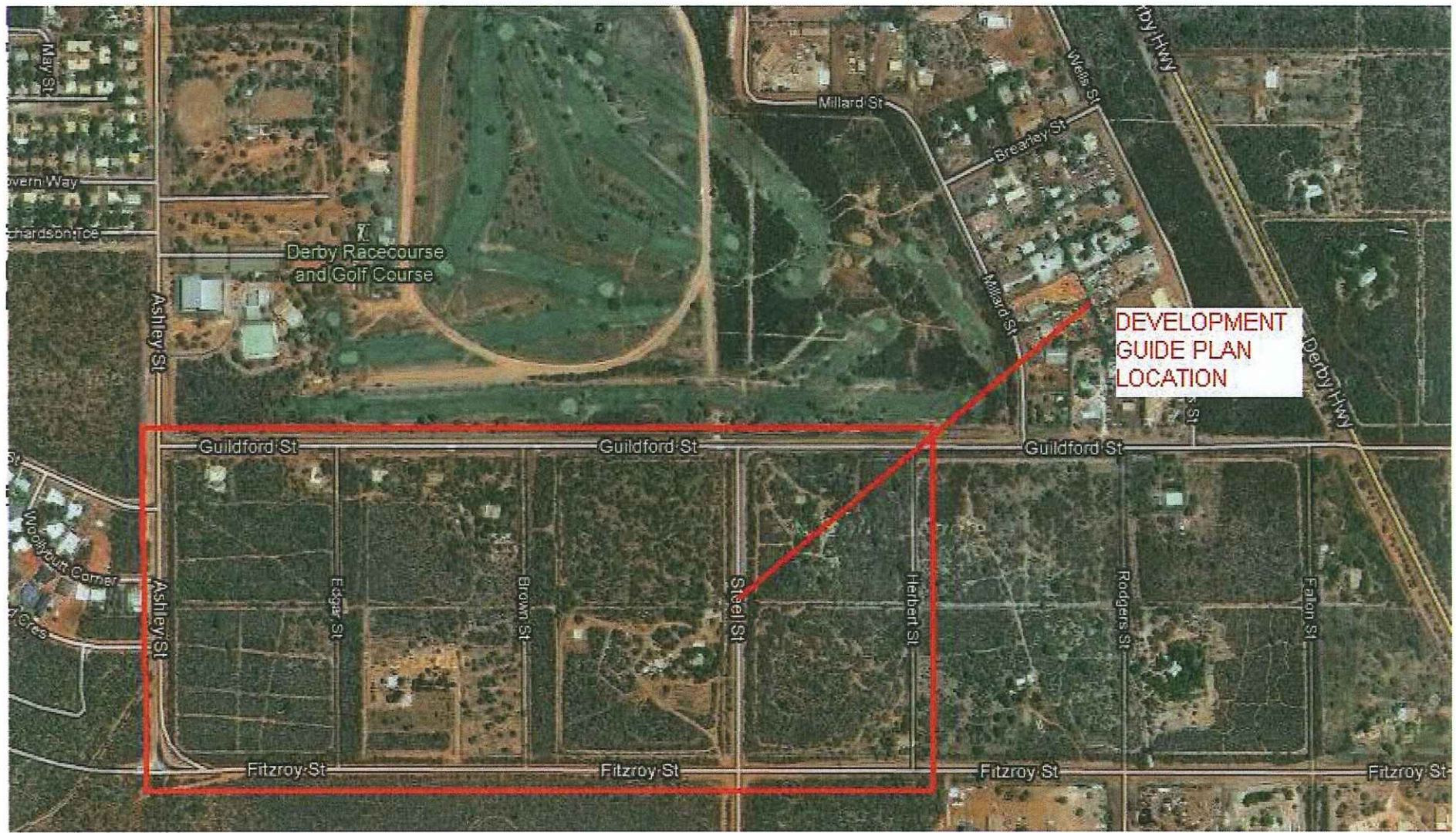


Authorised: Victor Chew  
Print date: 14 Sep 2011  
Gazetted: 25-September-2001

**TOWN PLANNING SCHEME MAP No. 2 of 6**



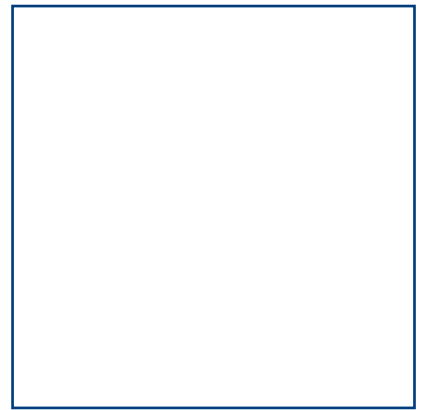
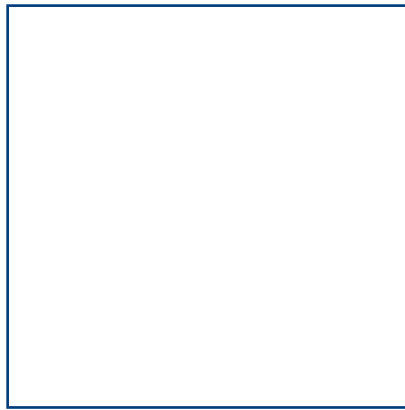
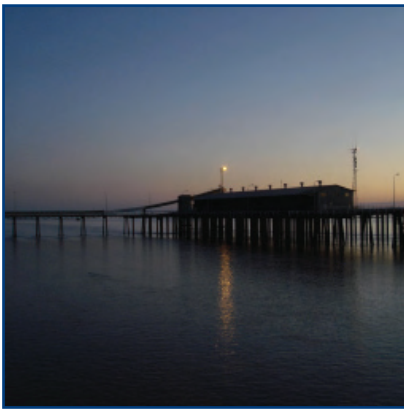
**ATTACHMENT 3- AERIAL PHOTOGRAPH**



# Derby Development Guide Plan

Lots 3, 4, & 6 Guildford Street & Lots 22 & 23 Fitzroy Street,  
Derby

April 2009





## TABLE OF CONTENTS

|       |  |    |
|-------|--|----|
| 1.    | INTRODUCTION .....   | 1  |
| 2.    | LAND TENURE AND LEGAL DESCRIPTION.....   | 2  |
| 3.    | REGIONAL AND LOCAL CONTEXT .....   | 3  |
| 3.1   | Regional Context.....  | 3  |
| 3.2   | Local Context.....   | 3  |
| 3.3   | Census Data Analysis .....   | 6  |
| 4.    | PLANNING AND ENVIRONMENT FRAMEWORK.....  | 7  |
| 4.1   | Shire of Derby West Kimberley Town Planning Scheme No. 5.....                  | 7  |
| 4.2   | Derby Regional Hotspots Land Supply update.....                                | 8  |
| 4.3   | State Planning Strategy .....  | 8  |
| 4.4   | State Planning Policy 2.9 – Water Resources .....                              | 8  |
| 4.5   | Liveable Neighbourhoods – October 2007 .....                                   | 8  |
| 4.6   | Western Australian Planning Commission Development Control Policy Manual ..... | 9  |
| 5.    | SITE ANALYSIS .....  | 10 |
| 5.1   | Environmental and Landform .....   | 10 |
| 5.1.1 | Climate .....  | 10 |
| 5.1.2 | Topography.....  | 10 |
| 5.1.3 | Vegetation and Soil .....  | 10 |
| 5.2   | Movement Network.....  | 11 |
| 5.3   | Service Infrastructure .....   | 11 |
| 5.4   | Opportunities and Constraints Analysis.....                                    | 12 |
| 6.    | CONSULTATION .....   | 16 |
| 6.1   | Mr and Mrs Higgins - Lot 22 Fitzroy Street .....                               | 16 |
| 6.2   | Ms Louella McDonald and Mr Don Dunbar - Lot 23 Fitzroy Street .....            | 16 |
| 6.3   | Ms Lillie Grace - Lot 3 and 4 Guildford Road.....                              | 16 |
| 6.4   | Mr Eugene Rose - Lot 6 Guildford Street.....                                   | 16 |
| 7.    | THE DEVELOPMENT GUIDE PLAN .....   | 18 |
| 7.1   | Design Philosophy.....   | 18 |
| 7.2   | Community Design .....   | 19 |
| 7.3   | Movement Network.....  | 19 |
| 7.4   | Lot Layout .....   | 20 |
| 7.5   | Public Parkland.....   | 21 |
| 7.6   | Urban Water Management .....   | 21 |
| 7.7   | Utilities.....   | 22 |
| 7.8   | Activity Centres and Employment.....   | 22 |

|           |                                       |           |
|-----------|---------------------------------------|-----------|
| 7.9       | Schools.....                          | 23        |
| <b>8.</b> | <b>IMPLEMENTATION .....</b>           | <b>24</b> |
| 8.1       | Development Guide Plan Adoption ..... | 24        |
| 8.2       | Town Planning Scheme No. 5.....       | 24        |
| 8.3       | Detailed Area Plans.....              | 24        |
| <b>9.</b> | <b>SUMMARY .....</b>                  | <b>25</b> |

**List of Figures**

|          |                                    |
|----------|------------------------------------|
| Figure 1 | Location Plan                      |
| Figure 2 | Aerial Photograph                  |
| Figure 3 | TPS No. 5 Zoning Plan              |
| Figure 4 | Opportunities and Constraints Plan |
| Figure 5 | Drainage Management                |

**List of Appendices**

|            |                        |
|------------|------------------------|
| Appendix I | Development Guide Plan |
|------------|------------------------|

**List of Plates**

|         |   |
|---------|---|
| Plate 1 | Lot 22 Fitzroy Street                           |
| Plate 2 | Lot 6 Guildford Road                            |
| Plate 3 | Lot 3 Guildford Road                            |
| Plate 4 | Culverts under crossover along Guildford Street |



## I. INTRODUCTION

This Development Guide Plan (DGP) has been prepared by RPS Koltasz Smith on behalf of the Department for Planning and Infrastructure (DPI) and the Shire of Derby West Kimberley (SDWK). The DGP has been prepared for Lots 3, 4 and 6 Guildford Road and Lots 22 and 23 Fitzroy Street, Derby (subject land) (see **Figure 1** for a **Location Plan** and **Figure 2 Aerial Photograph**), all these land parcels are under private ownership.

