

DUNSBOROUGH LAKES STRUCTURE PLAN

Clubhouse Drive, Dunsborough Lakes Drive & Commonage Road,
Dunsborough

PR132985-3
Dunsborough Lakes
Structure Plan
Version 1.2
May, 2022

Document Status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
Draft	Draft Amendment Plan	EG	JC		
1.0	Dunsborough Lakes Structure Plan – Amendment No. 7	JC	PG	JC	23/8/21
1.1	Dunsborough Lakes Structure Plan – Amendment No. 7 Modifications	EG	JC	JC	23/02/22
1.2	Dunsborough Lakes Structure Plan – Amendment No. 7 Modifications	JC	JC	JC	20/05/22

Approval for issue

Joanne Cousins



2022-05-28

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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:

18 May 2009

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

Date of Expiry: 19 October 2025

Table of Amendments

Table 1: Table of Amendments

Amendment No.	Summary of the Amendment	Amendment Type	Date Approved by the WAPC
1	Reducing the Aged Care site, introducing Residential, Restricted Business and Office and replacing DLAP2 with Residential R30, LDP2, LDP3 and LDP4.	Major	30 October 2018
2	Including Lots 40 and 41 Commonage Road in the Structure Plan area for residential development and public open space.	Major	27 November 2018
3	Modification to Lot 9065 Dunsborough Lakes Drive residential development layout, introducing residential to Lot 5000 Waterville Road in lieu of tourism and commercial and minor modifications to Lot 9068 Kawana Boulevard residential density.	Major	16 August 2019
4	Modification to Lot 9050 Clubhouse Drive to change portion from Tourism to Residential R20/R40.	Major	30 March 2020
5	Amend the Structure Plan by changing the identified land uses in northern portion of Lot 9000 Commonage Road from 'Aged Persons Dwellings' and 'R40' to 'Residential – R30' plus modification to LDP 3 and deletion of LDP 4.	Major	17 May 2021
6	Modification to the residential development layout of Lots 41 and 9071 Commonage Road and a minor reduction in size of public open space within Lot 9071.	Major	16 July 2021
7	Modification of density within Lots 41 and 9072 Commonage Road. Retrospective code change for 3 constructed lots in previous stages. Move southern access east.	Minor	24 June 2022

EXECUTIVE SUMMARY

RPS Australia East Pty Ltd ('**RPS**') has been engaged by Urban Quarter to prepare an amendment to the endorsed Dunsborough Lakes Structure Plan to modify the residential densities within the precinct located at Lot 41 on DP413522 and Lot 9072 on DP415225, Commonage Road, Dunsborough. It is also proposed to retrospectively change the coding from R20 to R30 on three recently constructed lots in existing stages of the estate (being Proposed Lots 1710-1712 on Plan No. 420865 (formerly part of Lot 9077 on DP420600)).

Located within the City of Busselton local government area, Lots 41 and 9072 comprise approximately 18.38ha of the southern edge of structure plan area. The three constructed lots have a total area of 1159m²

The proposed amendments seek to adjust the RCode densities for lots within the precinct following the detailed subdivision design process, which identified the preferred alternate position for R30 product closer to the open space, and an opportunity to introduce R12.5 product along the western boundary of Lot 41. The three existing lots subject to the retrospective density change will have no physical change to their approved design, the R30 coding will permit a dwelling design better suited to the lot characteristic. The southern road access is moving eastwards slightly in accordance with a requested modification identified by City of Busselton.

As no other change is proposed to the road layout or area of open space, and there is minimal variation in the lot yield, this amendment is considered to be a **Minor Amendment** to the Dunsborough Lakes Structure Plan.

The Structure Plan provides a basis for zoning and subdivision of land and will be given due regard when determining applications within the Structure Plan area, including consideration of the objectives and requirements of the Scheme zones proposed by the Structure Plan. The Structure Plan Map outlines the applicable land uses and sets out the Planning Policy Statements and other requirements.

In the context of this proposal, the proposed amendment to the Structure Plan does not necessitate review of the various technical reports and if required, the reader should therefore refer to those reports contained in either the original endorsed Structure Plan document or subsequent amendment reports.

A summary of key elements of the Structure Plan can be found in *Table 2* below.

Table 2: Structure Plan summary

Item	Data
Total area covered by the Structure Plan	263.12 ha (Subject land: 18.56 ha)
Area of each land use proposed	Residential: Total Area 91.74 ha <ul style="list-style-type: none"> • R5 1.81 ha • R10 2.91 ha • R12.5 3.43 ha • R20 58.54 ha • R30 18.80 ha • R40 3.34 ha • R20/R40 2.91 ha Commercial 9.20 ha <ul style="list-style-type: none"> • Restricted Business and Office 7.44 ha • Tourism 1.76 ha Open Space 32.68 ha <ul style="list-style-type: none"> • Local Parks 29.07 ha • Landscape Buffer 3.61 ha Education 3.50 ha <ul style="list-style-type: none"> • Primary School (x1) 3.50 ha
Estimated lot yield	Subject land: 158
Estimated number of dwellings	Subject land: 158
Estimated residential site density	Subject land: 10/20/30 dwellings per site/ha
Estimated population	Subject land: 398
Estimated area and percentage of unrestricted P.O.S provided (total site)	18.31 ha (12%)

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Appendix A – Certificates of Title

Appendix B – Existing Dunsborough Lakes Structure Plan Map

STRUCTURE PLAN CONTENT

This Structure Plan comprises:

Part One – Implementation

This section contains the Structure Plan Map and outlines the purpose and intent of the Structure Plan.

Part Two – Explanatory Section

This section contains the explanatory component of the structure plan including background information, and an explanation of the structure plan including design methodology, relevance, and compliance with the applicable planning frameworks at the State and Local Government level.

This section also includes plans and maps in support of the structure plan.

Part Three - Appendices

Part 3 contains supporting document relevant to the structure plan. Updated title searches are provided for the lots subject to this amendment and a copy of the Amendment 6 version of the approved Structure Plan Map which it is proposed to amend. All other appendices are as per the previous version of the structure plan.

PART ONE - IMPLEMENTATION

1. Structure Plan Area

The Dunsborough Lakes Structure Plan includes the subject land as shown within the Structure Plan Boundary on the Dunsborough Lakes Structure Plan Map at Commonage Road, Caves Road, Dunsborough Lakes Drive and Clubhouse Drive, Dunsborough. The total area for the structure plan area is 263.12ha.

2. Operation

The Structure Plan (as amended) comes into effect on the date it is approved by the Western Australian Planning Commission (WAPC).

The Structure Plan (as amended) will be required to be approved by the WAPC prior to the approval of any application for subdivision.

3. Staging

Any staging of the Structure Plan will be determined by specific subdivision applications in response to market demand and engineering advice.

4. Subdivision and Development Requirements

The Structure Plan provides a basis for zoning and subdivision of land and will be given due regard when determining applications within the Structure Plan area, including consideration of the objectives and requirements of the Scheme zones proposed by the Structure Plan. The Structure Plan Map outlines the applicable land uses and sets out the Planning Policy Statements and other requirements.

The Local Planning Scheme Special Provision No. 42 applies to the Dunsborough Lakes Structure Plan area.

The following items are to be undertaken at subdivision and development of the site:

1. This structure plan applies only to the area zoned 'Special Purpose (Dunsborough Lakes Development Area) pursuant to the City of Busselton Local Planning Scheme No.21.
2. Area and land use boundaries and POS allocation are Indicative only and are subject to modifications as part of the detailed subdivision process.
3. This structure plan is to be read in conjunction with the special provisions relating to the land (SP42) contained in Schedule 3 of the City of Busselton, Local Planning Scheme No. 21.
4. Any surplus provision of POS is to be provided free of cost without compensation payable by the City of Busselton or Western Australian Planning Commission.
5. The identified POS adjacent to the school site to be ceded free of cost at the same time the school lot is created.

