

STRUCTURE PLAN

LOT 8 (NO. 100) BUCKTHORN DRIVE, LOWER CHITTERING



OUR REF: 8255 23/08/2018

DOCUMENT CONTROL

Printed 23 August 2018 8255_18Aug02_R_JH.docx

VERSION	FILE NAME	PREPARED BY	APPROVED BY	DATE
1	8255_18Aug02_R_JH.docx	Jeremy Hofland	Jeremy Hofland	23/08/2018
2	8255_18Aug02_R_JH_final	Jeremy Hofland	Jeremy Hofland	11/09/2019
3	8255_19Aug02R_jh	Jeremy Hofland	Jeremy Hofland	19/09/2019

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This structure plan is prepared under the provisions of the Shire of Chittering Local Planning Scheme 6.

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

20 September 2019	Date		
Signed for and on behalf of the Western Australian Planning Commission:			
an officer of the Commission duly authorised by the Commission pursuant to section 16 of the Planning and Development Act 2005 for that purpose, in the presence of:			
TAUM Cox	Witness		
20 September 2019	Date		
20 September 2029	Date of Expiry		

■ TABLE OF AMENDMENTS

AMENDMENT NO.	SUMMARY OF THE AMENDMENT	AMENDMENT TYPE	DATE APPROVED BY WAPC

▲ TABLE OF DENSITY PLANS

DENSITY PLAN NO.	AREA OF DENSITY PLAN APPLICATION	DATE ENDORSED BY WAPC

■ EXECUTIVE SUMMARY

This Structure Plan ('SP') addresses the "Rural Residential" zoned property under the Shire of Chittering Town Planning Scheme No. 6 ('TPS6') at Lot 8 (No. 100) Buckthorn Drive, Lower Chittering (the 'subject site'). The purpose of this SP is to facilitate the subdivision and development of the subject site for rural residential purposes.

There is currently no existing SP affecting the subject site.



✓ STRUCTURE PLAN SUMMARY

ITEM	DATA	SECTION NUMBER REFERENCED IN PART 2 OF REPORT
Total area covered by the Structure Plan	39.9608 hectares	
Area of each land use proposed:		
Rural Residential Road Reserve	38.3579 hectares 1.6271 hectares (inclusive of road widening for Polinelli Road)	
Total estimated lot yield	11 lots	N/A
Estimated number of dwellings	11 dwellings	N/A
Estimated residential site density	N/A	N/A
Estimated population	33 people	N/A
Number of high schools	0 high schools	N/A
Number of primary schools	0 primary schools	N/A
Estimated commercial floor space	N/A	N/A
Estimated area and percentage of public open space given over to:		
Regional open spaceDistrict open spaceNeighbourhood parks	N/A	N/A
- Local parks		

Note: All information and areas are approximate only and are subject to survey and detailed design.



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- 1. REGIONAL LOCATION
- 2. LOCAL LOCATION
- 3. SITE PLAN AND AERIAL
- 4. TPS ZONING

▲ TECHNICAL APPENDICES

APPENDIX NUMBER	DOCUMENT TITLE	NATURE OF DOCUMENT	REFERRAL/APPROVAL AGENCY	APPROVAL STATUS AND MODIFICATIONS
1	Certificates of Title	Supporting	Landgate	
2	Spring Flora and Vegetation Survey prepared by Emerge Associates	Supporting	Department of Environment and Regulation and Department of Parks and Wildlife	
3	Fauna Assessment completed by Greg Harewood on behalf of Emerge Associates	Supporting	Department of Environment and Regulation and Department of Parks and Wildlife	
4	Local Water Management Strategy prepared by 360 Environmental	Supporting	Department of Water and Department of Environment and Regulation	
5	Bushfire Management Plan prepared by Strategen	Supporting	Department of Fire and Emergency Services	
6	Aboriginal Heritage Advice prepared by Heritage Advice Australia	Supporting	Department of Aboriginal Affairs	





STRUCTURE PLAN AREA

This SP applies to Lot 8 (No. 100) Buckthorn Drive, Lower Chittering (herein referred to as the 'subject site'), being the land contained within the inner edge of the line denoting the SP boundary on the SP map (Refer Plan 1 situated at the end of Part 1 of this Structure Plan report).

