



Dalyellup East Structure Plan Amendment No. 29

DOCUMENT CONTROL

ISSUE	DATE	ISSUE DETAILS	APPROVED
Draft	28 May 2021	Client review	KH
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Final	1 August 2022	WAPC modifications	KH

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This structure plan is prepared under the provisions of the Shire of Capel District
Town Planning Scheme Number 7.

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

07 MARCH 2008

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

Date of Expiry:

19 OCTOBER 2025

Table of Amendments

Amendment No.	Summary of the Amendment	Amendment Type	Date approved by the WAPC
Amendment 29	Administrative adjustment to Public Open Space Areas No. 5 and 6 to reflect subdivision boundaries. Normalise residential R30 subdivision in Stage 19I and 19J into the Structure Plan.	Minor	17 November 2022

Density Plan No.	Area of density plan application	Date endorsed by WAPC

Executive Summary

This is a minor, largely administrative amendment to the current endorsed Dalyellup East Local Structure Plan, relating to land located in the southern part of the Dalyellup District Centre.

The Dalyellup East Local Structure Plan covers approximately 238 hectares and was originally approved in 2006. The Structure Plan outlines the planned urban layout for the broader suburb, identifying specific land use, residential density codes and other development provisions to guide and control future planning and design. Since 2006, there have been 28 Amendments.

Amendment No.29 to the Dalyellup East Local Structure Plan seeks to adjust Public Open Space Areas No. 5 and No. 6 that are identified in the Public Open Space Table and Public Open Space Plan of the Structure Plan. This is to update and reflect more recent subdivisions.

This amendment also seeks to normalise into the Structure Plan residential R30 subdivision in Stages 19I and 19J in the southwest part of the Dalyellup District Centre. An alternative subdivision layout to that originally proposed by this Structure Plan and the subsequent Dalyellup District Centre Outline Development Plan has been approved and is partially completed.

This amendment does not require review or amendment of any previous technical reports. Please refer to the original Dalyellup East Local Structure Plan and various amendments that have been approved for comprehensive explanations and all Technical Reports, except where superseded by this document.

Item	Area
Total area covered by the Structure Plan	238.5453ha
Area of each existing / proposed land use	
- Residential	96.0600 hectares
- Primary School	3.4857 hectares
- High School	10.2480 hectares
- Private School	10.2382 hectares
- District Centre	15.6453 hectares
- Non-Residential	26.5915 hectares
- Public Open Space/Drainage	23.8866 hectares
Estimated Dwelling / beds (excludes District Centre)	2373 dwellings
Estimated population	5584 people
Public Open Space/Drainage	
POS 1	1.6752 hectares
POS 2	0.7079 hectares
POS 3	4.7582 hectares
POS 4	1.2300 hectares
POS 5	1.9012 hectares
POS 6	2.2425 hectares
POS 7	0.0270 hectares
POS 8	0.7168 hectares
POS 9	1.8330 hectares
POS 10	2.3765 hectares
POS11	2.0677 hectares
POS12	0.4916 hectares
POS13	0.9171 hectares
POS14	1.2189 hectares
POS15	0.2015 hectares
POS16	1.2048 hectares
POS17	0.3077 hectares
<u>Total</u>	<u>23.8866 hectares</u>
Gross Subdivisible Area (minus deductions)	<u>165.6726 hectares</u>
10% Requirement	16.5672 hectares
POS Provided (excluding drainage areas)	16.5764 hectares
<u>POS % Provided (excluding drainage areas)</u>	<u>10.01%</u>
<i>Note: The above calculations are approximate only and subject to detailed subdivision design and survey.</i>	

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Part 1

Implementation

1.1 Structure Plan Area

This Structure Plan applies to the area known as Dalyellup East which comprises multiple landholdings and is approximately 75% developed. The Structure Plan Area is the land contained within the inner edge of the broken black line shown on the Structure Plan Map (**see Figure 1**).

The proposed amendment to the Structure Plan specifically relates to the southern part of land within the area identified by the plan as the Dalyellup District Centre. This land is contained within the area known as Stages 19I and 19J, a location that is generally positioned southeast of the intersection of Wicklow Boulevard and Tiffany Centre. It also includes Public Open Space and drainage that extends along southern stretch of the District Centre, located between the District Centre and the Bussell Highway.

The vacant land this area includes is owned by Dalyellup Beach Pty Ltd, forming part of balance Lot 9045 DP410857. Lots in Stage 19I along this part of Wicklow Boulevard and Tiffany Centre have been created and some sold to other parties by Dalyellup Beach Pty Ltd. The subject area also includes Open Space and Drainage Reserves.

The proposed amendment is largely administrative and reflects WAPC subdivision approval. It updates Public Open Space calculations and normalises subdivision into the Structure Plan. The District Centre category as it applies to the subject area is replaced with Residential R30, Public Open Space and drainage categories.

No modification to the current land use and implementation notes which form part of the Structure Plan, as set out in Addendum 1 of Figure 1, are proposed. Further detail to outline and explain this proposed amendment are set out in Part Two of this report.