6. The land use schedule is indicative only and is subject to change as part of the detailed subdivision process.
7. All development is to be connected to reticulated sewer and water.
8. With respect to subdivision and development of lots 40 and 41 Commonage Road. The following is required:
 - subdivision and development is to be in accordance with the relevant special provisions of SP42 of Schedule 3 of the scheme.
 - the vegetated area at the northern end of lot 41 to be retained as threatened fauna species corridor habitat linkage from lot 30 to lot 9033 and be included in Public Open Space.
 - provision of a 10 metre-wide buffer in the form of a Public Access Way adjacent lot 30 Koopin Place to protect threatened ecological community vegetation on lot 30. Any vegetation within the public access way is to be maintained as a low fuel zone.
9. Site contamination investigations for lot 9033 must be conducted to the satisfaction of the Department of Water and Environmental Regulation (DWER) prior to commencement of development / subdivision.
10. Prior to the commencement of any site works:
 - a preliminary site investigation shall be undertaken to determine whether acid sulphate soils are present on the land and if present, their extent and severity
 - if the site is found to contain acid sulphate soils, an acid sulphate soils management plan shall be prepared and implemented prior to commencement of subdivision works to the satisfaction of the City of Busselton and DWER; and
 - all site works shall be carried out in accordance with the provisions of the approved management plan.
11. A hydrological survey being prepared by the proponent to the satisfaction of the DWER, which addresses the effect of the development on the groundwater prior to undertaking subdivision works.
12. Greenfields Road (including pedestrian access way) to be ceded to the City and constructed by the City at the time of subdivision in conjunction with the subdividers staging requirements.
13. All significant vegetation within 20m of the boundary to Commonage Road and lot 9033 to be retained to the satisfaction of the City of Busselton.
14. LDP 1 to address adjoining residential development area including setbacks, traffic and pedestrian access.
15. Provision of landscape buffers to demonstrate effective visual screening and attenuation of noise to reasonable levels with potential buffer widths to be increased if this cannot be clearly demonstrated.
16. Provision of appropriate buffer management measures (eg, landscaping and bunds, where appropriate) at the subdivision stage, to overcome potential impacts from the proposed Dunsborough Light Industrial area (Lot 6 Commonage Road) to the satisfaction of DWER and the City of Busselton.

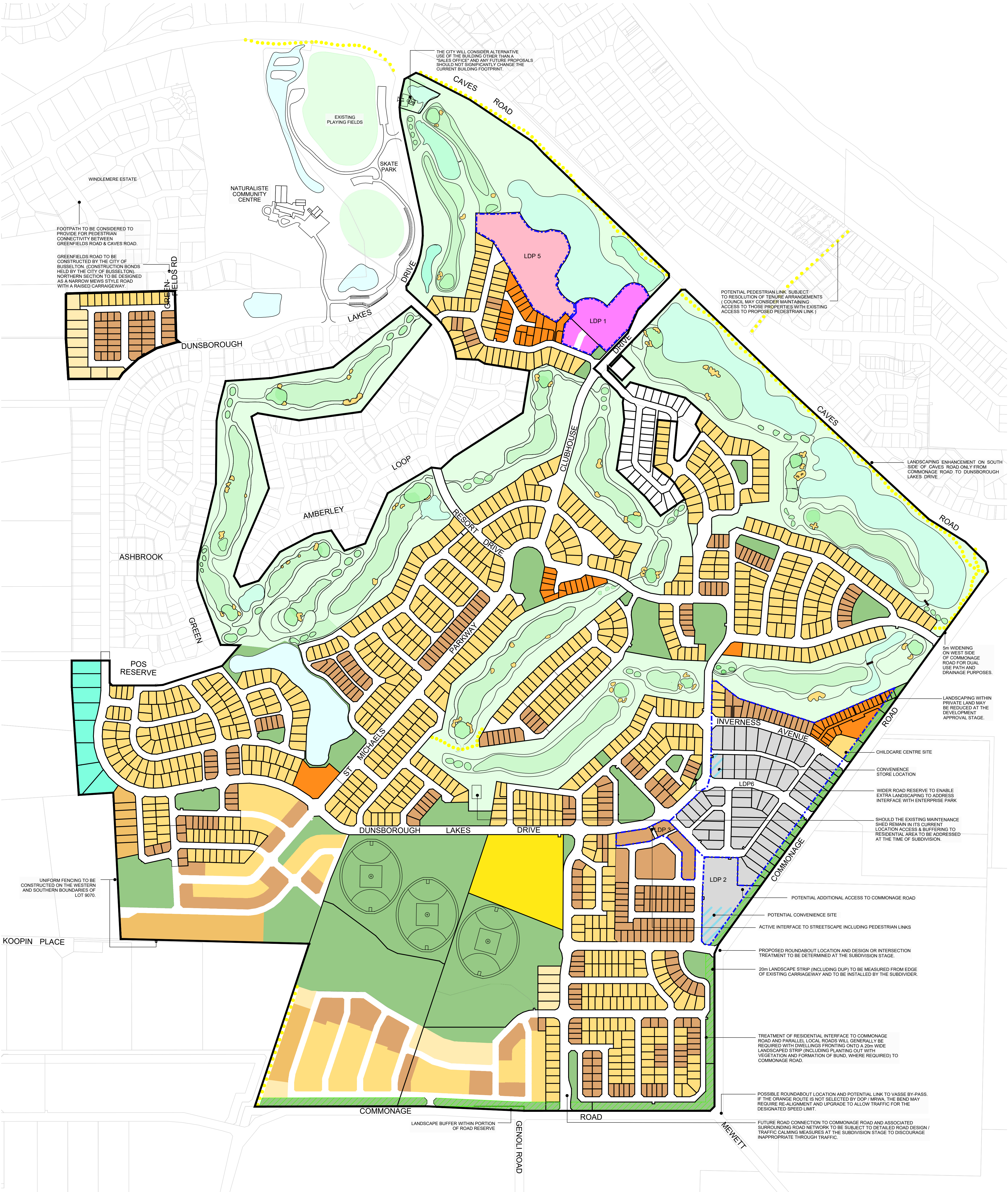
17. The subdivider to transfer the primary school site (portion 9033) free of cost to the crown and without payment or compensation as part of the next stage of subdivision of other period as may be agreed by the Department of Education and Training.
18. Revegetation, including proposed landscape buffers and street trees, to be undertaken with native “peppermint” trees (*agonis flexuosa*) and / or “western ringtail possum” favoured native vegetation species.
19. The tourist component within LDP 1 can be developed to permit up to 25% of units as “un-restricted length of stay” to the satisfaction of the City. No other unit shall be occupied for more than a total of 3 months in any 12 month period.
20. Development of the un-restricted length of stay component shall occur on the basis of no more than one unit for every three restricted stay units that have been developed.
21. Prior to the subdivision or development of the land, the proponent is to prepare a developer contributions and staging plan to the satisfaction of the city for the area south of Dunsborough Lakes Drive and east of the school site to ensure the proponent's appropriate and timely contribution toward service infrastructure, distributor roads and community facilities (including examining the need for change-rooms and other infrastructure in association with the district level active public open space area) on a progressive and staged basis. With respect to the remainder of the estate, the plan shall only address contributions required as a result of tourist development proposals and any net increase in development potential beyond that depicted on the endorsed DGP, as at 14 July 2010. An appeal right will exist in relation to the determination of the plan pursuant to clause 11.10 of the scheme.
22. The Structure Plan Map defines the specific residential density that applies to different areas within the Structure Plan Area. However, in respect of Lot 9050 a density range of R20 to R40 applies to its western portion with the eventual density code being assigned at the time of subdivision. In this regard a residential density plan shall be prepared and submitted with the application for subdivision approval to the WAPC, to indicate the residential density code applicable to each lot within the proposed subdivision area.
23. If a Local Development Plan for LDP 1 is required by the City of Busselton, it shall be applied as a condition of development and/or subdivision approval and shall address specific design requirements to ensure appropriate vehicle access arrangements to the golf club and residential portion of Lot 9050 and that all future development provides a suitable interface with adjoining residential land, the golf course and Clubhouse Drive.
24. Prior to the subdivision to facilitate residential development, a Local Development Plan for LDP 5 is required to address specific design requirements to ensure:
 - a. Suitable and legible vehicular and pedestrian access arrangements with the adjoining residential and tourism zoned land; and
 - b. A suitable interface (including consideration of earthworks, fill, retaining and landscaping) relative to adjoining residential and tourism zoned land and the golf course.
25. The subdivision of the residential portion of Lot 9050 Clubhouse Drive is to provide a through road to connect Cabot Close to the road identified within LDP 1, or another suitable access arrangement that ensures Cabot Close becomes a through road, to the satisfaction of the local government.