2. OPERATION

In accordance with Schedule 2, Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015 ('Regulations'), this Structure Plan shall come into operation when it is approved by the Western Australian Planning Commission ('WAPC') pursuant to Schedule 2, Part 4, Clause 22 of the Regulations.

3. STAGING

It is intended that the subdivision occur in two (2) stages, as detailed below:

Stage 1 Stage 2 (a) Creation of all remaining lots (Lots 6-(a) Creation of all lots fronting Polinelli Road (Lots 1-5); (b) Creation of a local access road (b) Creation of an emergency access way connected Navelina Drive and over the balance of land connecting Buckthorn Drive, to be constructed Navelina Drive and Buckthorn Drive, to and drained at the landowners cost, be provided as a public access and the land ceded free of cost and easement in gross, without any payment of accessibility to the public and fire compensation. services during an emergency; and (c) Widening Polinelli Road as required, with it constructed and drained at the full cost of the landowner, and the land ceded free of cost and without any payment of compensation by the Crown.

4. SUBDIVISION AND DEVELOPMENT REQUIREMENTS

4.1 LAND USE AND ZONES

The SP (Plan 1) outlines land use zones applicable to the SP area. Land use permissibility within the SP area shall be in accordance with the corresponding zone or reserve under TPS6.

4.2 SUBDIVISION

The indicative subdivision layout (Plan 2) outlines the manner in which the land should be subdivided. All future subdivision should generally accord with this layout.



4.3 PROTECTION OF ENVIRONMENTAL AND HERITAGE FEATURES

The SP has been designed in a way so that it gives consideration to the environmentally sensitive areas of the site.

No building or works, with exception to the establishment of asset protection zones as shown on the indicative plan of subdivision, is permitted in areas where 'excellent' or 'very good' vegetation exists, as shown on the indicative subdivision plan.

Under no circumstances are building or works to result in the clearing of habitat trees.

4.4 INTERFACE WITH ADJOINING LAND

Development of the site will have due regard to existing surrounding development, service infrastructure and road connections. The SP has been prepared to facilitate subdivision and development that is consistent with the locality.

5. LOCAL DEVELOPMENT PLANS

Local Development Plans are not required to facilitate future subdivision or development of the subject site.

6. OTHER REQUIREMENTS

6.1 INFRASTRUCTURE PROVISION

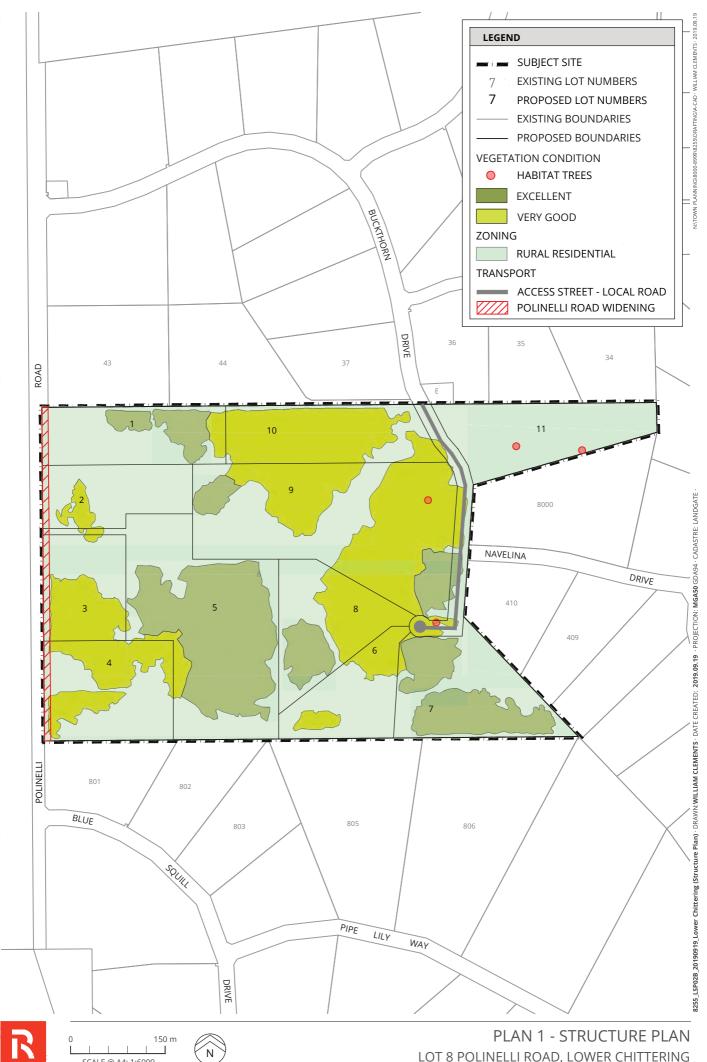
To facilitate the proposed subdivision and future development at the subject site a road connection between Buckthorn Drive and Navelina Drive will be provided as part of the Stage 2 works.

