



Lot 11 & part Lot 803 Chapman Hill Road, Bovell
Structure Plan Report

Prepared by Calibre Consulting (Aust)
For Brickland Holdings Pty Ltd

Version 3 March 2017

15214

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DOCUMENT CONTROL

Issue	Date	Issue Details	Author	Checked
Orig	13/1/16	Lodgement	KH	GB
1	17/02/16	For Submission	KH	GB
2	21/02/17	Amended as per City of Busselton requirements	KH	GB
3	07/03/17	Amended as per City of Busselton requirements	KH	GB

This structure plan is prepared under the provisions of the City of Busselton Local Planning Scheme No. 21.

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

13 March 2019

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: 13 March 2029

Table of Amendments

Amendment No.	Summary of the Amendment	Amendment Type	Date approved by the WAPC

EXECUTIVE SUMMARY

Calibre Consulting (Aust) has been engaged by Brickland Holdings Pty Ltd to prepare a new Structure Plan as it relates to Lot 11 and part Lot 803 Chapman Hill Road, Bovell.

Preparation of the Structure Plan is being progressed concurrently with a proposed Scheme Amendment for the subject land. The detail of the proposed Scheme Amendment is provided in a separate report.

The Amendment seeks to modify the existing Scheme provisions that relate to the subject land by enlarging the area to which the Special Provisions apply, and removing the existing emphasis on car and boat sales and related land uses. The Amendment proposes a broader industrial / service commercial focus, providing more flexibility in how the land can develop, yet continuing to specify particular design outcomes to be achieved.

The new Structure Plan is essentially a modification of a Development Guide Plan that was approved for the subject land under the existing Scheme provisions in 2012. Combined, these actions seek to facilitate a more flexible development outcome for the site.

The new Structure Plan is summarised in Table 1.

Table 1: Summary

Item	Data
Total area covered by the structure plan	24.57ha (20.57ha Lot 11 and 4ha part Lot 803)
Area of industrial/service commercial land use proposed:	13.61ha
Estimated lot yield	39 lots 3200 - 4000m ² = 25 lots 4001m ² + = 14 lots
POS / Buffers and drainage	6.9718ha

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PART ONE: IMPLEMENTATION

1.1 STRUCTURE PLAN AREA

The Structure Plan applies to the land known as Lot 11 and part Lot 803 Chapman Hill Road, Bovell. The Structure Plan is at Figure 1.

1.2 OPERATION

The Structure Plan comes into effect on the date it is approved by the Western Australian Planning Commission.

1.3 SUBDIVISION AND DEVELOPMENT REQUIREMENTS

The subject land is within the Special Provision Area of the City of Busselton Local Planning Scheme No.21.

Part 4 of the deemed provisions of the Scheme outline the general Structure Plan requirements that apply. Schedule 3 (SP48 – Ambergate Industrial / Service Commercial Area) sets out the requirements particular to the subject land, including Structure Plan obligations.

The following are the particular Structure Plan requirements:

1. This Structure Plan applies to the Special Purpose (Ambergate Industrial / Service Commercial Development Area) zone and Special Provision Area 48 pursuant to the City of Busselton Local Planning Scheme No.21.
2. This Structure Plan is to be read in conjunction with the Part 4 of the deemed provisions and Schedule 3 of the City of Busselton Local Planning Scheme No. 21.
3. As a condition of subdivision a Mosquito Management and implementation Strategy is to be prepared to the satisfaction of Council.
4. Prior to subdivision or development of the land the proponent is to prepare a developer contributions and staging plan to the satisfaction of the City of Busselton to ensure the proponent's appropriate and timely contribution to service infrastructure.
5. As a condition of subdivision, landscaping shall be provided and address the following to the satisfaction of the City of Busselton:
 - a. At the time of subdivision the landscape treatment of buffers to the Busselton Bypass and Vasse Diversion Drain shall utilize local endemic species that occur within the relevant vegetation complexes and soil types across the Structure Plan area.
 - b. Demonstrate sufficient planting to meet the buffer requirements identified on the Structure Plan.
 - c. Integration with the requirements of the Local Water Management Strategy and Fire Management Advice contained within the Structure Plan.
 - d. The landscape treatment of service roads, integrated landscaping and entries fronting Chapman Hill Road.
6. Prior to subdivision or development of the land the proponent shall prepare a risk assessment of the likelihood of flooding of the Vasse Diversion Drain affecting the subject land. The risk of the failure of the Vasse Diversion Drain to the subject land shall be managed by the proponent and the Water Corporation to the satisfaction of the Department of Water and the City of Busselton. The proponent's obligations to manage any risk may include additional engineering measures within the subject land and/or notification on Titles, but shall not extend to measures that would otherwise be the responsibility of the Water Corporation.
7. All development is to be connected to reticulated water and sewer.
8. As a condition of subdivision, a Local Development Plan shall be prepared with the objectives of