26. A Local Development Plan within LDP 3 is to address, but not limited to;

- Minimum setbacks and average setbacks;
- Streetscape presentation, dwelling orientation and garage location;
- Streetscape principles and provision of surveillance to lots; and
- Appropriate provision of access for waste collection service vehicles

The requirement for a Local Development Plan for LDP 3 will be imposed as a condition of subdivision.

ATTACHMENT A – STRUCTURE PLAN MAP



- LEGEND:
- STRUCTURE PLAN BOUNDARY
 - RESIDENTIAL - R5
 - RESIDENTIAL - R10
 - RESIDENTIAL -R12.5
 - RESIDENTIAL - R20
 - RESIDENTIAL - R30
 - RESIDENTIAL - R40
 - RESIDENTIAL - R20/R40
 - PRIMARY SCHOOL
 - RESTRICTED BUSINESS AND OFFICE
 - TOURISM
 - PUBLIC OPEN SPACE
 - PEDESTRIAN LINK
 - LANDSCAPE BUFFER
 - AREA SUBJECT TO SEPARATE LDP
 - EXISTING LOT BOUNDARIES
 - WATERBODY

DEVELOPMENT SUMMARY	
	Total Area
Residential	91.74 ha
R5	1.81 ha
R10	2.91 ha
R12.5	3.43 ha
R20	58.60 ha
R30	18.74 ha
R40	3.34 ha
R20/R40	2.91 ha
Commercial	9.20 ha
Restricted Business and Office	7.44 ha
Tourism	1.76 ha
Open Space	32.67 ha
Local Parks	29.07 ha
Landscape Buffer	3.60 ha
Education	3.50 ha
Primary School (x1)	3.50 ha

P.O.S. SUMMARY		
	Total Area	Total %
Total Structure Plan Area	263.12 ha	
Deductions		
Primary School	3.50 ha	
Golf Course / Lakes	81.38 ha	
Surface area of waterbody	2.37 ha	
Restricted Business and Office	7.44 ha	
Tourism	1.76 ha	
Landscape Buffer	3.60 ha	
Conservation (restricted access)	10.76 ha	
Total Deductions	110.81 ha	
Gross Subdivisible Area	152.31 ha	
P.O.S. Supplied (Unrestricted - Sport & Recreation)		
POS Provision as Percentage of Gross Subdivisible Area	18.31 ha	12.0%

POS SUMMARY TO BE READ IN CONJUNCTION WITH PUBLIC OPEN SPACE ALLOCATION PLAN 132985-4-003

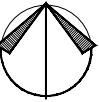
NOTE:

AREAS / LOT YIELD CALCULATIONS PROVIDED IN TABLES ABOVE ARE ESTIMATES ONLY AND REMAIN SUBJECT TO DETAILED DESIGN AND SURVEY AT THE SUBDIVISION STAGE AND OUTCOME OF DETAILED LOCAL AREA PLANNING. LANDSCAPE BUFFER MAY BE INCLUDED WITHIN PRIVATE LAND HOLDINGS AND BE REDUCED AT THE DEVELOPMENT APPROVAL STAGE.

DUNSBOROUGH LAKES
STRUCTURE PLAN - OVERALL

PLAN REF: 132985-4-003

Rev No: B
DATE: 22 APRIL 2022
CLIENT: DAVIS & SONS PTY LTD
DRAWN BY: JC
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PART TWO – EXPLANATORY REPORT

1 PLANNING BACKGROUND

1.1 Introduction and purpose

The purpose of the Structure Plan amendment is to modify the density coding of cells within Lot 41 and Lot 9072 to provide a greater variety of lots sizes that respond to site constraints and opportunities. The amendment also retrospectively recodes 3 residential lots from R20 to R30 to better match the dwelling design requirements to the lot characteristics. **Refer Figure 1: Location Plan**

The proposed modifications to the Structure Plan are shown in **Figure 2** and **Figure 3**.

1.2 Land Description

The subject land comprises Lots 41 and Lot 9072, Commonage Road, Dunsborough as shown in **Figure 4: Subject Lots Southern Precinct**, and Proposed Lots 1710-1712 on Plan No. 420865 (formerly part of Lot 9077 on DP420600) as shown on **Figure 5 – Subject Lots – Retrospective Recoding**.

1.2.1 Location

Lot 41 and 9072 where the main amendments are proposed are located at the southern edge of the Dunsborough Lakes Estate with frontage to Commonage Road along its southern boundary and adjoining rural residential development to the west and residential development to the east. The site is located approximately 2 kilometres south of the Dunsborough town centre and approximately 22 kilometres east of the Busselton City centre. Lots 1710-1712 are located in the central part of “The Woods” at Dunsborough Lakes on the lot currently described as Lot 9077 which located to the west of Lot 41 has frontage to Dunsborough Lakes Drive and Chicago Way.

1.2.2 Area and land use

The area subject to this Structure Plan modification is a portion of lots 41 and 9072, and Lots 1710-1712 as shown in **Figures 4 & 5 & 6**, which have a calculated area totalling 18.56ha. Details of the subject land are included in **Table 3** below.

Lot 9072 is a balance lot to the residential development occurring as part of the Dunsborough Lakes Estate with lots established around Diamante and Kawana Boulevards. Lot 41 is part of the former Water Corp land. The land subject to this modification has historically been used for agricultural purposes, mainly being livestock grazing. The land is mostly cleared with scattered vegetation. The other four lots are newly created residential lots for detached dwellings within Dunsborough Lakes Estate.

1.2.3 Legal description and ownership

Table 3 details the legal land description as well as identifying land ownership. All land parcels form part of the development managed by Urban Quarter. Copies of Certificates of Title are available in **Appendix A**.

Table 3: Subject Lots

Lot	Volume/Folio	Plan/Diagram	Area of Lot	Ownership
9072	2976/827	DP415225	9.03ha	Daws & Son Pty Ltd
41	2948/114	DP413522	12.55ha	DMG Properties (WA) Pty Ltd
9077*	4002/793	DP420600	10.87ha	Daws & Son Pty Ltd

* Lot 9077 is the parent lot of proposed Lots 1710, 1711 & 1712 on Plan No. 420865 which are in the process of being registered.



Figure 1: Location Plan

(Source: Locate)