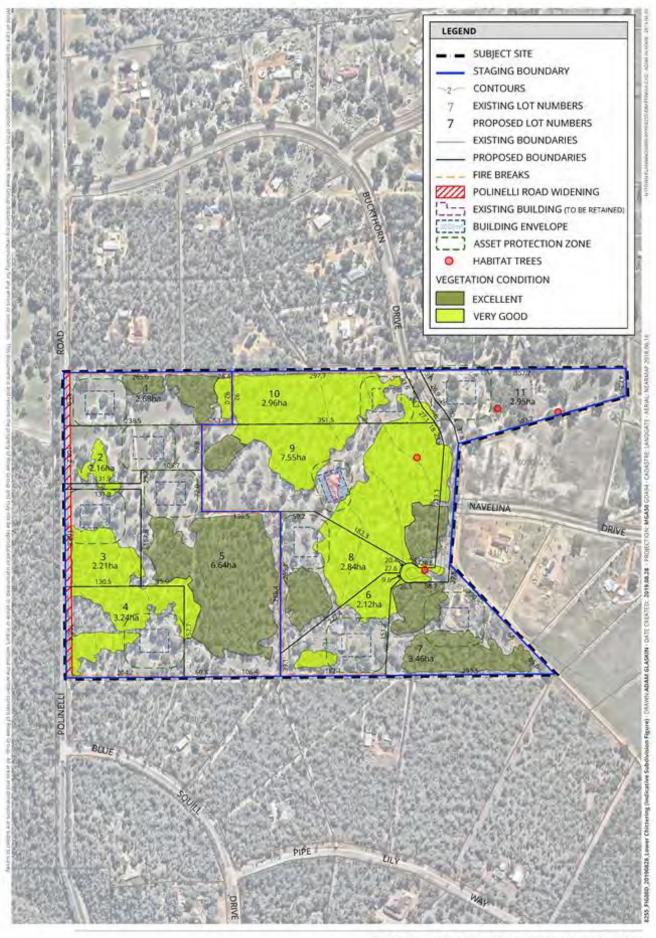
6.2 EMERGENCY ACCESS WAY

To provide for community access in the event of an emergency, an emergency access way shall be established to join Buckthorn Drive and Navelina Drive. The emergency access way will be provided in accordance with the acceptable solutions (A3.6) of the *Guidelines for Planning in Bushfire Prone Areas* of *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*.

6.3 DEVELOPMENT CONTRIBUTION ARRANGEMENTS

A Development Contribution Arrangement is not proposed for the subject site.







PLAN 2 - INDICATIVE SUBDIVISION PLAN LOT 8 POLINELLI ROAD, LOWER CHITTERING







PLANNING BACKGROUND

1.1 INTRODUCTION AND PURPOSE

The purpose of this SP is to facilitate the subdivision and development of the subject site for rural residential purposes. Scheme Amendment No. 58 to TPS6 was gazetted in November 2017 and rezoned the subject site to "Rural Residential".

The subject site adjoins existing "Rural Residential" zoned land to the north, south and east, and therefore the rezoning and subdivision of the subject site to enable future rural residential uses is consistent with the locality.

The structure plan will assist to provide further housing to service the Shire's forecast population as predicted by the WA Tomorrow 2016-2031 Population Report No. 11.