The plans are being prepared to provide a planning framework so as the Shire can address increasing regional pressure for the release of residential land. The preparation of the DGP draws on contemporary design philosophies and planning principles. This has been undertaken following consideration of market forces and demand, community demographics, changing legislation and policies and consultation with community stakeholders and local landowners.

Pressure for residential land has come from a number of economic drivers. One of the major projects proposed for the Town is the proposed Regional Prison, this was announced in April 2007, it will be constructed at an estimated cost of \$150 million. The location of a Regional Prison in Derby will bring significant economic benefits to the Shire in the form of increased local employment opportunities both in the construction and operation of the facility and a commensurate demand for dwellings to house both construction workers and employees of the facility, notwithstanding the multiplier effect on the Town's economy. The prison is expected to be operational by 2011.

The DGP's have been prepared having particular regard for other DGP's that have been progressed by individual landowners and have been designed to integrate with those plans. The finalisation of this DGP project will complement other recent land releases undertaken by the State Government and private landowners and will assist in ensuring that sufficient future landholdings have been made ready to meet future housing demand for housing in a timely and coordinated manner.



# LOCATION PLAN

LOTS 3,4 & 6 GUILDFORD ST  
& LOTS 22 & 23 FITZROY ST  
DERBY

## LEGEND

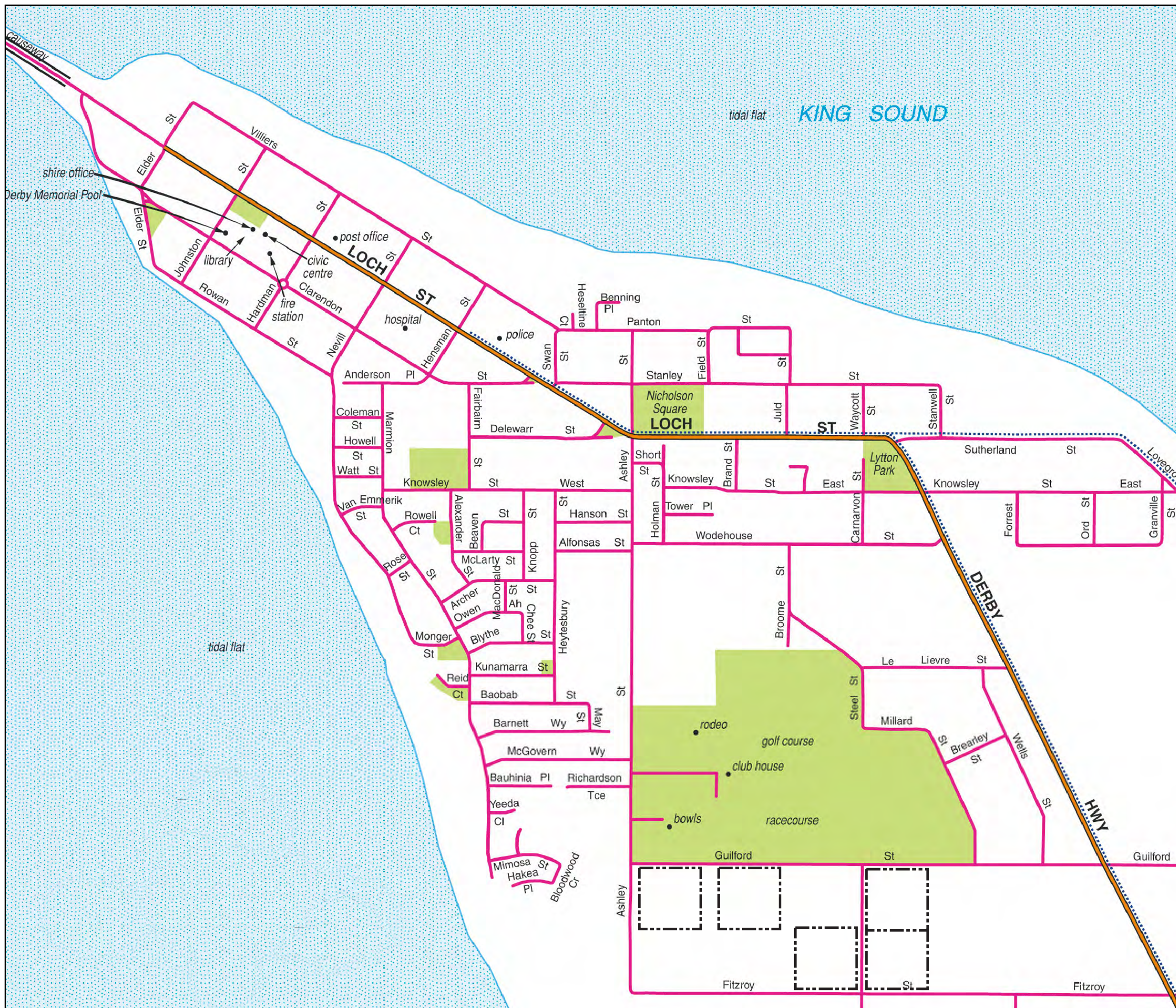
----- SUBJECTS LOTS



**FIGURE 1**

DPI : CLIENT  
 NTS@A3 : SCALE  
 20 AUGUST 2008 : DATE  
 3394-5-001 : PLAN No  
 - : REVISION  
 T.D : PLANNER  
 L.W : DRAWN

Base data supplied by WAPC  
 Aerial Photography dated January 2007,  
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# AERIAL PHOTOGRAPH

LOTS 3,4 & 6 GUILDFORD ST  
& LOTS 22 & 23 FITZROY ST  
DERBY

## LEGEND

 SUBJECT LOTS



**FIGURE 2**

DPI : CLIENT  
 NTS@A3 : SCALE  
 20 AUGUST 2008 : DATE  
 3394-5-002 : PLAN No  
 - : REVISION  
 T.D : PLANNER  
 L.W : DRAWN



**Shire of Derby /  
West Kimberley**

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 Aerial Photography dated January 2007,  
 accuracy +/- 4m, Projection MGA Zone 50  
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## 2. LAND TENURE AND LEGAL DESCRIPTION

The Derby DGP area comprises five (5) green title lots ranging in area from 4.0469 hectares to 4.0823 hectares. The total area of the Derby DGP area is just over 22 hectares. The ownership of the five (5) lots is registered to four (4) different entities.

Table I – Land Tenure and Legal Description

| Lot Address                   | Landowner  | Certificate of Title | Lot Area |
|-------------------------------|--|----------------------|----------|
| Lot 3 Guildford street, Derby | Neville Henry Evans and Lille Grace                              | 1997/676             | 4.057ha  |
| Lot 4 Guildford Street, Derby | Neville Henry Evans and Lille Grace                              | 1393/726             | 4.0469ha |
| Lot 6 Guildford Street, Derby | Eugene Francis Rose, leased to Mundulla (Aboriginal Corporation) | 1252/27              | 4.0669ha |
| Lot 22 Fitzroy Street, Derby  | Richard Shane Higgins and Katrina Mary Higgins                   | 2083/390             | 4.0823ha |
| Lot 23 Fitzroy Street, Derby  | Don Robert Dunbar and Louella McDonald                           | 1252/25              | 4.0668ha |



### **3. REGIONAL AND LOCAL CONTEXT**

#### **3.1 Regional Context**

The Shire of Derby/West Kimberley covers a vast area of 102,706 square kilometres and is located more than 2,000 kilometres north of Perth. The Shire consists of numerous Aboriginal communities and two main towns – Derby and Fitzroy Crossing. Derby is and will remain as the major centre of the Shire and the location of the Shire administration. Derby remains a supply point for an important part of the Kimberley's pastoral, mining, oil and tourism industries and is the western terminus of the scenic Gibb River Road. The port was previously used for sheep and cattle exports and until recently had operated as the export facility of zinc and lead from mines located near to Fitzroy Crossing. The Derby wharf also acts as a tourist node and is an area from which to fish, catch mud-crabs or view fluctuating tides and bird life.

#### **3.2 Local Context**

The land subject to this DGP consists of five (5) lots located adjacent to the south eastern urban front to the Derby Townsite and south of the existing golf course and recreation centre. The total area under investigation is approximately 21 hectares with each lot consisting of approximately 4 hectares. The subject land abuts light industrial areas to the south and south east and land directly east is zoned "Rural Residential".

The subject land is approximately 2.5 kilometres from the Derby Townsite and accessed via the Derby Highway and Ashley Street. The Highway also provides southwards access to the Airport and future Regional Prison, the Gibb River Road and Broome. The subject land is zoned for "Rural – Residential Development Area" whereby future development is guided by the formulation of Development Guide Plans and supported by rezoning to "Residential".

The subject land is largely undeveloped with remnant vegetation and existing dwellings and sheds, and short stay accommodation in the case of Lots 3 and 4, located on each site. The sites are relatively flat with a drainage swale located along the southern side of Guildford Road and northern side of Fitzroy Street, road reserves serve an important drainage function in Derby. The natural vegetation mainly consists of grass cover, Eucalypts and Boab Trees.

It should be noted that DGP and/or subdivision approvals have recently been received for Lots 20 and 21 Fitzroy Street and Lot 5 Guildford Road. All development works have been completed on Lot 21 and titles have been issued. The DGP's for Lots 21 Fitzroy Street and Lot 5 Guildford Street currently are awaiting endorsement from the WAPC.