- a. Providing a unique sense of identity for the Ambergate Industrial / Service Commercial Development Area; and
- b. Encouraging quality built form and site presentation outcomes within the site, including for the two prominent corner landmark sites.

9. The Local Development Plan shall address the following requirements:

- a. A minimum 20m building setback to all development that adjoins Chapman Hill Road and the Ambergate North entry road.
- b. A service road with rear lane access in the southern portion of the land.
- c. A minimum 2m landscaping strip along the Chapman Hill Road boundary and the Ambergate North entry road.
- d. Two controlled vehicular access points from Chapman Hill Road and one secondary access point from the Ambergate North entry road into the land.
- e. Integrated parking and access shall be constructed by the subdivider and include traffic calming measures to the satisfaction of the City of Busselton;
- f. Individual building form and design requirements;
- g. General location and design principles for car parking, landscaping, vehicular access, loading/delivery, fencing and external storage within individual lots;
- h. Particular built form and presentation requirements for a landmark development on the corner of the Busselton Bypass and Chapman Hill Road. This development will address this major intersection and ensure a sense of identity and prominence suited to this locality; and
- i. Particular built form and presentation requirements for a secondary landmark development on the corner of the Ambergate entry road and Chapman Hill Road. This development will be an entry statement into the Ambergate North Estate.
- j. Lots containing the integrated parking and access are to be subject of an "easement in gross" to facilitate public access to all lots.



LEGEND

- PUBLIC OPEN SPACE
- DRAINAGE
- LOCAL DEVELOPMENT PLAN AREA
- SPECIAL PROVISION AREA - SP 48
- PROPOSED ROAD
- INDICATIVE REAR LANE ACCESS EASEMENTS
- EXISTING CADASTRE
- STRUCTURE PLAN BOUNDARY

PROVISIONS

The following are the particular Structure Plan requirements:

1. This Structure Plan applies to the Special Purpose/Ambergate Industrial / Service Commercial Development Area) zone and Special Provision Area 48 pursuant to the City of Busselton Local Planning Scheme No.21.
2. This Structure Plan is to be read in conjunction with Schedule 3 of the City of Busselton Local Planning Scheme No. 21.
3. As a condition of subdivision a Management and Implementation Strategy is to be prepared to the satisfaction of Council.
4. Prior to subdivision or development of the land the proponent is to prepare a developer contributions and staging plan to the satisfaction of the City of Busselton to ensure the proponent's appropriate and timely contribution to service infrastructure.
5. As a condition of subdivision, landscaping shall be provided and address the following to the satisfaction of the City of Busselton:
 - a. At the time of subdivision the landscape treatment of buffers to the Busselton Bypass and Vase Diversion Drain shall utilize local endemic species that occur within the relevant vegetation conditions and set types across the Structure Plan area.
 - b. Demonstrate sufficient planning to meet the buffer requirements identified on the Structure Plan.
 - c. Integration with the requirements of the Local Water Management Strategy and the Management Advice contained within the Structure Plan.
 - d. The landscape treatment of service roads, integrated landscaping and earths forming Chapman Hill Road.
6. Prior to subdivision or development of the land the proponent shall prepare a risk assessment of the likelihood of flooding of the Vase Diversion Drain affecting the subject land. The risk of the failure of the Vase Diversion Drain to the subject land shall be managed by the proponent and the Water Corporation to the satisfaction of the Department of Water and the City of Busselton. The proponent's obligations to manage any risk may include additional engineering measures within the subject land and/or notification on Title, but shall not extend to measures that would otherwise be the responsibility of the Water Corporation.
7. All development is to be connected to reticulated water and sewer.
8. As a condition of subdivision, a Local Development Plan shall be prepared with the objectives of
 - a. Providing a unique sense of identity for the Ambergate Commercial Development Area; and
 - b. Encouraging quality built form and site presentation outcomes within the site, including for the two prominent corner landmark sites.
9. The Local Development Plan shall address the following requirements:
 - a. A minimum 20m building setback to all development that adjoins Chapman Hill Road and the Ambergate North entry road.
 - b. A service road with rear lane access in the southern portion of the land.
 - c. A minimum 2m landscaping strip along the Chapman Hill Road boundary and the Ambergate North entry road.
 - d. Two controlled vehicular access points from Chapman Hill Road and one secondary access point from the Ambergate North entry road into the land.
 - e. Integrated parking and access shall be constructed by the subdivider and include traffic calming measures, to the satisfaction of the City of Busselton.
 - f. Individual building form and design requirements.
 - g. General location and design principles for car parking, landscaping, vehicular access, loading/delivery, fencing and external storage within individual lots.
 - h. Particular built form and presentation requirements for a landmark development on the corner of the Busselton Bypass and Chapman Hill Road. The development will address this major intersection and ensure a sense of identity and prominence suited to this locality.
 - i. Particular built form and presentation requirements for a secondary landmark development on the corner of the Ambergate entry road and Chapman Hill Road. This development will be an entry statement into the Ambergate North Estate, and
 - j. Lots containing the integrated parking and access are to be subject of an 'easement in gross' to facilitate access to all lots.