1.2 LAND DESCRIPTION

1.2.1 LOCATION

The SP area is located within the municipality of the Shire of Chittering (the 'Shire'). The subject site is situated approximately 30 kilometres south of the Bindoon townsite and approximately 10 kilometres west of the Muchea townsite.

The subject site is also located approximately 10 kilometres north of the Bullsbrook townsite which provides retail and commercial needs for residents within the locality.

The subject site is situated approximately 45 kilometres north-east of the Perth Central Area, and is bound by Polinelli Road to the west with rural residential properties to the north, south and east. Buckthorn Drive currently terminates at the northern boundary and Navelina Drive terminates at the eastern boundary. The aforementioned roads are all sealed, gazetted roads.

Refer Figure 1 – Regional Location & Figure 2 – Local Location.

1.2.2 AREA AND LAND USE

The SP area comprises approximately 39.98 hectares of land which is partially vegetated comprising a single dwelling located within the eastern portion of the property. A total of three (3) sheds are also located at the subject site approximately 200 metres south of the existing dwelling for the storage of machinery.

Refer Figure 3 – Site Plan.

1.2.3 LEGAL DESCRIPTION AND OWNERSHIP

The SP comprises one (1) land parcel which is legally described as follows:

▲ Lot 8 on Diagram 60138 Certificate of Title Volume 1708, Folio 536.

The subject site contains an easement (M113247) over portion of the lot. The easement is located adjacent to the northern lot boundary, near Buckthorn Drive. The easement gives the Electricity Networks Corporation the full right and liberty from time to time and at all times to enter in, upon, over and across portion of the SP area (the easement area).



Refer Appendix 1 - Certificates of Title.

1.3 PLANNING FRAMEWORK

1.3.1 ZONING AND RESERVATIONS

The subject site is not located within the Metropolitan Region Scheme ('MRS'), nor is it within any other region scheme. The subject site is not situated within a District Structure Plan area.

The subject site is currently zoned "Rural Residential" under the provisions of the Shire of Chittering Town Planning Scheme No. 6 (TPS6'). The zoning was introduced following the gazettal of Scheme Amendment No. 58 in November 2017, which also included specific provisions relating to the property within Schedule 12 of TPS6.

Clause 4.8 of TPS6 outlines the development provisions for various zones including the Rural Residential zone, with Clause 4.8.1 stating that subdivision and development of "Rural Residential" zoned land to be generally in accordance with a Structure Plan prepared and approved in accordance with Part 4 of the deemed provisions.

Schedule 12 of TPS6 also incorporates conditions which are designed to respond to the significant environmental features of the site. These conditions are reproduced below:

- 1. These conditions are to be read in conjunction with the Scheme requirements for the Rural Residential zone. Where conflicts exist, these conditions prevail.
- 2. The minimum lot size shall be 2 hectares.
- 3. The structure plan is to respond to the significant environmental features of the site and is to contain the following:
 - a) the provision of a lot layout that minimises impact on areas of remnant vegetation in excellent and very good condition;
 - b) the identification of building envelopes in locations that minimise the need for clearing of vegetation including for asset protection zones, access, firebreaks and fencing;
 - c) the identification of measures for the protection and retention of existing and potential Black Cockatoo habitat trees and priority flora species;
 - d) lot boundaries that do not dissect areas of remnant vegetation that are in excellent condition.
- 4. The structure plan is to provide for a road network that connects Buckthorn Drive and Navelina Drive.
- 5. The structure plan is to be supported by a Bushfire Management Plan prepared to the specifications and satisfaction of the local government and the Department of Fire and Emergency Services.

6. All lots are to be provided with a demonstrated sustainable fit-for-purpose water supply in accordance with Scheme requirements, including the provision of a 120,000L tank.

This Structure Plan satisfies the conditions noted above.

Refer Figure 4 -TPS Zoning.

1.3.2 REGIONAL AND SUB-REGIONAL STRUCTURE PLAN

As the SP area is not located within the MRS area the site is not subject to the provisions of the Sub-Regional Structure Plan or Directions 2031 and Beyond strategic documents.