The following photographs illustrate a snapshot of the subject land and its surrounds:

**Plate 1 – Lot 22 Fitzroy Street**



**Plate 2 - Lot 6 Guildford Road**





**Plate 3 - Lot 3 Guildford Road**



**Plate 4 – Culverts under crossover along Guildford Street**



### 3.3 Census Data Analysis

The following represents data from the 2006 Census and provides an indication of the population structure, as compared to Australian averages, and gives an insight into the unique characteristics of Derby:

- In the 2006 Census there were 3,093 persons usually resident in Derby: 50.1% were males and 49.9% were females. Of the total population in Derby 45.0% were Indigenous persons, compared with 2.3% Indigenous persons in Australia;
- In the 2006 Census 26.9% of the population usually resident in Derby were children aged between 0-14 years, and 15.4% were persons aged 55 years and over. The median age of persons in Derby was 31 years, compared with 37 years for persons in Australia;
- In the 2006 Census, there were 658 families in Derby: 43.3% were couple families with children, 35.0% were couple families without children, 20.1% were one parent families and 1.7% were other families;
- In the 2006 Census there were 1,199 occupied private dwellings counted in Derby (1,279 dwellings in total): 64.6% were separate houses, 17.3% were semi-detached, row or terrace houses, townhouses etc, 0.9% were flats, units or apartments and 17.1% were other dwellings;
- In Derby, the median weekly rent was \$100, compared to \$190 in Australia. The median monthly housing loan repayment was \$946, compared to \$1,300 in Australia. The average household size was 2.8 and the average number of persons per bedroom was 1.3;
- In the 2006 Census in Derby, 52.0% of occupied private dwellings were family households, 20.2% were lone person households and 2.3% were group households; and
- In Derby, of the occupied private dwellings being rented, 6.8% were rented from a real estate agent, 42.9% were rented from a State or Territory housing authority and 45.7% were rented from other landlord type. In comparison, in Australia 50.5% were rented from a real estate agent and 14.9% from a state or Territory housing authority.

The above figures indicate that Derby has a high occupancy rate (1,199 occupied dwellings out of a possible 1,279 equals a vacancy rate of only 6.3 percent) and in conjunction with the future demands on housing in the Town through the resources boom, future Regional Prison, additional housing required for Government Regional Officers (up to an additional 90 dwellings) and the subsequent multiplier effect, the current rates of vacancy will not adequately cater for the future population.

The likely types of housing demanded in the future will also be largely influenced by this future growth and the likely need for a diverse range in housing types to cater for families (including both couples with children and couples without children), single person households and group households is apparent. This is based on the differing types of pressures expected in the future, be it prison workers, Government Regional Officers or families relocating to Derby to take advantage of the resources boom. Demand for diversity in housing stock is also underpinned in the younger median age of the population, as compared to the national average (31 years versus 37 years). These themes are further explored in section 7.4 of this report.



## 4. PLANNING AND ENVIRONMENT FRAMEWORK

### 4.1 Shire of Derby West Kimberley Town Planning Scheme No. 5

The SDWK Town Planning Scheme No. 5 (TPS No. 5) was gazetted on 25 September 2001 and is the primary mechanism used to govern land use and development within the SDWK boundaries. The TPS No. 5 zones the subject land parcels "Rural" with a Special Control Area defined as "Residential Development Area" around the boundaries of all the subject land parcels. (refer to **Figure 3 – TPS No. 5 Zoning Plan**).

Prior to subdivision and development proceeding on land within the "Residential Development Area" Council requires the preparation and endorsement of a Development Guide Plan (DGP) for the land and rezoning of the land consistent with the proposed uses of the land under the endorsed Development Guide Plan. A Development Guide Plan required by Clause 5.2.2 of TPS No. 5 shall comprehensively address, but not be limited to, the following matters:

- “(a) the physical and environmental characteristics of the land;*
- (b) the proposed allocation of land use, subdivision, including lot sizes and residential codes as applicable;*
- (c) physical features the subdivision is intended to conserve and any areas to be set aside for public open space, pedestrian accessways, foreshore reserves and other reserves;*
- (d) the principal road and other transport systems;*
- (e) public utility and servicing arrangements, including connection to town sewer, water and power services, and groundwater protection;*
- (f) methods to be used to control and dispose of stormwater runoff;*
- (g) the allocation of Buffers and their treatment having regard for adjacent land;*
- (h) the provision of community services and facilities;*
- (i) staging of the development; and*
- (j) such other information as the Council may require.”*

Clause 5.2.5 of TPS No. 5 prescribes density limits for DGP areas. Clause 5.2.5 reads as follows:

#### *“5.2.5 Residential Lot Sizes*

*A Development Guide Plan for land in the Residential Development Area shall provide for a range of residential densities at the discretion of Council, and which shall not exceed a maximum density of Residential R40. The Development Guide Plan should include provision for single residential lots and grouped dwelling sites and/or multiple dwelling sites.”*



# TPS No.5

Lots 3, 4 & 6 Guildford Street  
& Lots 22 & 23 Fitzroy Street,  
DERBY

## LEGEND

 Subject land

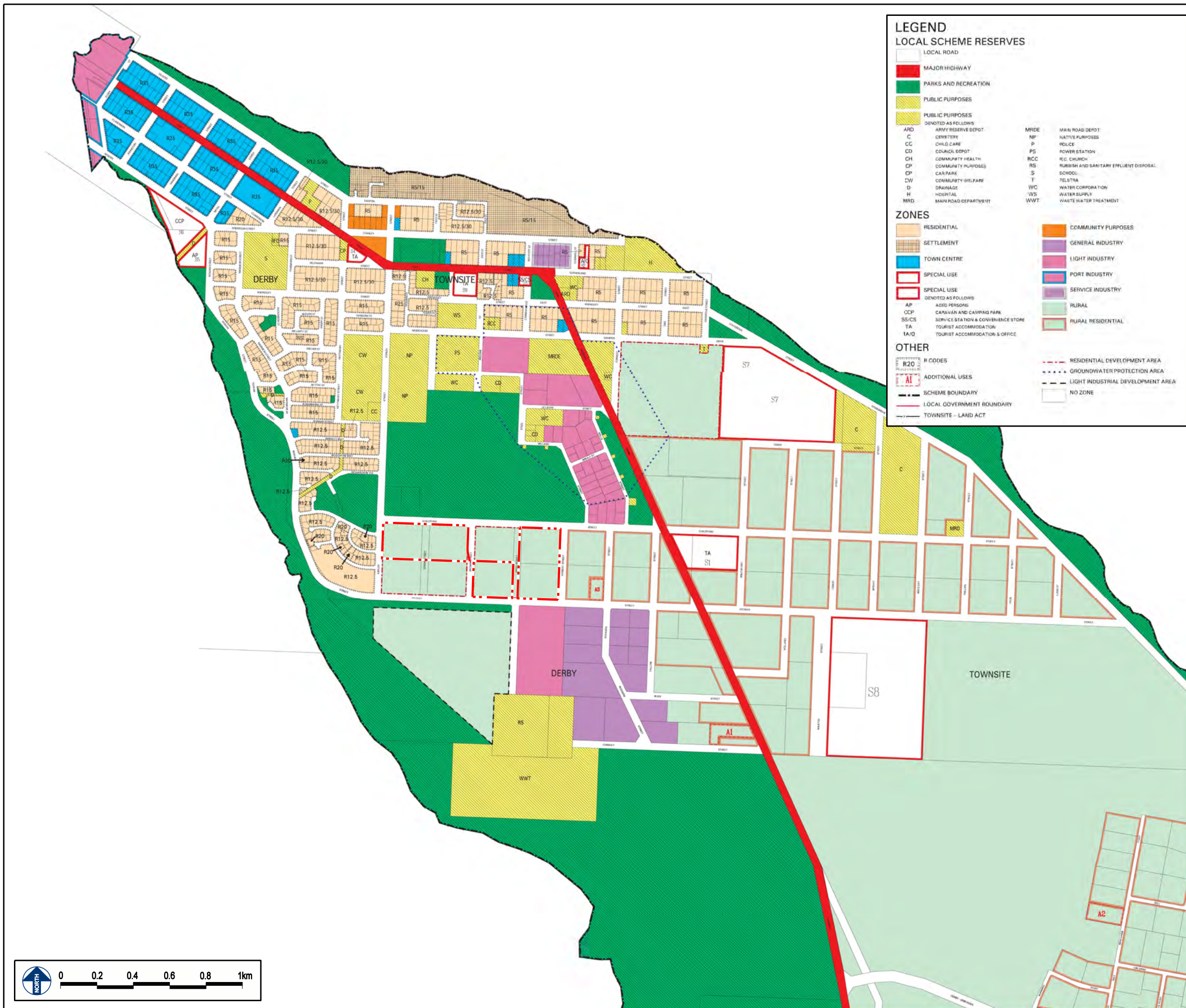
| LOCAL SCHEME RESERVES   |  |
|---|--|
|  | LOCAL ROAD                             |
|  | MAJOR HIGHWAY                          |
|  | PARKS AND RECREATION                   |
|  | PUBLIC PURPOSES                        |
| PUBLIC PURPOSES DENOTED AS FOLLOWS:   |  |
| ARD   | ARMY RESERVE DEPOT                     |
| C   | CEMETERY                               |
| CC  | CHILD CARE                             |
| CD  | COUNCIL DEPOT                          |
| CH  | COMMUNITY HEALTH                       |
| CP  | COMMUNITY PURPOSES                     |
| CP  | CAR PARK                               |
| CW  | COMMUNITY WELFARE                      |
| D   | DRAINAGE                               |
| H   | HOSPITAL                               |
| MRD   | MAIN ROAD DEPARTMENT                   |
| MRDE  | MAIN ROAD DEPOT                        |
| NP  | NATIVE PURPOSES                        |
| P   | POLICE                                 |
| PS  | POWER STATION                          |
| RCC   | R.C. CHURCH                            |
| RS  | RUBBISH AND SANITARY EFFLUENT DISPOSAL |
| S   | SCHOOL                                 |
| T   | TELSTRA                                |
| WC  | WATER CORPORATION                      |
| WS  | WATER SUPPLY                           |
| WWT   | WASTE WATER TREATMENT                  |