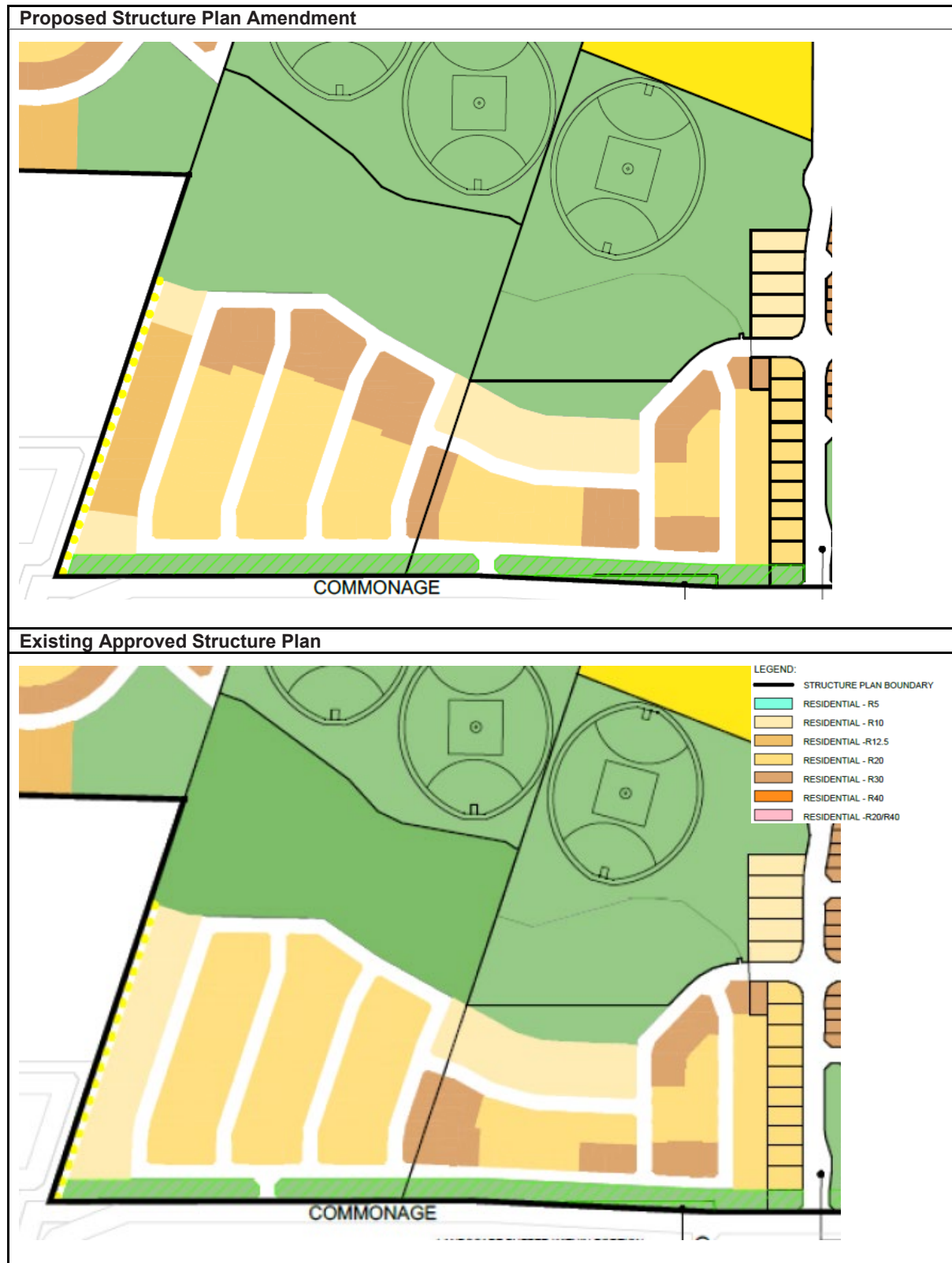


Figure 2: Proposed Structure Plan Amendments – Southern Precinct

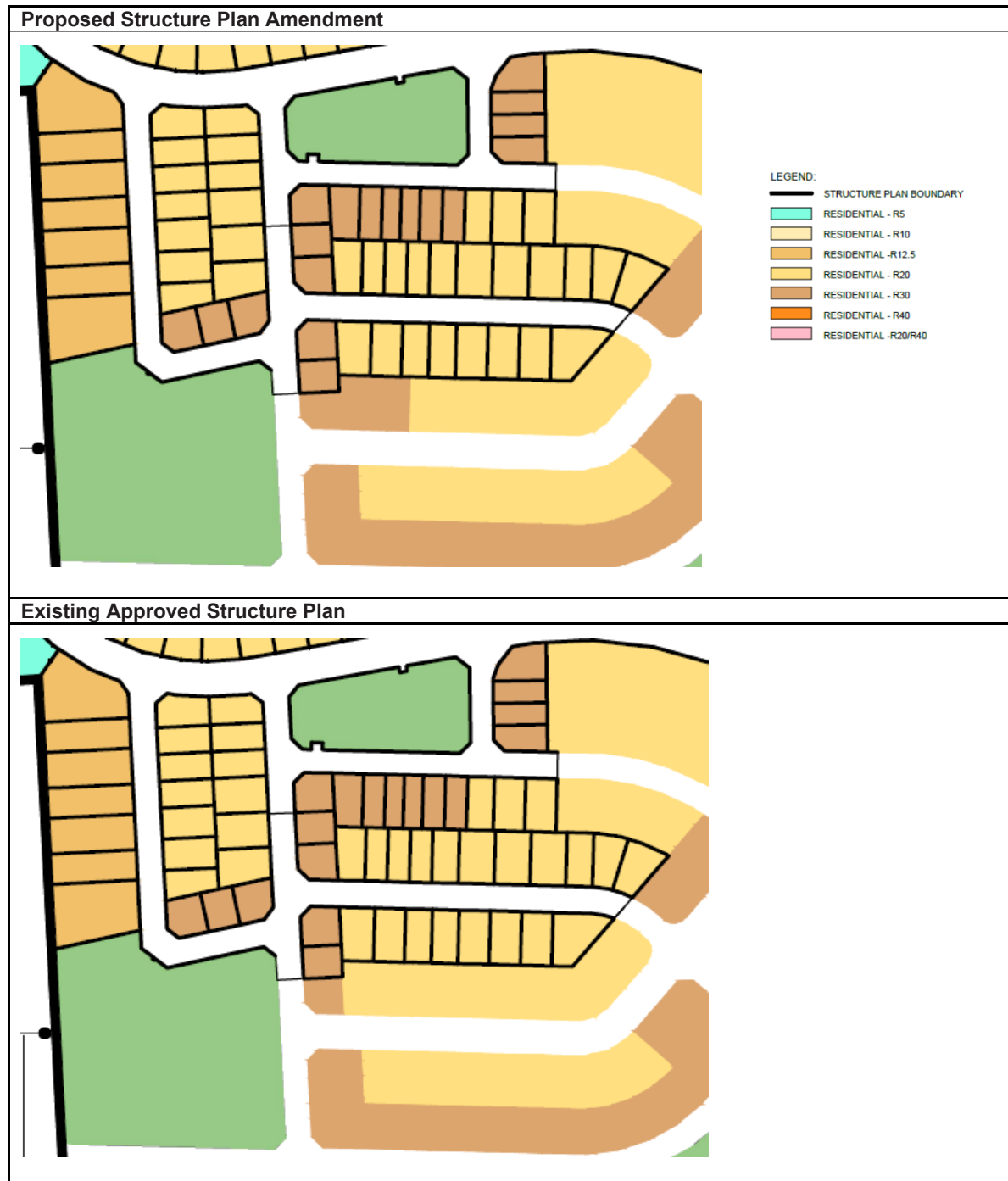


Figure 3: Proposed Structure Plan Amendments – Retrospective Lot Coding



Figure 4: Subject Lots – Southern Precinct

Source: Locate

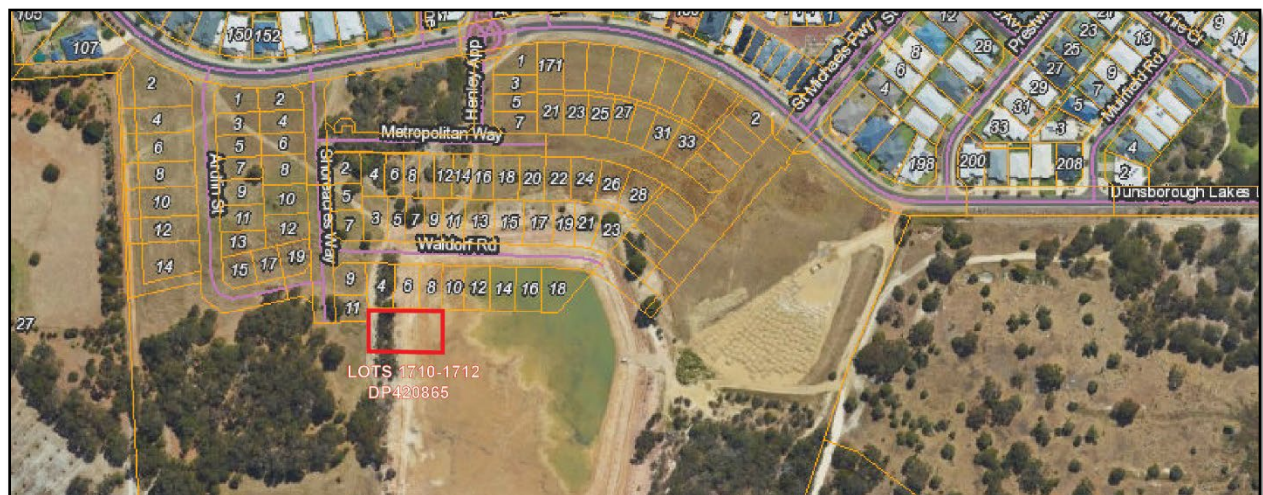


Figure 5: Subject Lots 1710-1712 – Retrospective Recoding

Source: Locate

1.3 Planning framework

1.3.1 Zoning and reservations

The undeveloped precincts and most recently constructed stages (inclusive of the area subject to this proposed amendment) within the Dunsborough Lakes Structure Plan are zoned “Urban Development” in the City of Busselton Local Planning Scheme No. 21 (the Scheme). Those precincts which have already been developed are primarily zoned “Residential”, with some remnant areas of the historical “Special Use Zone” covering areas of development and the golf course.