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AMBERGATE INDUSTRIAL / SERVICE COMMERCIAL AREA STRUCTURE PLAN
Lots 11 and Pt. 803 Chapman Hill Road

Plan No: 15214P-SP-01C



Date: 17.03.2017
Rev: C
Scale: A1 @ 1:2500, A3 @ 1:5000
Co-ords: MGA 50 QDA 94
Airfile: N/A

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

Figure 1- Structure Plan

PART TWO: EXPLANATORY REPORT

1 PLANNING BACKGROUND

1.1 INTRODUCTION AND PURPOSE

This Structure Plan has been prepared in accordance with the obligations set out in the City of Busselton Local Planning Scheme No. 21.

1.2 LAND DESCRIPTION

1.2.1 Location

The land is located at Lot 11 and part Lot 803 Chapman Hill Road, Bovell.

1.2.2 Area and land use

The subject land is presently undeveloped land that is used for grazing. The land has an area of 24.57ha (20.57ha Lot 11 and 4ha part Lot 803).

1.2.3 Legal description and ownership

The land is legally described as Lot 11 and Lot 803 Chapman Hill Road, Bovell Certificates of Title are included at Appendix One. The land is owned by ARW Nominees Pty Ltd.

1.3 PLANNING FRAMEWORK

1.3.1 Zoning and reservations

The subject land is in the Special Provision Area (SP48 – Ambergate Industrial / Service Commercial Development Area). Schedule 3 of the Scheme outlines the obligations particular to the subject land, including the requirement to prepare Structure Plan. Part 4 of the deemed provisions of the Scheme sets out the broader Structure Plan requirements.

The proposal has been prepared with regard to the *Planning and Development (Local Planning Schemes) Regulations 2015* that took effect on 19 October 2015 and the *Structure Plan Framework (August 2015)*.

1.3.2 Planning Strategies

City of Busselton Local Commercial Planning Strategy (LCPS)

The Local Commercial Planning Strategy (LCPS) underpinned the original amendment that applied the special purpose obligations to the subject land. This Strategy recognised the commercial opportunities the subject land presents.

City of Busselton Draft Local Planning Strategy (LPS)

The draft Local Planning Strategy (LPS) was advertised in October 2013. The City of Busselton adopted the draft LPS for final approval in September 2016 and it is currently with the WAPC for endorsement. The LPS identifies the subject land as existing industrial / service commercial, as well as reinforcing the lands status abutting strategic access roads.

1.3.3 Planning Policies

Development Control Policy 4.1 Industrial Subdivision

Policy 4.1 Industrial Subdivision details at a high level the matters to be considered by the Western Australian Planning Commission (WAPC) when determining industrial subdivision applications throughout

the state. The policy details a range of policy measures in relation to zoning, relationship to adjoining development, lot size and shape, flexibility and staging, access and road layout, public open space and servicing. This has been given due regard in the preparation of the Structure Plan.

City of Busselton Industrial Development Policy

This policy applies to all industrial development within the City of Busselton. It has been given regard in the preparation of this Structure Plan, recognising that some requirements of the Structure Plan as set out in the Scheme vary from this.