| ZONES   |                                     |   |                    |
|---|-------------------------------------|---|--------------------|
|  | RESIDENTIAL                         |  | COMMUNITY PURPOSES |
|  | SETTLEMENT                          |  | GENERAL INDUSTRY   |
|  | TOWN CENTRE                         |  | LIGHT INDUSTRY     |
|  | SPECIAL USE                         |  | PORT INDUSTRY      |
|  | SPECIAL USE                         |  | SERVICE INDUSTRY   |
| SPECIAL USE DENOTED AS FOLLOWS:   |                                     |  | RURAL              |
| AP  | AGED PERSONS                        |  | RURAL RESIDENTIAL  |
| CCP   | CARAVAN AND CAMPING PARK            |   |                    |
| SS/CS   | SERVICE STATION & CONVENIENCE STORE |   |                    |
| TA  | TOURIST ACCOMMODATION               |   |                    |
| TA/O  | TOURIST ACCOMMODATION & OFFICE      |   |                    |

| OTHER   |                           |   |                                   |
|---|---------------------------|---|-----------------------------------|
|  | R CODES                   |  | RESIDENTIAL DEVELOPMENT AREA      |
|  | ADDITIONAL USES           |  | GROUNDWATER PROTECTION AREA       |
|  | SCHEME BOUNDARY           |  | LIGHT INDUSTRIAL DEVELOPMENT AREA |
|  | LOCAL GOVERNMENT BOUNDARY |  | NO ZONE                           |
|  | TOWNSITE - LAND ACT       |   |                                   |



**FIGURE 3**

DPI : CLIENT  
 1:2,000@A3 : SCALE  
 29 April 2009 : DATE  
 3394-5-003.dgn : PLAN No  
 - : REVISION  
 T.C : PLANNER  
 R.F : DRAWN

Base data supplied by WAPC

Projection MGA Zone 50

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

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## 4.2 Derby Regional Hotspots Land Supply update

The Derby Regional Hotspots Land Supply Update (DRH) provides a snapshot of land supply in Derby with the aim of addressing land and housing supply pressures as a result of the growth in the resources sector. As previously discussed one of the additional drivers of growth in Derby is the Regional Prison with an expected permanent workforce of 120 and expected to be finished between 2009 and 2011. Population in SDWK is expected to grow from 10,100 in 2007 to 14,000 by 2017. In addition to the projected growth rates, interim spikes in housing demand may also be anticipated to arise from the progression of other major infrastructure projects associated with the development of the Browse gas basin and other mining projects in the region.

The DRH document provides a schedule of potential land release projects areas and provides detail on the current status of land parcels and future issues and processes in facilitating development of land for residential purposes. Lots 3 and 4 Fitzroy Street are contained within project area DBY12 and Lot 6 Guildford Street and Lots 22 and 23 Fitzroy Street within project area DBY13.

## 4.3 State Planning Strategy

The State Planning Strategy provides a strategic guide for land use planning through to the year 2029 and aims to develop a land use planning system to help Western Australia achieve a number of key goals. Included in this is the regionalisation and decentralisation of urban and industrial development in Western Australia and the direction towards accelerating growth in regional areas driven by extensive natural resources available throughout the State, and the desirability of regional areas as places to live. The Strategy seeks to promote a logical and informed approach to the development of the state, balancing the multiple considerations this involves.

## 4.4 State Planning Policy 2.9 – Water Resources

The objectives of State Planning Policy 2.9 – Water Resources (SPP 2.9) are to:

1. *“protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values;*
2. *assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources; and*
3. *promote and assist in the management and sustainable use of water resources.”*

The SPP 2.9 addresses a number of water resource issues including those associated with wetlands, groundwater, drinking water and waterways and estuaries but the principles of water sensitive urban design are relevant to the Derby DGP area, especially in the context of the unique climatic conditions and therefore unique strategies in addressing stormwater flow and water sensitive urban design issues in the DGP area.

## 4.5 Liveable Neighbourhoods – October 2007

The WAPC’s Liveable Neighbourhoods Community Design Code 2007 is an operational policy and the WAPC’s preferred approach to the structure planning and subdivision of land. Liveable Neighbourhoods provides guidance on

a number of elements including the movement network, public parkland, lot layout and urban water management, based on the 'New Urbanist' school of planning and design. The DGP has been designed in accordance with the principles and objectives of the Code, and this is discussed in further detail in later sections of the report.

#### **4.6 Western Australian Planning Commission Development Control Policy Manual**

The WAPC's Development Control Policy Manual is an operational policy that guides statutory land use planning across the State. A number of the policies relate specifically to structure planning and the subdivision of land and are (generally) complementary to Liveable Neighbourhoods. The DGP has been designed in accordance with the principles and objectives of the policies and this is discussed in later sections of the report.



## 5. SITE ANALYSIS

### 5.1 Environmental and Landform

#### 5.1.1 Climate

The climate of Derby is characterised by a distinct wet season and dry season. The Kimberley is described as being subject to a tropical monsoon climate. The dry season is from May to October and the wet season November to April. The average temperature in summer is approximately 35 degrees Celsius and in winter 31 degrees Celsius. The wettest months are January and February with an average rainfall of approximately 193.5 millimetres.

Annual wind roses, constructed from wind speed and direction data collected at Derby Aero (the nearest Bureau of Meteorology station to the project area) at 9am and 3pm indicate that:

- In summer, in the morning, the winds in the area are predominately westerlies (over 20 per cent of the time), westerlies (15 per cent) or north westerlies (15 per cent); and
- In summer, in the afternoon, winds are predominately north westerly (45 percent);
- In winter, in the morning, the winds in the area are predominately easterlies (35 percent) or south westerlies (25 percent) and
- In winter, in the afternoon, the winds in the area are predominately north westerlies (45 percent) or northerlies (21 percent).

#### 5.1.2 Topography

In general the topography of all sites is flat, with slopes of no more than 2 to 3 percent. There are no wetlands mapped or present in the area and the stormwater runoff generally travels along roadside swales (Fitzroy and Guildford Streets) to the marsh in the south west. A detailed site feature survey to confirm site levels will be a prerequisite to future subdivision and development.

#### 5.1.3 Vegetation and Soil

The soil conditions on site are typical of the central Kimberley Plateau and consist mainly of pindan soils. The owners of Lot 6 Fitzroy Street noted that the eastern portion of the site consists of some clay soils. A detailed geotechnical report to confirm soil characteristics and the sites land capability for residential development will be a prerequisite to subdivision and development.

A number of Boab Trees exist on the subject land parcels. These trees are an important regional species and are protected under TPS No. 5. In this regard and due to the presence of other vegetation types, for example eucalypts and wattles as observed during the site inspection, a survey of vegetation on the subject land would be required prior

to formal subdivision and development and a tree retention plan be prepared to ensure that trees are not damaged during development phases.

## **5.2 Movement Network**

The existing road pattern consists of a traditional grid style pattern of roads where Ashley Street in the west and Guildford Street in the north are sealed and Fitzroy and Steel Street are unsealed. Edgar, Brown and Herbert Streets have not yet been constructed. Edgar, Brown, Steel and Herbert Streets are all shown as 40 metre road reserves and it has been recognised by the Council that this width is excessive and they could be reduced to 20 metres. In this regard procedures have been initiated under section 58 of the *Land Administration Act* to close portions of Edgar Street (20 metres of the eastern side adjacent to Lot 20) and Brown Street (20 metres of the eastern side adjacent to Lot 5).

Steel Street provides a connection to the rubbish tip and industrial area and as such there are opportunities to remove heavy traffic from it by giving up portions of the road reserve and redirecting traffic along Fitzroy Street. Guildford Street provides access to the recreation centre and southern section of the Derby Townsite from Derby Highway and Fitzroy Street provides connections to the industrial area to the south of the subject land.

There is no established pedestrian or cycle network, provision for pedestrian and bicycle access (footpaths and dual use paths) will be required throughout the site as part of any development, in accordance with current standards.

## **5.3 Service Infrastructure**

The Water Corporation will require that all residential lots be provided with a connection to its reticulated distribution system. It is anticipated that this will be achieved by extension from the existing network from Ashley Street or extended as the subdivisions on Lots 20 and 21 Fitzroy Street or Lot 5 Guildford Street are developed.

Extension of gravity sewerage connections to all sites will be required as a condition of development. Investigation undertaken for the DGP over Lot 5 Guildford Street and Lot 21 Fitzroy Street indicates that there is sufficient capacity to cater for increased demand from development of the subject land parcels. These will require prefunding at the cost of the developer of each site. It is noted that the Water Corporation have required Landcorp to make provision for the upgrade of the existing temporary sewer pumping station as a condition of their Bloodwood Crescent subdivision and that new pump station has been designed to accommodate flows from the future release of lots within the area of the DGP project.

Overhead power lines currently run along the southern side of Guildford Road and west side of Steel Street, Extension of necessary services (underground power and telecommunications) to the site will occur as pre-requisites to subdivision. Preliminary investigations have identified no inhibitions to this, with the exception of gas, for which no network currently exists which is the norm in regional locations.

With regard to stormwater it should be noted that the pindan spoils within Derby do not have sufficient infiltration capacity to cater for stormwater runoff, especially during the regular wet season storm events, and as such the design will need to reflect the unique climatic and geotechnical conditions of the Derby Townsite. There are currently large



open swales along all road reserves but primarily along the south side of Guildford and north side of Fitzroy Streets and stormwater runoff is directed to the marsh in the south west. One of the issues with the unique conditions of Derby is that there are not the same opportunities to combine drainage infiltration with public open space areas consistent with the integrated urban water management principles generally espoused by the WA Planning Commission and Department of Water. Rather, the impetus and imperative is to create stormwater disposal systems that can quickly disperse stormwater flows away from the town environment in order to prevent flooding and the ponding of water occurring. Apart from property protection issues, there are environmental health implications from vector borne diseases which demands that water be dispersed as expediently as practicable.