Special provisions relating to the land are located in Schedule 3 (Special Provision Areas) under SP42 of current Scheme No. 21. The Scheme was subject to further Amendment No.28 in February 2021 which included SP42.

1.3.2 Regional and sub-regional structure plan

1.3.2.1 Leeuwin-Naturaliste Sub-Regional Strategy

The Leeuwin-Naturaliste Sub-regional Strategy is an overarching planning document that guides the future planning and development of all the land within the local government areas of the Shire of Augusta-Margaret River and the City of Busselton. Amendment 1 was adopted by the WAPC in January, 2020. “*The purpose of the Strategy is to manage this change by guiding growth and development to achieve positive social, economic and environmental outcomes.*” The four key issues addressed by the strategy are urban growth, managing natural landscape values and hazards, ongoing economic performance and transport.

The Strategy identifies Dunsborough as a major town and the service and visitor centre for the surrounding localities of Quindalup, Quedjinup, Naturaliste and Yallingup. The area has grown rapidly over the past 20 years with a population of 6,039 recorded for the urban area of Dunsborough and neighbouring Quindalup at the 2016 Census.

The Strategy map shows the subject land as ‘Urban’.

1.3.2.2 City of Busselton Local Planning Scheme

The subject land is currently within the City of Busselton Local Planning Scheme No. 21 (LSP 21) Urban Development Zone, Special Control Area - Special Provision No.42.

Subdivision and development shall be in accordance with the provisions relevant to SP42, contained in Schedule 3 of the Scheme text and an endorsed Structure Plan.

1.3.3 Planning strategies

1.3.3.1 City of Busselton Local Planning Strategy 2019

The City of Busselton Local Planning Strategy was endorsed by the WAPC in March, 2020. This document identifies Dunsborough Urban Area as “Settlement Type: Major Town” and as the second largest settlement in the City. Within the Urban Growth Area Framework tables Dunsborough Lakes is identified as a current urban growth area with potential to accommodate approximately 5000 persons.

The proposed amendment to the Dunsborough Lakes Local Structure Plan is not in conflict with the intent of the Local Planning Strategy 2019, and continues to facilitate the provision of a mix of residential product types in this locality to meet current and future demand as identified by the strategy.

1.3.4 Planning policies

1.3.4.1 Liveable neighbourhoods

Liveable Neighbourhoods is the WAPC's primary policy for the design and assessment of structure plans (regional, district and local) and subdivision applications for new urban (predominantly residential) areas including major regional centres, on greenfield and large infill sites. Liveable Neighbourhoods is therefore applicable to Dunsborough Lakes.

Liveable Neighbourhoods defines the design objectives and principles of subdivision and development by each of the design elements, being Community Design, Movement Networks, Activity Centres, Lot Design, Public Open Space and Education.

The Structure Plan complies with the principal objectives and intentions of Liveable Neighbourhoods.

1.3.4.2 Planning in Bushfire Prone Areas

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

SPP 3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. It applies to all higher order strategic planning documents, strategic planning proposals, subdivision and development applications located in designated bushfire prone areas (unless exemptions apply). This policy also applies where an area is not yet designated as bushfire prone but the proposed development is planned in a way that introduces a bushfire hazard (e.g. revegetation).

The Dunsborough Lakes Structure Plan No. 6 included a bushfire assessment for the land subject to this modification, in accordance with the Guidelines and addresses all of the requirements to satisfy SPP 3.7 specific to the strategic planning stage for this project. The necessary requirements and recommendations for bushfire management have been incorporated into the structure plan design.

1.3.5 Previous amendments

The WAPC approved Amendment No. 1 to the Dunsborough Lakes Structure Plan on 30 October 2018.

Amendment No. 1 amended the Structure Plan by introducing 'Residential' and 'Restricted Business and Office' land uses to Lot 1150 Commonage Road and reducing the area of LDP 2 (formerly DLAP 2) to border the proposed 'Restricted Business and Office' component only and introducing new LDP areas 3 and 4 to the Aged Persons Dwellings and R40 development cells.

Amendment No. 2 updated the structure plan map, development summary statistics and Planning Policy Statements, as appropriate.

As part of the process of preparing Scheme Amendment No. 27 and Structure Plan Amendment No. 2 for Lots 40 and 41 Commonage Road, Dunsborough, the structure plan Planning Policy Statements were incorporated – and modified, where appropriate.

Planning Policy Statement No. 8 in the original Dunsborough Lakes Structure Plan (and carried over into Amendment No. 1) included five sub-points. Some of these sub-points have already been addressed, or are no longer relevant to the site.

The following points describe how Amendment No. 2 addressed the Planning Policy Statements most relevant to Lots 40 and 41 Commonage Road:

- The amended Structure Plan provided suitable linkage points to the existing and proposed development of the Dunsborough Lakes Estate, by way of a road linkage to the east, which continues into the heart of the Dunsborough Lakes Estate. Access onto Commonage Road is provided along the southern boundary and options for linkages to the west of the property are available should redevelopment occur in the future.
- Engagement with the City of Busselton as to the preferred options for development within Lots 40 and 41 resulted in the amended Structure Plan including a residential component within the southern portion of the site, a public open space reservation (with a possible community facility opportunity) within the northern portion, and a central vegetation habitat protection corridor.
- The site was considered suitable for pursuing residential development and public open space development in 2013 by the Department of Environment Regulation (DER), when it was formally reclassified as Decontaminated (Unrestricted Use).
- The central remnant vegetation corridor is set aside as POS to protect the more significant quality vegetation on site and to provide a habitat linkage between Lot 9033 and the vegetation contained in the adjoining properties to the west.

Accordingly, in Amendment No. 2, Planning Policy Statement 8 was modified as follows:

“8. With respect to subdivision and development of Lots 40 and 41 Commonage Road, the following is required:

- subdivision and development is to be in accordance with the relevant special provisions of SP42 of Schedule 3 of the Scheme.
- The vegetated area at the northern end of Lot 41 to be retained as threatened fauna species corridor habitat linkage from Lot 30 to Lot 9033 and be included in Public Open Space.
- Provision of a 10 metre-wide buffer in the proposed road verge adjacent Lot 30 Koopin Place to protect threatened ecological community vegetation on Lot 30.”
- The amended Structure Plan provided for a variety of uses that are considered suitable for the site. The proposed development is considered compatible with the adjoining Dunsborough Lakes Estate and provides a complementary addition to what has already been developed or is proposed for the area.
- The residential component of the design provided for a range of lot sizes and the road network easily transitions into the adjoining development proposed to the east. Linkage options to the west (rural residential development) could occur should this area ever be redeveloped.

- In relation to Planning Policy Statement 8, discussions were held with the City of Busselton with regards to the future acquisition and development of the Public Open Space area, with the inclusion of a recreational oval(s) and sporting facilities for community use.
- Structure Plan **Amendment No. 3** related to Lot 9065 Dunsborough Lakes Drive, Lot 5000 Waterville Road and Lot 9066 Kawana Boulevard, Dunsborough Lakes. The lot 9065 modifications sought to provide a more functional design layout and road network which responds to the bushfire hazards impacting on the allotment.
- The modification for Lot 5000 sought to “rezone” the lot from ‘Tourist’ and ‘Commercial’ to ‘Residential’ and ‘Tourist’ in order to reflect a land use that is more viable and practical to the changing market trends and economic drivers of the locality. The proposed changes to Lot 9066 sought to increase the residential density from R20 to R30 to facilitate a range of residential lot sizes and built form typologies.
- **Amendment No. 4** altered the “zoning” of Lot 9050 Clubhouse Drive to reflect a change on part of the lot from Tourism to Residential R20/R40.
- **Amendment No. 5** changed the Structure Plan by changing the identified land uses in northern portion of Lot 9000 Commonage Road from ‘Aged Persons Dwellings’ and ‘R40’ to ‘Residential – R30’ plus modification to LDP 3 and deletion of LDP 4.
- **Amendment No. 6** incorporated modification to the residential development layout of Lots 41 and 9071 Commonage Road and a minor reduction in size of public open space within Lot 9071.