1.3.4 Other approvals and decisions

The subject land was rezoned to the Special Provision Area by Amendment No.179 to the former City of Busselton Planning Scheme No.20 in 2012. A concurrent proposed Scheme Amendment now seeks to modify the Scheme provisions to remove focus from car and boat sales within this precinct, but keeping the land within a Special Industrial Development Area.

A Development Guide Plan was approved in 2012 in accordance with the former SP47 and SP48 obligations. This Structure Plan supersedes these and addresses the proposed new and modified Scheme provisions.

1.3.5 Pre lodgement consultation

The proposed Structure Plan and accompanying Scheme Amendment has been discussed with representatives at the City of Busselton.

1.4 SITE CONDITIONS AND CONSTRAINTS

Analysis of the site and its opportunities and constraints occurred as a part of the original Scheme Amendment to rezone the land to the Special Purpose (Ambergate Automotive Development Area) zone in 2012, and especially in preparation and subsequent approval of the former Development Guide Plan. This exercise is not sought to be repeated given that the Structure Plan essentially replicates the key features and obligations of the former Development Guide Plan. This includes the key recommendations from the additional technical reports that accompanied the Development Guide Plan, other than the Local Water Management Strategy and the Transport Assessment Report, which have both been updated and are attached as Appendices.

The essential change between the previously approved Development Guide Plan and this new Structure Plan is the deletion of a car and boat sales focus and redefining of the design requirements to be met. The design response within this new Structure Plan continues to reinforce the particular design obligations that are unique to this land, whilst adding in new emphasis and obligations for the prominent corner to the Busselton Bypass, and secondary to this, the entry into the Ambergate North Estate from Chapman Hill Road.

The following requirements from the original Development Guide Plan are retained in the new Structure Plan:

- Scheme No. 21 cross references and procedural matters;
- Requirements to:
 - Prepare a Mosquito Management and implementation Strategy and a developer contributions and staging plan for contribution to service infrastructure;
 - Carry out landscaping requirements including buffers to the Bypass and Diversion Drain;
 - Integrate outcomes derived from the Local Water Management Strategy and Fire Management advice;
 - Undertake a risk assessment of the likelihood of flooding of the Vasse Diversion Drain; and
 - Ensure that all development is connected to reticulated water and sewer.

- Retain the existing obligations for a minimum 24 metre development setback to the Busselton Bypass and a 20 metre development setback to Chapman Hill Road;
- Define a circulating internal road, including service road to Chapman Hill Road, and define access points to Chapman Hill Road. The two access points shown on the current Development Guide Plan remain;
- Provide an integrated parking and landscaping response, including traffic calming measures along internal roads, to the satisfaction of the City of Busselton; and
- Specify the general location and design principles for car parking, landscaping, vehicular access, loading / delivery, fencing and external storage within individual lots.

In terms of changes from the previously approved Development Guide Plan, and aside from including the additional land area from part Lot 803, some of the approval mechanisms differ slightly as well as the content. In particular, rather than include a Detail Area Plan within the Structure Plan as before, the new Structure Plan shows all relevant detail at the one scale and then compels a Local Development Plan to be prepared subsequently.

The Local Development Plan shall be prepared with the objectives of

- Providing a unique sense of identity for the Ambergate Industrial / Service Commercial Development Area; and
- Encouraging quality built form and site presentation outcomes within the site, including for the two prominent corner landmark sites.

The Local Development Plan includes some unchanged requirements from the previously approved Development Guide Plan as well as new requirements to address:

- Individual building form and design requirements for subsequent development within created lots;
- Inclusion of a new and additional entry road into the land from the Ambergate North entry within the extra land derived from part Lot 803. This is alongside extension of the service road abutting Chapman Hill Road into part Lot 803;
- Particular built form and presentation requirements for a landmark development on the corner of the Busselton Bypass and Chapman Hill Road. This development will address this major intersection and ensure a sense of identity and prominence suited to this locality; and
- Particular built form and presentation requirements for a secondary landmark development on the corner of the Ambergate North entry road and Chapman Hill Road. This development will be an entry statement into the Ambergate North Estate.

Aside from these matters, the new Structure Plan removes references to indicative lot layouts as this is no longer required.

1.4.1 Other considerations

A comprehensive environmental assessment report and investigations addressing wetlands, flora and fauna, vegetation and contamination, alongside a preliminary geotechnical and Acid Sulphate Soil investigation, drainage, traffic and engineering assessments, were undertaken as part of the original rezoning of the land in 2012. Landform, soils, water implications, bushfire and heritage matters were equally investigated.