#### **5.4 Opportunities and Constraints Analysis**

A general overview of the planning framework underpinning the land, site analysis, as well as the regional and local context has been undertaken. It has resulted in the attached opportunities and constraints plan. The opportunities and constraints analysis and the issues are summarised below and illustrated on the attached **Figure 4 - Opportunities and Constraints Plan**.

##### Existing Adopted Development Guide Plan's

In assessing the opportunities and constraints of the subject land it is important to note that there are Council endorsed DGP's for Lots 20 and 21 Fitzroy Street and Lot 5 Guildford Road. These appear in **Appendix I** and are further referred to and addressed in the detail below.

##### Existing Vegetation

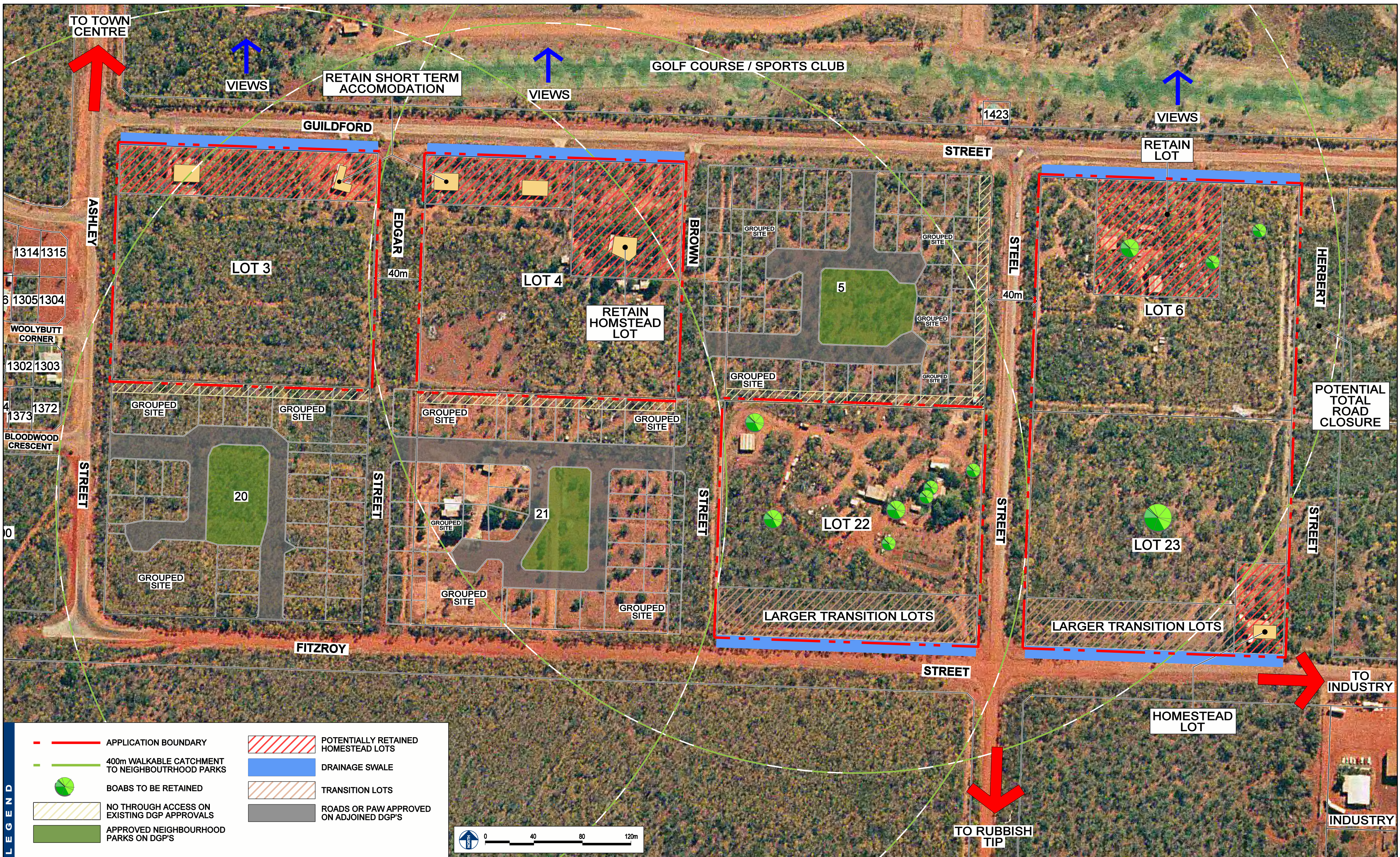
It is reiterated that a number of Boab Trees exist on the subject land. These trees are an important regional species and have been clearly identified on the Opportunities and Constraints Plan for retention within the sites. Further analysis to precisely map the location of all Boab Trees will be required prior to formal subdivision. Boab Trees are to be retained in accordance with clause 4.9.3 of TPS No. 5. Clause 4.9.3 states as follows:

- “4.9.3 To maintain and enhance the character of the Town of Derby, no person shall remove a Boab Tree from any land within the scheme area without the prior written consent of the Council. For the purpose of this Clause:*
- (a) the consent of Council shall not be unreasonably withheld and shall be issued where the tree is dead, dying or dangerous;*
  - (b) it shall be sufficient defence to show that a tree that has been removed was dead, dying or dangerous prior to its removal.”*

Clause 4.9.4 also requires that any other vegetation may require to be retained depending on environmental or landscape significance. In this regard and due to the presence of other vegetation types, for example eucalypts and wattles as observed during the site inspection. A survey of vegetation on the subject land would be required prior to formal subdivision and development. Clause 4.9.4 states as follows:

- “4.9.4 When considering an application for Planning Consent the Council shall determine whether any Boab tree or other vegetation on the subject site has landscape or environmental significance and should be retained and in granting consent to an application may:*





**FIGURE 4: OPPORTUNITIES AND CONSTRAINTS**

| Revision | Date       | Item |
|----------|------------|------|
| a        | xx/xx/200x | xxx  |

**NOTES**

Base data supplied by Landgate  
 Aerial Photography dated January 2006, accuracy +/- 4m, Projection MGA60

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DPI/SHIRE OF WEST KIMBERLY : CLIENT  
 1:2,000@A2/NTS@A3 : SCALE  
 15 April 2009 : DATE  
 3394-8-001.dgn : PLAN No  
 - : REVISION  
 T.D : PLANNER  
 R.F : DRAWN

Property Description:  
**LOTS 23 & 22 FITZROY STREET & LOTS 3,4 & 6 GUILDFORD ST DERBY**

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 141 Burswood Road BURSWOOD WA 6100 Tel. (08) 9486 2222 Fax. (08) 9486 2233  
 PO Box 127 BURSWOOD WA 6100 Email: perth@ksap.com.au



- (a) *impose a condition on the planning consent requiring the retention or relocation of the tree or trees;*
- (b) *request a modification of the proposal; and/or*
- (c) *permit a variation of the site development requirements to provide for retention of the tree or trees”*

Notwithstanding the above, the Council recognises that not all Boab trees are able to be retained in-situ and there maybe opportunities for some trees to be relocated into areas of POS or to other strategic locations within the future subdivisions. It is the usual practice of the Council to request the preparation of tree management/retention plans as conditions of subdivision approval.

#### Road Reserves

The existing road reserve widths of Edgar, Brown, Steel and Herbert Streets at 40 metres were generally acknowledged by the SDWK as being excess to requirements and as such up to 20 metres could be closed. This would take the form of either 10 metre on either side or 20 metres on one side. The opportunity to close Road Reserves would be affected by any existing services and areas of road closed by SDWK over the course of formulation of this DGP report.

It should be noted that approved DGP's for Lot 21 Fitzroy Street and Lot 5 Guildford Street have included an extra 20 metres of road reserve on the eastern boundary, in the case of the Guildford Street lot, the reserve tapers in as it reaches the southern boundary. The Council initiated and endorsed Road Reserve closures, under section 58 of the *Land Administration Act 1997*, at its Ordinary Meeting held on 28 August 2008.

The decrease in size of the road reserves provides opportunities to control traffic on these roads as heavy vehicles accessing the industrial areas to the south would be directed towards Ashley Street or Derby Highway and Fitzroy Street. A lesser road reserve width is also more attuned to an urban scale and reduces the maintenance burden on landowners and the Council and will assist in creating a better level of amenity for future residents.

During consultation it was noted that Herbert Street may be wholly closed and therefore opportunities to sell to adjoining owners may be possible. At this stage, and in light of the land east of Herbert Street being “Rural Residential” and required lot sizes being no less than 2 hectares in area Herbert Street could be considered superfluous to the Shire's requirements, this DGP however, does not intend to include this area at this stage.

#### Parks and Recreation Reserves

**Figure 4** illustrates a small number of proposed neighbourhood parks as shown on the approved DGP's for Lots 20 and 21 Fitzroy Street and Lot 5 Guildford Road with resultant walkable catchments of 400 metres to demonstrate the suitability of the Public Open Space (POS) locations for new development. There is some concern identified regarding connectivity between those previously prepared DGP areas for both pedestrians and vehicles which impacts on access to the proposed POS areas on Lots 20 and 21 Fitzroy Street and Lot 5 Guildford Road. Connectivity issues are further detailed below and will be addressed in accordance with the philosophy to increase internal connectivity between all of the lots within the Land Release Area.

The SDWK has identified the need to provide for high quality consolidated neighbourhood parks. This may mean up to 8 percent could be provided with developer contributions making up the remaining 2 percent for betterment of the

POS. The opportunity created by this is to provide for a range of site responsive POS areas which have clear sightlines from residential dwellings which are safe and conveniently located for the local community. There is also an opportunity to consolidate the POS for Lots 3 and 4 and close a portion of Edgar Street, this would create better access to a larger more usable area of POS.