1.2 Structure Plan Content

This Structure Plan report comprises two parts being:

- Part One (Implementation)

This section contains the Amended Structure Plan Map including detailed land use and implementation notes which form part of the Structure Plan set out in Addendum 1. These provisions specifically relate to land contained within the Structure Plan area to guide the subdivision and development assessment process requirements to be applied when assessing subdivision and development applications within the Structure Plan Area.

- Part Two (Explanatory Section)

This section provides an explanation regarding the proposed amendment to the Structure Plan and includes general details in relation to planning background, site details, planning framework, constraints, land use and servicing. Part Two is a reference guide only to interpret and justify the implementation of Part One.

The original Dalyellup East Local Structure Plan remains valid unless stated as superseded. Please refer to the original Dalyellup East Local Structure Plan and various amendments that have been approved since for comprehensive explanations and all Technical Reports, except where superseded by this Amendment No.29 report.

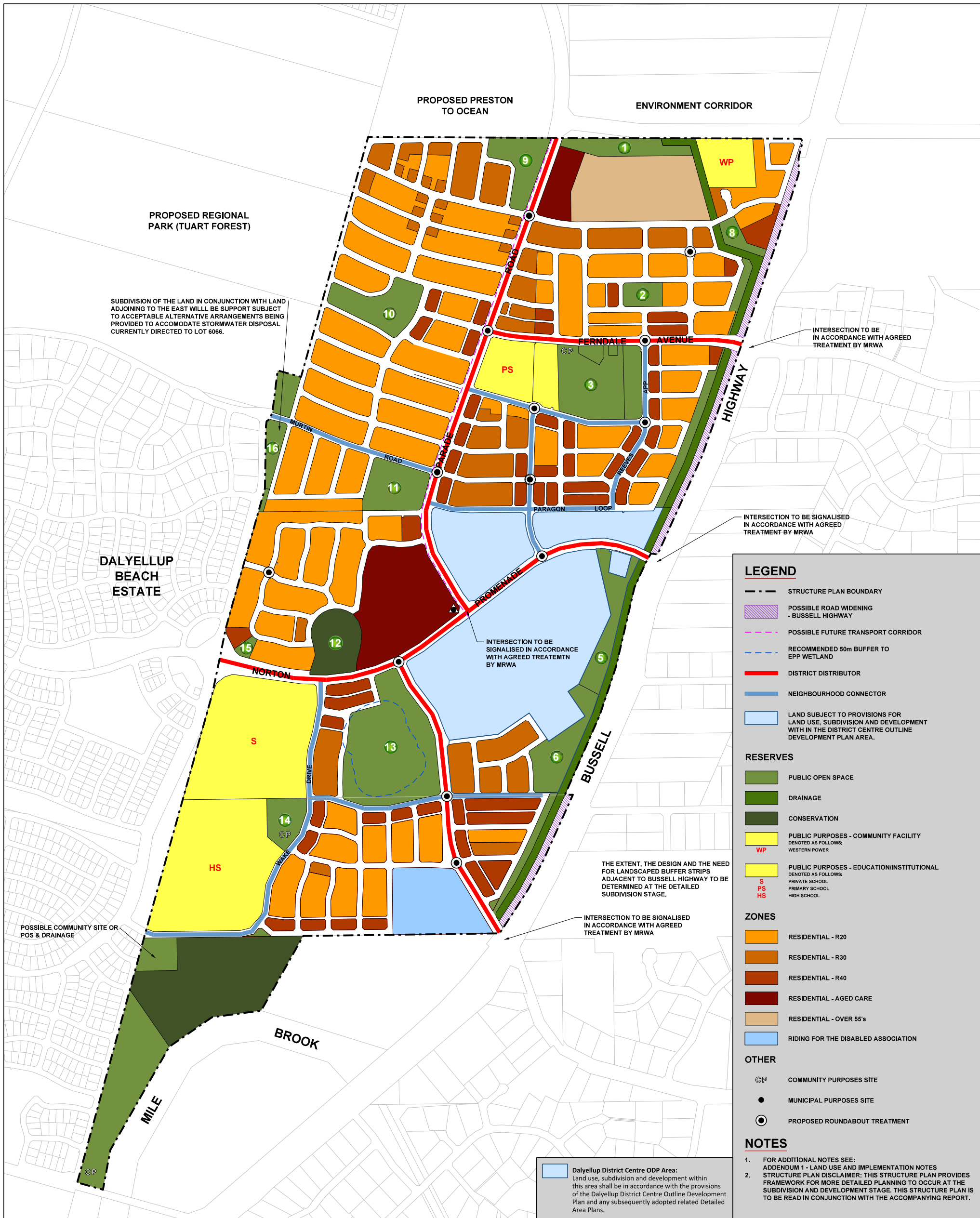
1.3 Operation

This Structure Plan commences operation on the date it is approved by the WAPC and is valid for a period of ten years from such time. Due regard to this Structure Plan shall be given when considering future subdivision and development of the land.

It is noted that Structure Plans approved prior to the *Planning and Development Regulations* coming into effect in 2015 are taken to have been approved on the day the Regulations commenced operation, and resume an expiry date 10 years henceforth, which means this Structure Plan will expire in 2025.