These investigations confirmed that the site presents limited environmental and physical constraints to the development that is proposed. Key recommendations from this earlier process that remain relevant have been retained within the Structure Plan. The Local Water Management Strategy (LWMS) and Traffic Assessment Report have been revisited and these are discussed later in this report given that the size of the site has increased.

In relation to the addition of part Lot 803, like the original parcel, this is cleared farmland with dispersed individual trees. The environmental conditions of the original parcel replicate across part Lot 803 and for this reason, additional environmental investigations other than the LWMS have not been repeated and enlarged to incorporate this extra area.

This said, the key recommendations from the earlier investigations are readily applicable to the enlarged site, including extension of the 50 metre buffer along the Vasse Diversion Drain to extend into part Lot 803. This buffer continues to incorporate vegetation protection, additional planting, drainage improvements and fire management requirements to form an integrated component of the overall project. This buffer will also continue to provide a significant visual setback of development from the Vasse Diversion Drain Bridge and separation from any land uses within the Structure Plan area and existing and future residential development within the proposed Ambergate North estate.

Likewise are the setbacks to the Busselton Bypass and Chapman Hill Road. These, and the general internal road layout are retained as before. The setbacks to the new Ambergate North entry road are consistent with this.

It is noted that consistent with the earlier accepted recommendations that given the relatively high water table, fill to a level in the order of 1.0m will be required to achieve required separation to groundwater over much of the site (excluding the proposed buffers). The level of likely required fill will make tree retention within potential lots and road reserves impractical. Based on the mapping provided within the earlier environmental report a significant proportion of the existing healthy trees including a number of the trees with potential nesting hollows will be retained within the proposed buffers to the Vasse Diversion Drain and Busselton Bypass. These buffers will be subject to further revegetation as required to be detailed within the Local Development Plan.

The consolidation of appropriately protected and planted landscape and drainage corridors within the proposed buffers to these features will provide a significant environmental benefit including the long term protection and replacement of stressed and diseased existing trees. Overall the Structure Plan continues to facilitate a level of environmental improvement within proposed buffers, in addition to native street trees that will be well in excess of the removal of isolated native and non-native paddock trees, including within the additional area of part Lot 803.

1.5 LAND USE AND SUBDIVISION REQUIREMENTS

The Structure Plan is sought to be adopted pursuant to Part 4 deemed provisions and Schedule 3 – Special Provision Area 48 (SP48) of the City of Busselton Local Planning Scheme No.21

1.5.1 Land use

Land use requirements are addressed within Schedule 3 – SP48 of the Scheme and as per the Scheme Amendment, add the additional permissible land uses of Convenience Store and Medical Centre. The Scheme provisions support development of the land for an industrial / service commercial precinct.

1.5.2 Public Open space

Public open space continues to be provided within the Structure Plan, especially alongside the Vasse Diversion Drain and within the setbacks to the road frontages.

1.5.3 Movement networks

The internal road network and access arrangements are largely unaltered from the previous Development Guide Plan. This includes a circulating internal road with service road frontages to Chapman Hill Road and the Busselton Bypass, and a rear lane with access easement within lots along the rear of the southern portion of the land.

An additional access has been added from the Ambergate North entry road, and the circular road within the northern portion has been slightly deviated in shape to create opportunity for larger lots abutting the Vasse Diversion Drain.

This remains consistent with the traffic investigations that were a part of the former Development Guide Plan, and which have been reassessed as a part of the updated Traffic Assessment Report provided at Appendix Three.

1.5.4 Water management

The LWMS has been revisited and revised to incorporate the additional land area. The updated LWMS is provided at Appendix Two.

1.5.5 Activity centres and employment

The precinct will continue to deliver an industrial / service commercial outcome and employment opportunity. Although this is not a retail activity centre, the ability to carry out convenience store and medical centre land use does provide a range of services to meet community need, especially as the Ambergate North estate develops nearby into the future.

1.5.6 Infrastructure coordination, servicing and staging

As per the former Development Guide Plan, conditions remain in the Structure Plan relating to the obligation to provide reticulated water and sewer.

1.5.7 Developer contribution arrangements

As per the former Development Guide Plan, a condition remains in the Structure Plan requiring a developer contributions and staging plan for contribution to service infrastructure to be prepared.