1.3.6 Pre lodgement consultation

Pre-lodgement discussions have occurred regarding this Structure Plan amendment with the City of Busselton.

2 SITE CONDITIONS AND CONSTRAINTS

2.1 Biodiversity and natural area assets

Environmental Assessment

A flora, vegetation and fauna survey of the subject land was previously undertaken (Coffey Environments, 2012) and was provided as a supporting document to Structure Plan Modification No. 2 to include the subject land with the Dunsborough Lakes Structure Plan.

In March 2019, Ecosystem Solutions completed a Flora and Fauna Significance Survey for the land subject to this Structure Plan modification. The results of this field survey and those of a subsequent survey in November of 2019 were used to compile the report Flora, Vegetation and Fauna Significance Assessment.

Based on the assessment and analysis of results and:

- given the degraded condition of the site;
- that there were no signs of endangered flora;
- no evidence of utilisation of flora by Black Cockatoo species; and
- there would be minimal impact to Western Ringtail habitat,

A referral under the EPBC Act is not considered to be required as any proposed actions are unlikely to significantly impact on the species or local populations.

Although no Threatened Ecological Community (TEC) was identified on the site, a TEC has been determined to be located on the neighbouring Lot 30 to the west.

Previous discussion and correspondence with the Department of Biodiversity, Conservation and Attractions (DBCA) advised the need for a buffer to the TEC be allowed for within the Structure Plan. Although, Modification No. 2 provided for a widened road reserve along the boundary, while the installation of services within the road reserve could possibly disturb the roots of the trees on the boundary of lot 30, it is considered more appropriate to protect the strip along the boundary within a Public Access Way (PAW).

Managed vegetation within the PAW would allow for adequate setback from vegetation to lots backing onto the PAW in terms of Bushfire Management.

The PAW would also provide for pedestrian access to and from Commonage Road and the school on Cornerstone Way to the proposed sporting grounds on Dunsborough Lakes Drive.

2.2 Landform and soils

2.2.1 Topography

The land subject to this modification is generally composed of a gently sloping plain that falls from the south-west corner (approx. RL of 18m AHD) to the north-east corner (approx. RL of 12m AHD) near Kawana Avenue.

The slope of the site varies between 1:120 and 1:20, with the average being around 1:100. The steepest points are around the isolated sand rises.

2.2.2 Acid sulphate soils

A number of geological investigations have been undertaken previously within the Dunsborough Lakes Structure Plan area with preliminary Acid Sulphate Soil investigations indicating only slight potential acidity in the soils with the pH ranging from 4.2 to 7.6.

The investigations show that ASS and PASS are present but the values are low and scattered. This matches the Department of Water and Environmental Regulation ASS risk map for the area, which shows a moderate to low ASS risk.

2.3 Groundwater and surface water

The Lot 10 Commonage Road Dunsborough Lakes Local Water Management Strategy (LWMS) was prepared in response to the Rezoning and Structure planning process for the former Water Corporation site. This LWMS was written to predominately complement the approved overall Dunsborough Lakes LWMS. This is so that the water management works undertaken for this site are closely aligned with the greater area.

The objective of the LWMS is to detail the best management practices approach to water management that will be undertaken specifically for this development, as well as how it will dovetail into the adjoining development areas. This will include managing, protecting and conserving the total water cycle of the local environment and the greater catchment.

The subject land drains generally north-eastward via overland sheet flow. This water then discharges into the existing developed area and the drains along Commonage Road. This water eventually enters Toby Inlet via a single discharge point at the corner of Caves Road and Commonage Road.

2.4 Heritage

As part of a previous amendment to the DLSP, a heritage study was carried out by Brad Goode and Associates to identify if any heritage constraints exist over the site.

Aboriginal Sites and Places Register, that no Registered Aboriginal heritage sites or 'Other Heritage Places' on the public Sites and Places register were found within the Study Area.

It also recommends that the Study Area has been previously examined for archaeological sites and given the nature of the lot, it is unlikely that further surface surveys will reveal cultural material and therefore, further archaeological surveys were not recommended.

However, it did conclude that there is the potential for cultural material and skeletal remains to be identified if ground disturbing works such as trenching for infrastructure or subterranean structures are necessary. Therefore, it was recommended that a protocol should be adopted, in the event that skeletal material is uncovered at the development stage.

2.5 Bushfire hazard

In accordance with SPP 3.7, Planning in Bushfire Prone Areas, a Bushfire Management Plan (BMP) was prepared for the former Water Corporation site (Strategen, 2016) and supported by Bushfire Advice provided by Ecosystem Solutions (Nov, 2019). A further Bushfire Management Plan was provided as part of Amendment 6 by Ecosystem Solutions in June 2021 – an extract from this document is provided in **Figure 6**.

The purpose of the BMP is to provide strategic level guidance on how to plan for and manage the bushfire risk to future assets of the project area by demonstrating a commitment from the developer to implement a range of bushfire management measures at future planning stages.

Results of the BAL contour assessment indicate that some proposed lots are affected by a BAL rating greater than BAL 29, however, the impact from this rating on affected lots is minimal and can be completely avoided through adoption of building setbacks where required and these will form part of mandatory APZ requirements. Building setback distances for individual lots to avoid BAL-40 areas will be confirmed at the subdivision stage.

The remnant vegetation areas to be retained as part of the development are not considered to present any bushfire threats to the development. Standard fuel management within the southern POS corridor adjacent to Commonage Road is proposed to be undertaken to ensure this area does not present a bushfire hazard to the future development.