#### Connectivity

There are three proposed DGP's recently approved by the Shire, as referred to above. Analysis of these approvals has been undertaken to examine the potential linkages and any constraints for proposals for the land parcels under investigation as part of the DGP process for the subject land. The opportunities and constraints plan shows that all approved DGP's have lots fronting or backing onto Lots 3 and 4 and 6 Guildford Road and Lot 22 Fitzroy Street with any potential for through access being non-existent.

This presents connectivity issues for the land subject to this DGP and the lots with approved DGP's. It is proposed to best management this through efficient lot layout and access to POS and other amenities. It is recognised however, that the pedestrian movements between the various cells is likely to be of an incidental nature only and the travel distances are still well within acceptable ranges.

#### Proximity to Industry

The sites proximity to land zoned both 'Light Industry' and 'General Industry' under TPS No. 5 indicates a requirement to sensitively manage the sites interface with these industrial areas. This provides opportunities to provide for larger transition lots, which facilitates the provision of diverse lot sizes to cater for a diverse population, along the southern boundaries to Lots 22 and 23 Fitzroy Street. It also provides opportunities to provide for home based businesses within the transition lots.

#### Golf Course

In addition to providing an important overarching community role, the multiple use recreation area to the north of the subject land provides for increased visual amenity and vistas for those portions of the subject land fronting Guildford Road. This is in addition to ensuring the proposed DGP areas are well serviced by local recreational facilities.

#### Existing Landowners and Retention of Homestead Lots

Given the fragmented ownership of the sites, there are a number of differing expectations by the landowners with respect to their involvement in the process and the likely outcomes for them. In light of this the DGP's will be designed so that lots may be retained as homesteads or short term accommodation in the short to medium term with potential development of these lots in the long term at the discretion of individual landowners. Provision for this to occur without undermining the robustness of the plan and is necessary to allow for staged development and to limit impact on existing and remaining residents.



### Servicing

All residential lots will need to be provided with a connection to the Water Corp distribution system as well as extensions made to ensure gravity sewerage connections to all sites. These would be conditions of formal subdivision approval issued for the land and at the cost of individual developers. It is understood all services, including power (which is required to be provided underground) are available and able to be extended to accommodate the development of the land parcel. In this regard it is understood the sewerage system has capacity to cater for development of the subject land parcels and the water main may need upgrading to cope with the increased demand. This increase in capacity may be undertaken ahead of development of the subject land parcels as other developments on Lots 20 and 21 Fitzroy Street are progressed.

### Drainage

As outlined in section 5, both Guildford Street and Fitzroy Street include open drainage swales that impact on the accessibility to crossovers for each site. This is especially prevalent on Guildford Street where crossovers are to be limited and where possible access to be provided from the south, in fact all access is to be limited over the drainage swales. The benefits of limiting access over the swales will also minimise potential for drains to block with silt etcetera in large rainfall events and therefore the swales and drainage network can be efficiently and cost effectively maintained.

The drainage requirements will require clarification by engineers at formal subdivision stage and any drainage will need to be effectively managed (through the provision of an Urban Water Management Plans, refer to section 5.3 above). A survey plan will also be required to detail site levels. Drainage flow will generally be within road reserves and directed to the marsh in the south west. It should be noted that due to the overall volume of stormwater flows in Derby, the increase in hard services resulting from urban development on the subject land parcels and the subsequent infiltration capacity of the soils it is not feasible to combine drainage functions within POS areas. All stormwater flows emanating from lots east of Edgar Street will need to be moved hydraulically to the southern side of Fitzroy Street so as to avoid overloading the existing drain that bisects Ashley Street, near the intersection of Fitzroy Street.

## **6. CONSULTATION**

A site visit and ground truthing exercise was accompanied by discussions with the various land owners to determine their desires and expectations for the future development of their land. This was undertaken on the morning of 3 June 2008. These discussions were facilitated by Officers from SDWK. All owners were met at this time except for Mr Eugene Rose, owner of Lot 6 Guildford Road.

A meeting was held with Mr Rose at the offices of RPS Koltasz Smith on 18 June 2008. The DGP process was explained to Mr Rose and his expectations and views on future development of his land were discussed at this time. The following is a summary of the discussions and consultation with the landowners subject to this DGP.

### **6.1 Mr and Mrs Higgins - Lot 22 Fitzroy Street**

Mr and Mrs Higgins currently reside on their premises and run an existing earthmoving business from the property. They were amenable to development of their land for urban purposes with a decision yet to be made as to whether they would sell to a developer or develop themselves. They have had a previous offer for the purchase of their land on the basis that it could be developed with 30 residential lots.

### **6.2 Ms Louella McDonald and Mr Don Dunbar - Lot 23 Fitzroy Street**

Ms MacDonald and Mr Dunbar have sold a portion of their property to a developer with a 3,000m<sup>2</sup> area in the south east corner being retained as a homestead lot. They plan on living on the retained lot and also own "Rural Residential" zoned lots in the east and have noted that if the Herbert Street Reserve could be closed, they would be interested in looking to purchase it. The purchaser of the balance portion of Lot 23 is expecting to yield 34 residential lots from any development on the land.

### **6.3 Ms Lillie Grace - Lot 3 and 4 Guildford Road**

Ms Grace was not receptive to development of her land for purely residential purposes and suggested the best design would be for a retirement village or up market short stay accommodation. Ms Grace said she would like to see these land use types developed but would not embark on these herself and is unlikely to sell to a developer at this stage. In light of this the DGP will be designed to accommodate residential development on the southern portions of Ms Grace's land with potential future stages over the northern section being able to be tied in later.

### **6.4 Mr Eugene Rose - Lot 6 Guildford Street**

Mr Rose is the caretaker of his family's ownership of the land and he stressed that he would need to consult with his family before any viewpoints were confirmed regarding future development of their land parcel. Lot 6 Guildford Road was originally bought to house the entire family but is currently vacant with a number of buildings in the central northern portion that Mr Rose would potentially like retained.



Mr Rose suggested that the family would be amendable to development of the land for urban purposes and was unsure if they would undertake it themselves or sell to a developer. In any development scenario it is likely that they would like to retain lots to house the family, this was notionally discussed as being up to 10 lots being required for the family. As with Ms Grace's land parcel it is possible we design around the existing development with a staged development over the retained area at a later time. Mr Rose also detailed the clay type nature of soil in the east of his property. It should be noted that geotechnical reporting will be required to be undertaken to determine soil characteristics over the entire DGP area prior to development of the land for residential purposes.

## 7. THE DEVELOPMENT GUIDE PLAN

### 7.1 Design Philosophy

The design of the Derby Development Guide Plans has sought to follow New Urbanist principles of walkability and sustainability, whilst being sympathetic to the unique characteristics of Derby (refer **Appendix I – Development Guide Plan**). Key elements of this approach have included the consolidation of open space, the increase in residential densities in proximity to the areas of open space and the modified grid road network. In essence the proposed DGP facilitates a small urban infill development to provide for the Towns' inner expansion to cater for the growth in demand for residential land.

The proposed Derby DGP is based on a Traditional Neighbourhood Design (TND) philosophy. The principle of this design philosophy is a walkable layout to minimise car use and create a stronger sense of community. The vision for Derby DGP is to focus this around the POS areas while providing good access to surrounding facilities.

The design also responds to the changing household structure within Derby and the resultant need for diverse housing stock to cater for the range of household types. The diversity in housing stock will also assist in addressing issues of housing affordability and supply in the Derby region to cater for future demand.

The Derby DGP design will protect and enhance the existing natural environmental features that currently exist whilst minimising the impact on adjacent land uses and resources. This is demonstrated by the following:

- The DGP promotes efficient use of land by increasing densities around public open space;
- The DGP will establish a variety of lot sizes giving residents a range of housing options thereby providing for a diverse population and creating a greater sense of community;
- Existing Boab trees have been utilised in open space or road reserves to ensure their retention and this also adds to the amenity of the DGP area and the unique characteristics of Derby; and
- The residential area of the DGP has been designed to maximise passive solar opportunities as well as internal and external view lines. It is also intended that detailed site design of dwellings be encouraged to give due consideration of solar access and local breezes. Some of this could be addressed in design guidelines, to be included in applications for the subdivision of lots.

The following section of the report outlines the appropriateness of the DGP design with specific reference to the Western Australian Planning Commission's Liveable Neighbourhoods (LN) Policy, which is to be followed in the design and approval of urban development throughout Western Australia. The design elements include:

- Community design;
- Movement network;
- Lot layout;



- Public parkland;
- Urban water management;
- Utilities;
- Activity centres and employment; and
- Schools.

## **7.2 Community Design**

The design of the DGP will contribute to a highly interconnected urban structure. The proposed street network provides a high level of internal connectivity and good external linkages for local vehicle, pedestrian and bike movements. A range of densities from R20 to R40 are proposed in the DGP, which will provide for a range of housing types and community needs, in accordance with the requirements of Liveable Neighbourhoods.

## **7.3 Movement Network**

The DGP has been designed using a modified grid road layout of local streets. Guildford and Fitzroy Streets act as the existing district distributors, linking the area subject to the DGP to other areas of the Derby Townsite and major arterial routes.

The roads proposed in the DGP have been designed in accordance with Table 4 of the WAPC's Liveable Neighbourhoods policy (LN), with a 15 metre road reserve width. In addressing the objectives of Element 2 of LN, the local roads (access streets) proposed by the DGP discourage traffic travelling long distances from passing through the future residential area to provide acceptable levels of safety and convenience for all street users, while ensuring acceptable levels of amenity. Where roads abut public open space areas, the road reserve width has been reduced to 12 metres. Under LN, verge widths on access streets abutting parks can be reduced from 4.1m to 1m on the park side, as the location of the open space on one side of the road maintains the open aspect of the reduced road reserve.