1.3.3 SHIRE OF CHITTERING ECONOMIC DEVELOPMENT STRATEGY 2015-2025

The Shire of Chittering Economic Development Strategy 2015-2025 ('EDS 2015-2025') is intended to provide a ten-year strategy that outlines broad actions between the community, business and industry, Council and Governments in order to promote and enhance growth and development within the Shire.

The rezoning and subsequent Structure Plan will facilitate future growth of the locality in accordance with the Shire's EDS 2015-2025 targets.

1.3.4 POLICIES

Development within the SP area shall be in accordance with the following Shire of Chittering Local Planning Policies, except where otherwise varied by the SP, an approved Local Development Plan, or by the Shire of Chittering:

- ▲ Local Planning Policy No. 4 Rural Tourist Accommodation
- ▲ Local Planning Policy No. 6 Water Supply and Drainage
- ▲ Local Planning Policy No. 16 Roads and Drainage
- ▲ Local Planning Policy No. 18 Setbacks
- ▲ Local Planning Policy No. 21 Fire Management Plans
- Local Planning Policy No. 22 Fences
- ▲ Local Planning Policy No. 29 Sea Containers

2. SITE CONDITIONS AND CONSTRAINTS

2.1 BIODIVERSITY AND NATURAL AREA ASSETS

The subject site is partially vegetated with the Mogumber vegetation complex. The vegetation is classified as being open woodland of Corymbia calophylla with some mixture of Eucalyptus marginata, and a second storey of E. Todtiana, Banksia attenuata, B. menziesii and B. Ilicifolia on sandy gravels on the uplands in an arid and peri-arid zone.

A Spring Flora and Vegetation Survey was undertaken by Emerge Associates in December 2016 and states the following with respect to the existing vegetation at the subject site:

- ▲ Non-native vegetation is present over approximately 18.24 hectares of the site and native vegetation is present over approximately 21.72 hectares of the site;
- No threatened flora species were recorded at the site;
- Two (2) priority flora species were recorded at the site which included the Hibbertia glomerata subsp. ginginensis (P1) which was recorded in five locations, and the Verticordia serrata var. linearis (P3) which was recorded in two locations;
- ✓ It is considered unlikely that additional threatened and priority flora species are present at the subject site;
- ✓ The majority of the remnant native vegetation at the subject site is in 'excellent' and 'very good' condition;
- The remnant native vegetation was found to represent the FCT 20b: 'Eastern Banksia attenuata and/or Eucalyptus marginata woodlands' which is a threatened ecological community; and
- ✓ No other threatened or priority ecological communities occur at the subject site.

A Fauna Assessment was also completed at the subject site by Greg Harewood on behalf of Emerge Associates in December 2016, in relation to the existing fauna at the subject site. The Fauna Assessment states the following:

- ▲ A total of 28 native fauna species were observed at the subject site;
- Evidence of two (2) listed threatened black cockatoo species was observed. Several redtailed black cockatoo and foraging evidence was found, along with foraging evidence of Carnaby's black-cockatoo. Several ranbow-bee-eaters were also observed foraging the subject site;
- ✓ The majority of the existing trees at the subject site were observed as not containing hollows of any size, however four (4) trees were identified as comprising hollows large enough to allow for the entry of a black cockatoo into a suitably sized and orientated branch/trunk; and
- ▲ No existing roosting trees were positively identified during the survey.



Further to the above, there are no Bush Forever sites or wetlands mapped on or within proximity to the subject site.

Refer Appendix 2 – Spring Flora and Vegetation Survey and Appendix 3 – Fauna Assessment.

2.2 LANDFORM AND SOILS

The topography of the subject site generally flat to gently undulating. The elevation at the western and eastern boundaries is approximately 22 metres Australian Height Datum ('AHD') and increases to approximately 231 metres AHD at a central high point.

2.2.1 ACID SULPHATE SOILS

The Department of Environmental Regulation ('DER') Acid Sulphate Soil Risk Mapping does not identify the subject site as being at risk of comprising acid sulphate soils.

2.2.2 CONTAMINATION

The DER Contaminated Sites Database does not list the site as being a known or suspected contaminated site.

2.3 GROUNDWATER AND SURFACE WATER

The Perth Groundwater Atlas (2012) groundwater contours do not extend across the subject site, however groundwater contours located approximately one (1) kilometre to the east indicate that groundwater is located approximately 60m below the surface. As such, it is expected that groundwater would be located a similar distance below the surface.