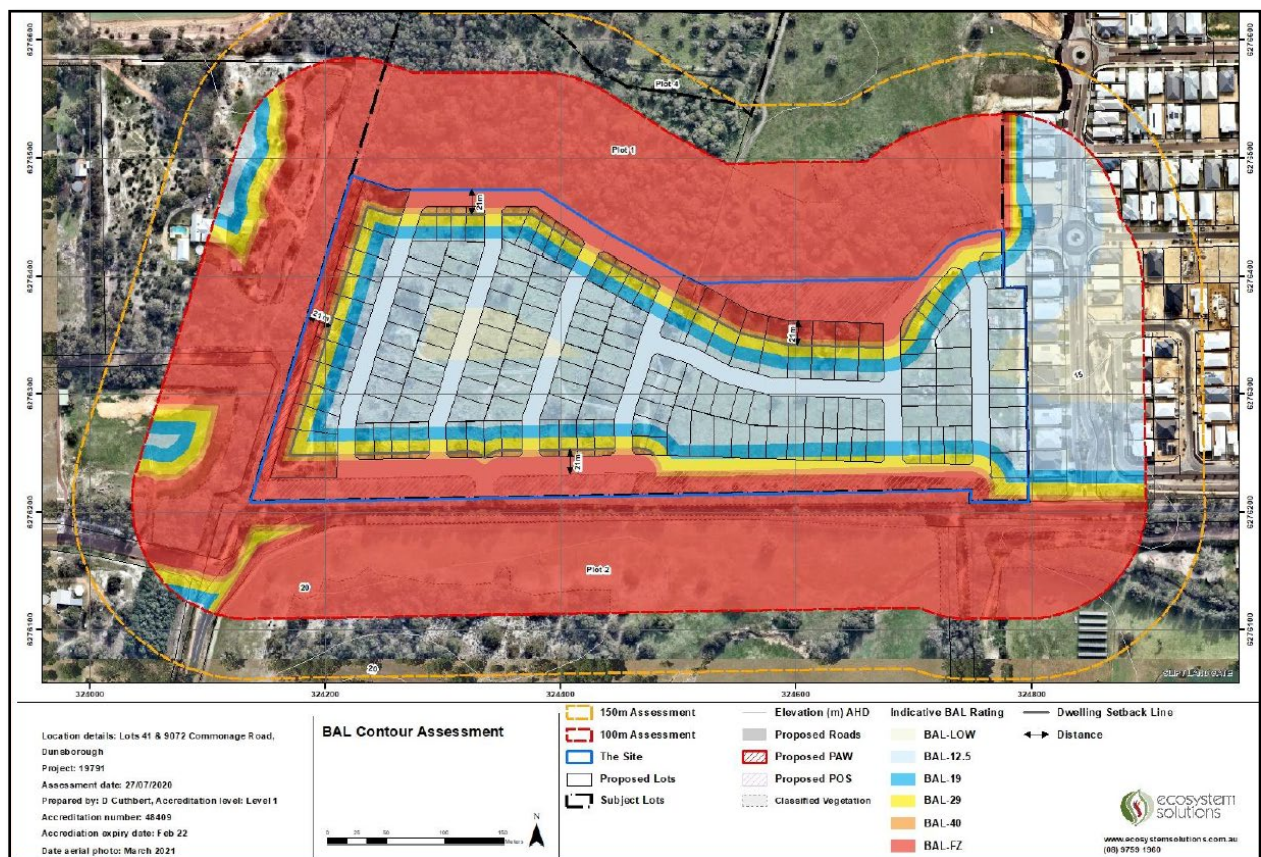


Figure 6: BAL Rating Assessment Map – Lots 41 and 9072

2.6 Services and Infrastructure

As part of the previous amendment to the DLSP in 2018, Calibre Professional Services carried out an investigation into the serviceability of the site.

The report provides details regarding hydrology/groundwater, geotechnical/ASS, roads, stormwater management, earthworks and services (i.e. sewer, water, power etc).

The investigations concluded that no constraints were identified that would be considered critical to the servicing and development of the proposed site, at this early stage of the planning process and this conclusion remains relevant to this proposal .

3 DUNSBOROUGH LAKES STRUCTURE PLAN

3.1 Overview

The current WAPC endorsed DLSP is attached at **Appendix B**.

The DLSP provides many options for the Estate and guides the principal land release stages as part of its ongoing development.

The DLSP has guided transformation of the land from what was once extensively cleared and somewhat degraded farmland, into an established residential area that combines landscaping with golf course links, POS areas and a legible and interconnecting street network.

In summary, the DLSP demonstrates in a comprehensive manner, how the land shall be developed including but without limiting the generality of the foregoing:

- Allocation of land uses;
- The residential codes applying to typical lot sizes;
- Management of environmentally sensitive locations, including indication of buffers and vegetation areas;
- The proposed principal road and other transport movement systems;
- Provision of community and service facilities; and
- Specific provisions relating to the ongoing staging of the Estate and various issues which may arise with respect to implementation.

The DLSP provides detail with respect to subdivision design, including configuration of residential cells and road layout. It relates to all landholdings contained within the Structure Plan Area, irrespective of ownership.

3.2 Lot type and density

It is anticipated that upon completion, the Dunsborough Lakes project (including its original development area) will realise up to approximately 2000 residential lots.

The DLSP offers a variety of residential lots ranging from 250m² up to 2000m² thereby providing a wide range of lifestyle choices to its existing and future residents. The product type includes medium density R30/40 rear laneway lots (250 -350m²) traditional R20 lots (450-600m²) and larger R10 or R5 living lots (1000-2000m²).

There are also a number of group housing sites yet to be developed which could realise minimum lot sizes of 200m² and tourist land, contained within LDP 1, which may allow for even higher densities to be applied.

'Restricted Business and Office' lots are also provided within the existing and future areas of the Enterprise Park, contained within LDPs 6 & 2.

3.3 Land use

While Dunsborough Lakes is primarily a Residential Estate, it also incorporates other land uses, including an established 18 Hole Championship Golf Course, a 'Restricted Business and Office' Precinct (Enterprise Park), a designated area for tourism, district level playing fields and a primary school. The mix of land use

responds to the requirements of the growing population, which over recent years has maintained a growth rate in the Busselton region, at approximately 3.4%.

Located within and to the north of the site, adjacent to Commonage Road, lies the Dunsborough Lakes Enterprise Park. This precinct provides the opportunity for local businesses (pursuant to the general provisions of the Scheme) to operate and contribute to the growth of Dunsborough, as a principal centre for the region. Land use and development within the Enterprise Park is also controlled by the special provisions in the Scheme (SP 42), the DLSP and design guidelines that have been adopted by Council.

The potential for tourist development is also provided by the DLSP, within the area identified as LDP 1, which includes the existing golf course club facilities. The extent and degree of its land use potential is not definitively known at this stage and is subject to future detailed local development planning, hence the reason for its inclusion in the LDP 1 area.

3.4 Local development plans

The DLSP provides for the allocation of land uses and also facilitates the preparation and adoption of Local Development Plans (LDPs) for specific development cells throughout the Estate, as required by the Scheme. In this regard, approval to an LDP identified on the DLSP, is required prior to subdivision and/or development approval of land within that particular development cell.

Presently there are five identified LDP areas on the DLSP.

- LDP 1 - Tourism Site
- LDP 2 - Enterprise Park South
- LDP 3 – Residential R30 Site
- LDP 5 - Residential R20/40 Site
- LDP 6 - Enterprise Park

3.5 Water management

The stormwater system for the Estate has been designed in recent stages to address and where possible exceed the outcomes required by the Vasse Geographe Water Quality Improvement Plan (WQIP) Key outcomes of the design are to control and manage Nitrogen and Phosphorus and gross pollutants generated within the site and to reduce these to the target levels of the WQIP.

An integrated system consisting of a combination of bio-retention basins, swales, constructed wetlands, linear rain gardens and lake storage systems have been combined to deliver an integrated treatment train.

Immediate runoff from the golf course, streets network and residential lots is combined with runoff from areas above the site in the catchment which is conveyed through linear vegetated swales, stripping nitrogen and phosphorus and settling sediment prior to being received in the lake system along Caves Road.

Nutrient levels on the golf course are also carefully monitored. Fertilisers used on the golf course are slow release to ensure fertiliser application accurately matches golf course needs and thereby removing the potential export of Nitrogen and Phosphorus.

Flows from multiple external catchments are integrated into the overall stormwater system design to ensure flood conveyance, protection and where possible treatment of stormwater.

All stormwater on the site is collected in the lake systems to maximise rescue potential and minimise reliance on groundwater sources, while also ensuring environmental flow requirements for Toby Inlet are maintained.

State-of-the-art infrastructure design is used for the system with ongoing enhancement of the constructed systems as new technologies and methods become available.

The most recent bio-retention basins being constructed include careful control of the interaction between the collected and treated stormwater water with the groundwater systems on the site.

The DLSP supports ongoing enhancement to ensure the latest methods of Better Urban Water management and Water Sensitive Urban Design are considered. In this regard, the DLSP is supported by an approved Local Water Management Strategy (LWMS) which informs the management of stormwater to ensure there is no greater volume or loss of quality of stormwater leaving the site following its development.

3.6 Notations and subdivision and development requirements

The DLSP incorporates various notations which relate to specific objectives and intent in respect of the land. While some notations merely provide advice or confirm specific land use details, others trigger certain responsibilities or actions to be undertaken by the developer at the subdivision stage.

While the notations on the DLSP vary in detail, close consideration to each should be given when preparing future subdivision and/or development applications, as each one represents the position of both the Council and WAPC.

The same principle applies to the various 'subdivision and development requirements' outlined Part 1 of the Structure Plan Report, on the basis that each may be considered and enforced by the Council and/or the WAPC either before or at the subdivision/development implementation stage.

3.7 Transport network

Through planning design and traffic engineering solutions, the Estate effectively manages its internal traffic generation and encourages the movement of vehicles around the Estate. The road layout aims to prevent vehicles moving through residential areas to the town site and is designed to discourage unsafe driving behaviour.

The road layout has been planned and traffic calming devices are installed for through traffic, using the Estate's internal road network, helping to protect residents of the Estate, users of the Golf Course and customers/workers of the Enterprise Park.