An existing drainage swale along Guildford Street constrains vehicular access to the proposed single residential lots situated in the northern portion of the DGP area. A ten (10) metre wide laneway has therefore been proposed to provide vehicular access to the rear of these proposed residential lots. The width of the laneway exceeds the minimum prescribed under LN, and is designed with a mid-lane link as recommended by LN, given its overall length (approx. 240m).

A roundabout is proposed on Brown Street between the Council approved DGP on Lot 5 Guildford Street and proposed access road on this proposed DGP for Lot 4 Guildford Street. It is proposed that the first to develop these lots will prefund the cost of the roundabout, this will be included as part of a conditional subdivision approval.

The exact location of the pedestrian pathways is not identified in the DGP, however the intent to provide pathways at the subdivision stage is acknowledged. The pedestrian paths will be provided within the subdivision in association with the road reserves and/or open space areas.

## 7.4 Lot Layout

The single residential lots proposed by the DGP range in size from 481m<sup>2</sup> to 2,640m<sup>2</sup>, providing a variety of lot sizes to meet the projected requirements of the expected future demographic profile. Street blocks have been designed in accordance with the requirements of LN to facilitate an urban structure that is pedestrian friendly.

The grouped housing lots proposed by the DGP have been located either close to neighbourhood connectors or adjacent to public open space areas. The grouped housing lots will assist in the provision of housing diversity and delivering a housing product to suit people with different needs.

As required by LN, all lots proposed by the DGP have been designed with a rectangular shape to enable efficient siting and construction of a dwelling. The frontages proposed exceed the minimum prescribed by the Residential Design Codes in order to accommodate a range of housing designs, increase access to cross-breezes and to provide additional space to accommodate a boat, caravan or trailer; which are common items for households in this region. Lots with rear lane access will be subject to a Detailed Area Plan, which will be prepared at the time of subdivision. The lot layout provides for all lots having either a north-south or east-west orientation, maximising opportunities for solar efficient housing design.

The table below provides an outline of the lot yield and estimate dwelling numbers proposed by the DGP:

**Table 2 – Lot Yield and Dwelling Numbers**

| DGP AREA  | LOTS       | DWELLINGS  |
|---|------------|------------|
| <b>CELL 1 [LOTS 3 &amp; 4]</b>                          |            |            |
| - Single Residential Lots (R20)                         | 70         | 70         |
| - Grouped Dwelling Lots (R40)                           | 5          | 76         |
| <i>Sub-Total</i>  | 75         | 146        |
| <b>CELL 2 [LOT 22]</b>                                  |            |            |
| - Single Residential Lots (R20)                         | 23         | 23         |
| - Grouped Dwelling Lots (R40)                           | 4          | 25         |
| - Transition Lots (R12.5)                               | 10         | 10         |
| <i>Sub-Total</i>  | 37         | 58         |
| <b>CELL 3 [LOTS 6 &amp; 23]</b>                         |            |            |
| - Single Residential Lots (R20)                         | 47         | 47         |
| - Grouped Dwelling Lots (R40)                           | 8          | 80         |
| - Transition Lots (R12.5)                               | 10         | 10         |
| - Retained Homestead                                    | 1          | 1          |
| <i>Sub-Total</i>  | 66         | 138        |
| <b>TOTAL</b>  | <b>178</b> | <b>342</b> |
| <b>TOTAL DWELLINGS PER HECTARE</b>                      |            |            |
| <b>CELL 1 (8.9088 ha) = 16.38 dwellings per hectare</b> |            |            |
| <b>CELL 2 (4.0704 ha) = 14.25 dwellings per hectare</b> |            |            |
| <b>CELL 3 (8.9088 ha) = 15.49 dwellings per hectare</b> |            |            |



**NOTES:**

- I. Estimated Dwelling numbers have been calculated based on R40 minimum average site area requirement of 220m<sup>2</sup>

**7.5 Public Parkland**

Three (3) public open space areas have been proposed by the DGP, all of which are located centrally to maximise walkability to and from the proposed residential areas. The public open space areas have primarily been designed to be bound by residential streets to enhance passive surveillance. The grouped housing sites abutting public open space will also be designed to overlook these areas. The plan has been notated to ensure areas are designed with visually permeable fencing and habitable rooms overlooking the POS to ensure passive surveillance. In addition to their recreational function, the POS areas serve to break the urban development and assist in promoting the penetration of breezes into the subdivision to assist in enhancing the amenity of the areas.

There are two larger public open space areas (9,023m<sup>2</sup> and 6,645m<sup>2</sup>) and a smaller public open space area (3,556m<sup>2</sup>). Overall this represents approximately 9.46% of the gross subdivisible area, with developer contributions in the form of cash-in-lieu payments under section 153 of the *Planning and Development Act 2005* to make up the remaining balance, this which is to be used for the betterment and improvement of the public open space. **Table 3** below details POS provision for the entire DGP area.

**Table 3 – Gross Subdivisible Area and POS Provision**

|   |                   |
|---|-------------------|
| <b>Total Area</b>   | <b>20.3199 ha</b> |
| Less Deductions   | Nil               |
| Net Developable Area  | 20.3199 ha        |
| POS required at 10% (maximum 2% restricted POS)   | 2.03199 ha        |
| POS/Drainage Provided   | 1.9224 ha         |
| Percentage of POS/Drainage Provided (cash-in-lieu to be paid for betterment and improvements) | 9.46%             |
| Estimated Lot Yield   | 178               |
| Estimated Dwelling Yield  | 342               |

**7.6 Urban Water Management**

An objective of LN with regard to urban water management is to integrate appropriate water management measures in an efficient urban structure and range of parkland types. The orientation of the roads and the overall layout of the DGP is designed to assist with drainage flow. LN requires public open space to be designed to incorporate urban

water management measures to promote the detention and retention of run-off through the use of swales, depressions, contour banks, or other suitable measures without compromising the principal function of the public open space. The areas of public open space will assist in reducing the flow of drainage across the site subdivision; however it is not proposed to be directly part of the drainage system for the area. The drainage flow for the site will be accommodated within the road reserve of the subdivision, which is the typical method within the Derby and Kimberley area (refer **Figure 5 - Drainage Management**).

Therefore, and due to the unique climate and significant volume of water in yearly storm events the layout has been designed with the primary objective of flood control through rapid dissipation. The management of stormwater has therefore followed a more traditional focus of conveyance of flows to the south western marshes through the road reserve with adoption of some retention of water in the public open space. The above method will ensure that stormwater is appropriately managed in an efficient and sustainable manner and one that can be effectively maintained into the future.

### **7.7 Utilities**

All residential lots will need to be provided with a connection to the Water Corp distribution system as well as extensions made to ensure gravity sewerage connections to all sites. These would be conditions of formal subdivision approval issued for the land and at the cost of individual developers. It is understood all services, with the exception of gas, are available and able to be extended to accommodate the development of the land parcel. The street layout enables the efficient provision of utility services to the future residential lots, while the street verges will be of a sufficient width to contain all of the anticipated services.

### **7.8 Activity Centres and Employment**

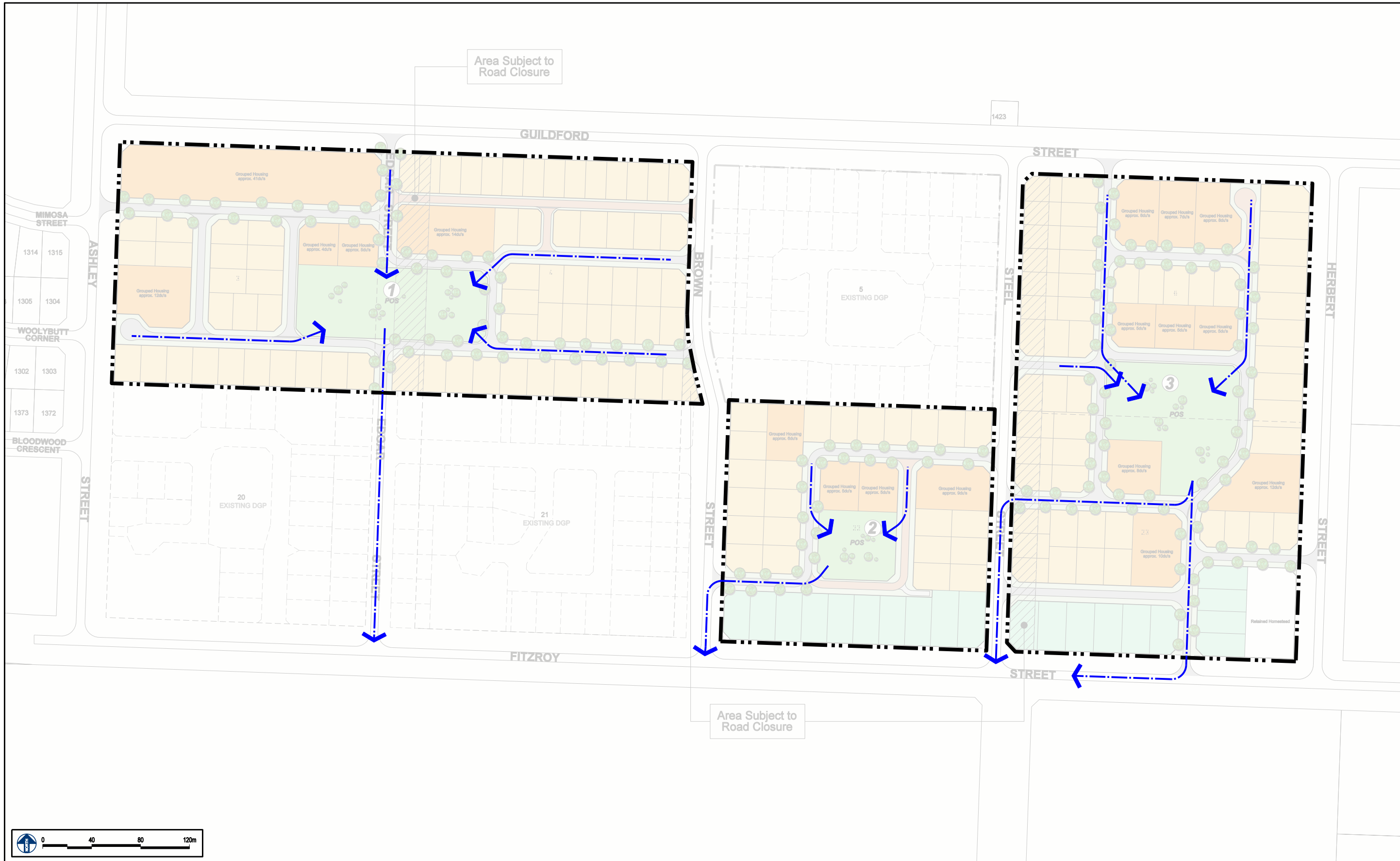
The proposed DGP is residential in nature with the Derby Town Centre being the primary retail and commercial area servicing the Town and the subject land. The proposed DGP has been prepared to allow for Derby's expansion to cater for the construction and operation of the new Regional Prison as well as future demands generated by other drivers as they may arise. The prison will bring significant economic benefits to the Shire in the form of increased local employment opportunities both in the construction and operation of the facility and thus the DGP area is adequately serviced by new employment opportunities to cater for the future residents.