A Local Water Management Strategy ('LWMS') was prepared by 360 Environmental in accordance with the relevant Department of Water documents and the Better Urban Water Management document. The LWMS addressed groundwater and surface water matters.

The LWMS concludes the following management strategies:

- ✓ Potable water for households will be supplied from rainwater. Future development is recommended to adhere to the waterwise guidelines;
- ✓ Frequent stormwater will be retained within rainwater tanks or infiltrated within the lots when the rainwater tanks are full. Runoff from roads will be treated via a proposed roadside swale;
- Based on the existing clearance to the groundwater, no groundwater management measures, subsoil drainage or lowering of groundwater is proposed;
- A treatment train approach to water quality is proposed to be adopted;
- ✓ The Urban Water Management Plan ('UWMP') will outline further stormwater management strategies incorporating and additional engineering, planning and landscaping requirements. The UWMP will be completed a subdivision stage for the subject site.

Refer Appendix 4 – Local Water Management Strategy.



2.4 BUSHFIRE HAZARD

The Department of Fire and Emergency Services ('DFES') mapping system identifies the subject site as being bushfire prone. A Bushfire Management Plan ('BMP') has been prepared by Strategen and included at Appendix 5 of this SP.

A summary of the findings outlined within the Bushfire Management Plan are as follows:

- ✓ The subject site is found to comprise areas with a bushfire hazard level of 'low', 'moderate' and 'extreme';
- ▲ All proposed lots are found to comprise a Bushfire Attack Level of BAL-29;
- ✓ Figure 4 identifies suitable building envelope locations in areas with a BAL-29 rating. A 20 metre, 21 metre or 27 metre wide Asset Protection Zone is recommended.

Refer Appendix 5 – Bushfire Management Plan.

2.5 HERITAGE

A search of the subject site using the Department of Aboriginal Affairs ('DAA') Aboriginal Heritage Inquiry System identified the western portion of the subject site as being an "Other Heritage Place", being the "Ellen Brook: Upper Swan" site with a Site ID number 3525.

Advice provided by Heritage Advice Australia state that the Aboriginal Cultural Material Committee met in November 2016 to discuss a reduction to the boundary of the "Other Heritage Place" site. As outlined on the DAA website the Aboriginal Cultural Material Committee is a committee established under the Aboriginal Heritage Act 1972 to:

- Evaluate on behalf of the community the importance of places and objects alleged to be associated with Aboriginal persons;
- ✓ Where appropriate, to record and preserve the traditional Aboriginal lore related to such places and objects;
- Recommend to the Minister for Aboriginal Affairs places and objects which, in the opinion of the Committee, are, or have been, of special significance to persons of Aboriginal descent and should be preserved, acquired and managed by the Minister;
- ▲ Advise the Minister on any question referred to the Committee, and generally on any matter related to the objects and purposes of the Act;
- ✓ Perform the functions allocated to the Committee by the Act; and
- Advise the Minister when requested to do so as to the apportionment and application of moneys available for the administration of the Act.

As a result of the Aboriginal Cultural Material Committee held in November 2016, Heritage Advice Australia noted that it was determined that the "Other Heritage Place" ID 3525 become a "Registered Aboriginal Site". The Aboriginal Cultural Material Committee also indicated that the boundary of the "Registered Aboriginal Site" be significantly reduced to only cover the bed and banks of the Ellenbrook River.



The subject site is located approximately 12 kilometres north-east of the banks of the Ellenbrook River and therefore is not affected by the "Registered Aboriginal Site".

The advice provided by Heritage Advice Australia is included at Appendix 6 of this SP.

3. LAND USE AND SUBDIVISION REQUIREMENTS

3.1 LAND USE

The SP sets out land use and vehicle access requirements for the subject site. The SP is proposed to facilitate rural residential development on lots ranging in area from approximately 2 hectares to 7 hectares.

Please also refer to Plan 1 – SP and Figure 4 – TPS Zoning.