The subdivision layout ensures safe access for motorists, cyclists and pedestrians and the provision of pedestrian links through the Golf Course enables connectivity and improved pedestrian movement. Pedestrian and cycle paths provide locals with easy access between the Estate nodes and the surrounding features, including the Geographe Bay.

4 PROPOSED STRUCTURE PLAN AMENDMENT

4.1 Proposal

The proposed amendments to the Structure Plan are minor in nature and only relate to part of Lot 41 and 9072 where currently the structure plan permits lots ranging between 'R10' and R30' and proposed Lots 1710-1712 which are currently R20.

The proposed changes to the Structure Plan in Lots 41 and 9072 are as follows:

1. Introduce additional 'Residential R30' land use into the northern portion of each of the three freestanding cell blocks in the subject site development area, and reduce R30 areas in the southern part of the precinct;
2. Introduce 'Residential R12.5' land use into western boundary cell block of the subject site development area. Maintain existing 'Residential R10' land use for two lots, furthestmost south and north of the new R12.5 central section;
3. Update Development and POS Summary Tables on the Structure Plan to reflect land use changes.
4. Move the southern road access east in accordance with City of Busselton request.

The proposed changes for the three (3) constructed lots – 1710-1712 are as follows:

5. Change lot classification from R20 to R30

No other changes are proposed to the road network or open space areas as part of this amendment.

4.2 Residential land uses

The proposed amendment to the DLSP is primarily based on reviewing land uses in the southern portion of the site. A section of the 'Residential R10' western cell block is to be replaced with 'Residential R12.5', and the northern section of each central 'Residential R20' cell block is to be replaced with 'Residential R30'.

An indicative layout for the proposed land use changes on the site in Lots 41 and 9072 is presented by a subdivision concept plan (**Figure 7**) which has been prepared to inform the amended structure plan proposal and to validate its functionality from an appropriate urban design perspective.

Lots 1710, 1711 and 1712 are existing residential lots which have recently been constructed. There is no plan to re-subdivide or reconfigure them in any way, the proposed change to the density coding is associated with improving the design outcomes for dwellings on those lots.

4.3 Movement Network

No change to the approved street network is proposed as a consequence of this amendment and the minor increase in lot yield does not necessitate additional analysis of road capacity. The southern access point from Commonage Road has been moved eastwards to facilitate vegetation retention as per a request from the City of Busselton.

4.4 Stormwater and urban water management

The proposed minor increase in lot yield as a consequence of the proposed amendment does not alter the proposed stormwater management arrangements for the project. The sewer and wastewater systems can

still be matched to the existing proposed system for the entire Dunsborough Lakes area. Groundwater management will be in keeping with the current standard practice across the entire Dunsborough Lakes area.

For the above reasons and as before, it is not deemed necessary to update the current LWMS in relation to this proposal.

4.5 Infrastructure servicing

The proposed development of the subject land will require connection to infrastructure services. These are readily available due to provision for other existing and planned development in the adjoining sections of Dunsborough Lakes Estate.

4.6 Developer contributions arrangements

Under LPS21, the subject land is included in Special Control Area (SCA) Development Contribution Area (DCA 1) pursuant to Schedule 11 of LPS21 and will attract Community Facilities precinct contribution rates (per dwelling/lot) applicable for the Dunsborough and Quindalup precinct at the subdivision stage.

4.7 Public open space

The proposed amendment to the Structure Plan does not require any changes to the current distribution or provision of POS in respect of the overall DLSP.

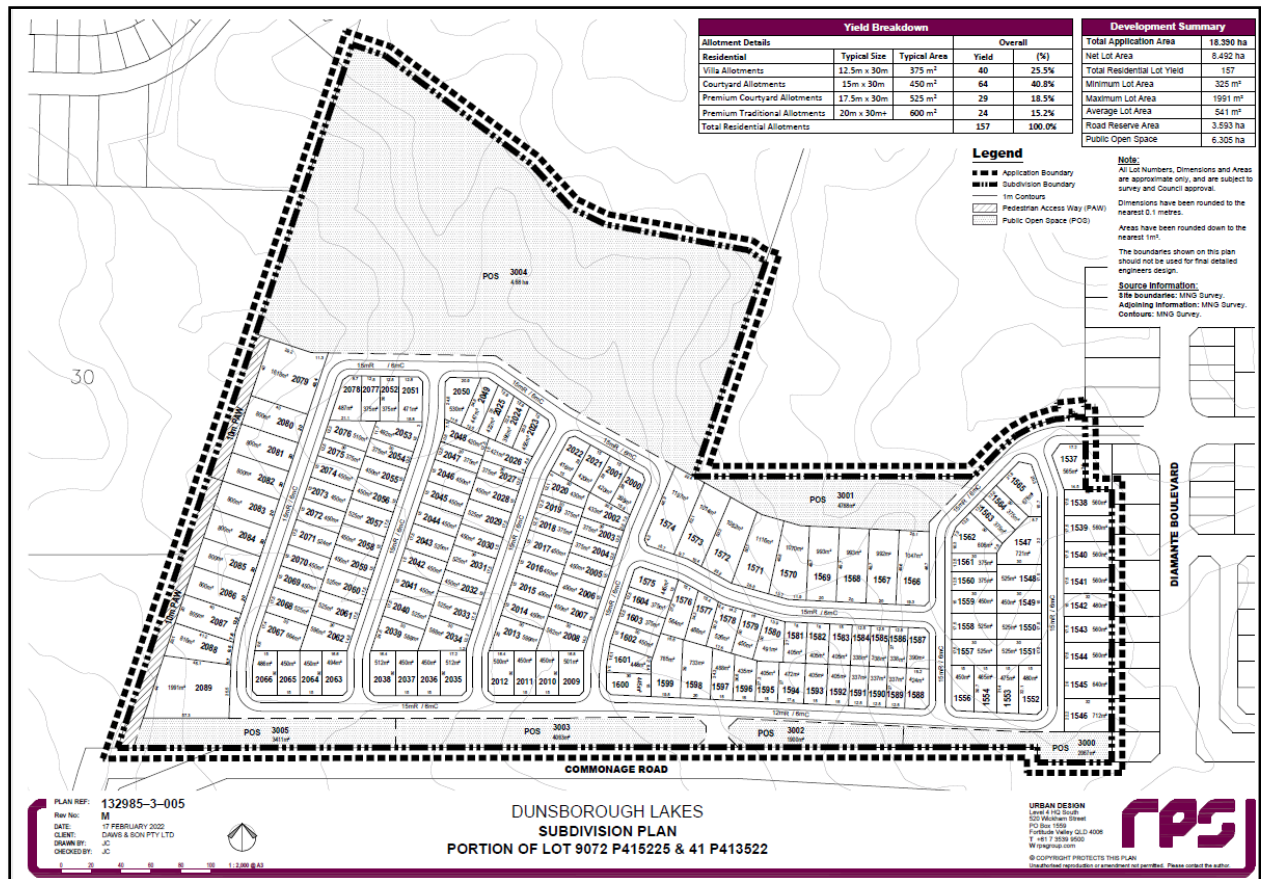


Figure 7: Subdivision Concept – Lots 41 & 9072

5 CONCLUSION

The proposed amendment to the current endorsed Structure Plan has generally been prepared in accordance with the WAPC's "Structure Plan Framework" pursuant to *The Planning and Development (Local Planning Scheme) Regulations 2015*.

It specifically relates to providing an opportunity to provide future housing product choice consistent with the surrounding product types within Dunsborough Lakes for the subdivision of Lot 41 and Lot 9072 Commonage Road, Dunsborough and improving the buildability of three recently created lots (1710, 1711, and 1712), and an adjustment to the southern road access position as requested by City of Busselton to allow for vegetation retention.

This modification to the Dunsborough Lakes Structure Plan is minor in nature and does not impact on previously approved street networks or proposed open space provision.

The amendment to the design is guided by the objectives and principles of Liveable Neighbourhoods, and is in accordance with the relevant State Planning Policies, the City of Busselton's Local Planning Scheme No. 21 and Strategy.

PART THREE – APPENDICIES

Appendix A

Certificates of Title

Appendix B

Dunsborough Lakes Structure Plan Amendment 6