In addition to the above, and given some of the larger lots proposed within the DGP, there may be opportunities for home-based businesses to establish in this area. LN requires a minimum of five per cent of all residential lots to be identified for home-based businesses, which equates to a total of nine (9) lots within the area of the DGP being suitable for home-based business. It is considered that the transition lots, given their location, frontage and size, would be suitable sites for service trades operators (e.g. plumbers, landscape gardeners, etc), for example. Individual development applications would be required to be lodged with SDWK for approval under TPS No. 5 prior to operation.



## **7.9 Schools**

The proposed DGP does not generate a requirement for a new school site. An existing primary school is located approximately 800 metres to the north of the subject land.



**FIGURE 5: DRAINAGE MANAGEMENT**

**LEGEND**  
 ■ ■ ■ Subject Area  
 → Run Off Direction

**NOTES**  
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 Projection MGA60  
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|                         |          |
|-------------------------|----------|
| DPI/Shire of Derby :    | CLIENT   |
| 1:2,000@A2/1:3,000@A3 : | SCALE    |
| 17 April 2009 :         | DATE     |
| 3394-5-004.dgn :        | PLAN No  |
| - :                     | REVISION |
| T.D :                   | PLANNER  |
| R.F :                   | DRAWN    |

Property Description:  
 Lots 23 & 22 Fitzroy Street & Lots 3, 4 & 6 Guildford Street,  
 DERBY  
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## **8. IMPLEMENTATION**

### **8.1 Development Guide Plan Adoption**

The Development Guide Plan has been prepared for ultimate adoption by the WAPC and the SDWK under its Town Planning Scheme. It is anticipated that this plan form the basis for the submission of a subdivision application as required.

In accordance with Clause 5.2.6 of TPS No. 5, following receipt of a Development Guide Plan that the Council considers adequately addresses the orderly and proper planning of the land, the Council shall require the Plan to be advertised in a local newspaper for a period not less than 21 days and invite comments from the public and affected authorities on the plan. Once the Council has resolved to adopt a Development Guide Plan, it shall as soon as practicable, send to the Western Australian Planning Commission a copy of the development plan, details of any conditions, and a précis of submissions received and request the Commission to endorse the plan.

### **8.2 Town Planning Scheme No. 5**

Following endorsement of the Development Guide Plan, an amendment to Town Planning Scheme No. 5 will need to be initiated by the SDWK Council to rezone the land consistent with the proposed uses of the land under the endorsed Development Guide Plan. It is envisaged that the land will be rezoned from “Rural” to a mixture of “Residential” with a corresponding residential density code, “Parks and Recreation Reserve” and “Road Reserve”.

### **8.3 Detailed Area Plans**

The Development Guide Plan provides for a range of land use interfaces and lot size allocations. It is intended that Detailed Area Plans be prepared to address such matters as the interaction with POS and the range of lot sizes proposed.

## **9. SUMMARY**

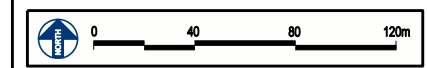
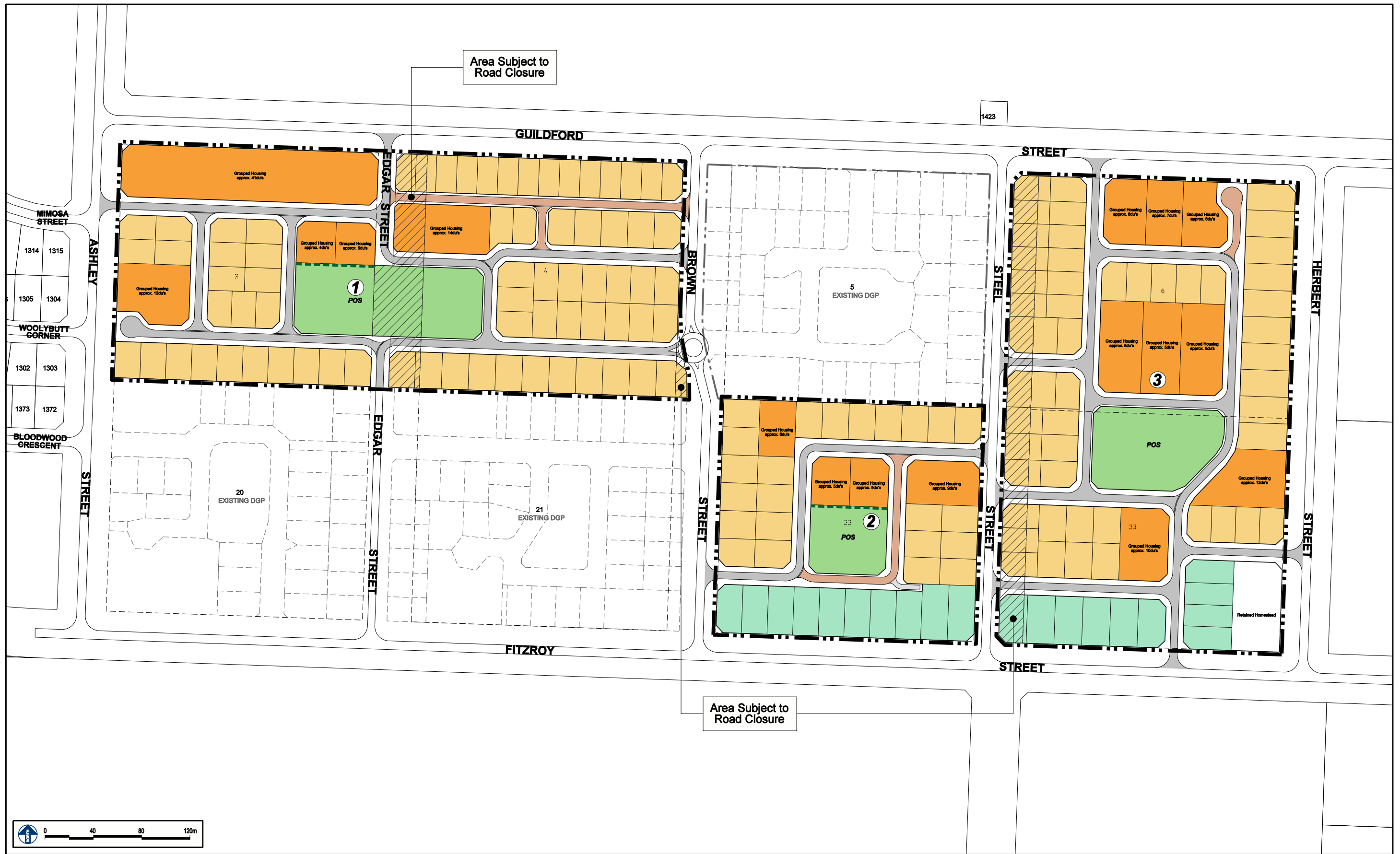
This Development Guide Plan has been prepared drawing on contemporary design philosophies and planning principles. The DGP will guide the subdivision and development of the subject area, which is within close proximity of the Town's community and recreation facilities, commercial and industrial services and employment centres. The development of this area for residential purposes recognises the existing designation of the landholdings as Residential Development Areas under TPS No.5 and is therefore consistent with the proper and orderly planning of the area.

The DGP is presented to the SDWK and Department for Planning and Infrastructure for adoption and endorsement. The SDWK, in accordance with the provisions of TPS No. 5, is requested to advertise and adopt this DGP before forwarding to the DPI and WAPC for their endorsement.

rp 3394 draft DGP with DPI changes 220509



## **APPENDIX I – DEVELOPMENT GUIDE PLAN**



| Revision | Date       | Item                                    |
|----------|------------|---|
| b        | 19/05/2009 | Eastern G.H extended & Roundabout added |
| a        | 17/04/2009 | Notation Added                          |
| -        | 29/03/2009 | Created                                 |

- LEGEND**
- Subject Area
  - - - Approved DGP
  - - - Requires visually permeable fencing and habitable rooms overlooking POS
  - ② Cell Number

- Residential R20
- Residential R40/ Grouped Housing
- Transition Lots (R12.5)
- Public Open Space

**NOTES**

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Projection MGA50

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22 May 2009 : DATE  
3394-4-001b.dgn : PLAN No  
b : REVISION  
T.D : PLANNER  
L.W : DRAWN

Property Description:  
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**APPENDIX 1: DEVELOPMENT GUIDE PLAN**