3.2 MOVEMENT NETWORKS

3.2.1 EXISTING ROAD NETWORK

Polinelli Road

Polinelli Road is situated immediately adjacent to the subject site, along the western lot boundary. The subject site has a direct frontage of 529.43 metres to Polinelli Road.

Buckthorn Drive

Buckthorn Drive directly abuts a portion of the northern lot boundary of the subject site and provides an additional access route through to Polinelli Road.

Navelina Drive

Navelina Drive directly abuts a portion of the eastern lot boundary of the subject site and provides an alternate access to the site. Navelina Drive also provides linkages to Ellendale Drive and Morley Road.

Muchea East Road

Muchea East Road is located approximately 600 metres north of the subject site. Under the provisions of the TPS6 Muchea East Road is identified as a "Major Road" being a key arterial road within the region.

3.2.2 PROPOSED ROAD NETWORK

As illustrated within the LPS a road reserve is proposed to provide connection between Buckthorn Drive and Navelina Drive. A 100 metre long cul-de-sac is also proposed to provide vehicle access to proposed Lots 6, 7 and 8. Proposed Lots 1 – 4 will be provided with direct frontage to Polinelli Road, whilst Lot 5 will access this road via a battleaxe access leg along the southern boundary of the lot.

3.2.3 PUBLIC TRANSPORT

The subject site is not provided within any public transport linkages.

3.2.4 PEDESTRIAN AND CYCLE NETWORK

No pedestrian or bicycle facilities are available within proximity to the subject site.



3.3 WATER MANAGEMENT

The proposed lots will not be connected to reticulated water supply or wastewater disposal systems at the time of subdivision.

Each lot is to accommodate its own on-site water supply and effluent disposal system, with these systems to form part of any proposal for construction of a single dwelling by the subsequent purchasers of the lots and constructed as part of this process.

3.4 EDUCATION FACILITIES

The SP does not propose any primary, secondary or tertiary education facilities.

3.5 INFRASTRUCTURE COORDINATION, SERVICING AND STAGING

Provided below is a summary of the infrastructure and servicing proposed for the SP area.

3.5.1 WATER

The subject site is not connected to a main water supply, and the proposed lots will not be connected to reticulated water supply as part of the subdivision of the site.

As part of the development of a single dwelling on each of the proposed lots, any application for planning approval/building permit is to incorporate provision for an on-site water supply to service the property, for approval by the Shire of Chittering. Such provision is to consist of a water tank with a capacity of at least 120,000 litres to ensure that the lots comply with the Shire's Water Supply and Drainage Policy.

3.5.2 SEWER

The subject site is not within a reticulated sewerage scheme servicing the broader locality. It is not proposed to connect the proposed lots to a reticulated sewerage system, with effluent disposal associated with the proposed lots to be treated on site in a manner consistent with the provisions of the current and draft Government Sewerage Policy.

The proposed on-site effluent disposal systems will form part of any application for the development of each individual property, with the system being suitably designed to service the proposed development and subject to approval by the Shire of Chittering and other government agencies as required.

3.5.3 POWER

The subject site is currently provided with electricity via an existing pillar and transformer located within the north portion of the property. Low voltage overhead powerlines are also currently located adjacent to the western lot boundary, along Polinelli Road.

Further connection to the existing power network will be subject to the design and approval of Western Power.

3.5.4 GAS

The subject site is not connected to a main gas supply. Gas supply for the proposed lots will consist of the use of 45 kilogram or 90 kilogram gas bottles, to be sourced by residents of each of the proposed lots once developed.

3.5.5 TELECOMMUNICATIONS

The subject site is currently serviced with telecommunications infrastructure.

3.5.6 EARTHWORKS

It is not proposed to undertake any earthworks or clearing on the site, aside from works associated with the construction of roads and drainage.

Site works will need to ensure levels and road connections seamlessly connect to the surrounding network.

3.5.7 STAGING

It is intended that the subdivision occur in two (2) stages, the first stage will involve the creation of lots along Polinelli Road and the creation of an emergency access way between Buckthorn Drive and Navelina Drive. Once the first stage of lots have been created and sold, the second stage consisting of the balance of the structure plan area will be undertaken.

3.6 DEVELOPER CONTRIBUTION ARRANGEMENTS

No Developer Contribution Arrangements are proposed for the SP area.