1.4 Staging

It is expected that staged residential development will continue to progress within Lot 9045 in the short term.



NOTES

Base data supplied by CALIBRE / TME / LB Planning
Projection MGA94 zone 50
Areas and dimensions shown are subject to final survey calculations.
All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.

- 1)

Upon land nominated within any Residential Density Code it is anticipated land use will be approved in a manner consistent with the uses permitted in the Residential Zone and development will be subject to the applicable R Code requirements as contained within the Residential Design Codes of Western Australia.

2)

Within the land nominated as District Centre and/or Mixed Use Precinct, the endorsed Outline Development Plan specifies anticipated land uses and indicates appropriate development standards.

3)

Notwithstanding any other provisions of the Scheme or the Shire of Capel Signs Hoardings and Bill Postings Local Laws Council may approve a comprehensive system of signs designed for the estate for the purposes of:

 - Advertising the sale of property.
 - Informing the public of proposed uses for the development intended for particular sites.
 - To provide direction to services and facilities.
 - Interpret natural features of the site.

Once a comprehensive system of signage is approved all signage shall conform to design guidelines and finishes set out therein.

5)

Design plans setting out finishes of proposed open space areas shall be submitted together with an explanation of the placement of the area of development within the overall public open space development distribution and maintenance strategy.

 - Stages of earthworks and levels will be related to an overall levels and drainage strategy for the estate to be confirmed with the Shire prior to commencement of works.
 - An overall approval to earthworks is not to be construed as any form of subdivision approval that must be obtained from the WAPC.

6)

Subdivision shall be generally in accordance with the endorsed Dalyellup East Local Structure Plan.

7)

An Urban Water Management Plan to integrate approval of the use of water within public open space development shall be prepared to the satisfaction of the Shire of Capel prior to the development of additional areas of public open space.

8)

Development of open space on Lot 664 will be considered in conjunction with drainage needs, future needs of The Riding for the Disabled (RDA) and provision of useable passive recreation space for residents. Use of Public Open Space adjacent to the RDA land for horse agistment and the development of fringing areas of the reserve currently occupied by the Bunbury Horse and Pony Club for passive recreation (by future residents) shall be considered as an integrated plan to the satisfaction of Council.

9)

Corner lots having an area of 600m² or larger may be developed to R30 density coding standards in accordance with the Residential Design Codes of Western Australia.

10)

The importance and continued use of the Riding for the Disabled site (and its associated activities) is both recognised and supported by the Shire of Capel. Council shall facilitate the continued use of the land which is considered to be of Regional community importance.

11)

A strategy to determine the future treatment, funding and timing of intersections with Bussell Highway to be prepared by subdividing land owners and agreed to by the Shire of Capel and WAPC in accordance with the requirements of schedule 16 of the Town Planning Scheme No. 7.

12)

The areas of POS and drainage shown on the Structure Plan indicate the desired location and areas but these shall be reviewed at each stage of subdivision application and the following minimum standards shall be met:

i)

A minimum area of 0.5ha shall be provided within each area of POS with minimum dimensions of 50m length and width and at a sufficient level so as not to be subject to inundation f rom stormwater. Council may agree to a lesser area having regard to the size and location of the site.

ii)

Side slopes from the road boundary level of POS and Drainage areas to the base level of areas to be subject to inundation during storms with an Average Recurrence Interval of 1 in 10 years or greater shall not be a steeper grade than 1:20 and further slopes into areas subject to annual inundation shall not be steeper than 1:6. Council may allow the use of slopes of 1:6 and retaining walls in place of the 1:20 maximum, provided access for persons with disabilities is catered for and the general usefulness of the site is not compromised.

iii)

Each land owner shall contribute to a total minimum of 10% of the gross subdivisible area of the Structure Plan, for the purpose of POS and that area shall, in the case of each of the areas nominated on the Structure Plan, consist of land that complies with standard (i) and other land that is finished in accordance with standard (ii) to a level that is designed to be subject to inundation to assist in the management of stormwater from storms with an ARI of 1 in 10 years or greater. Land subject to annual inundation shall not be included within the POS contribution.

iv)

In order to provide for one minimum area of 4ha of playing field space in the northern section of the Structure Plan Area to be available without inundation by stormwater, the area of POS collocated with the primary school site shall have a minimum area of 3.5ha of land in a rectangular shape finished to a level that is above that which is predicted to be the level of stormwater that would need to be held in any adjacent stormwater basins or other stormwater infrastructure and consistent with the primary school site development level.

12) (continued)

v) An exchange of land between the owner of Lot 1 Bussell Highway, Riding for the Disabled Association, and the adjoining owner of Lot 9000 Bussell Highway and the associated subdivision design on lot 9000 will in part be facilitated by the provision of 1.2220ha of POS from a surplus of POS in the Dalyellup Beach Pty Ltd land holding in the Dalyellup East Local Structure Plan area. The land exchange has been proposed to provide the land for the future connection of the road network through the RDA lot to the intersection of Bussell Highway and Hasties Road and will assist Dalyellup Beach Pty Ltd as owner of the Dist rict Centre land to meet the cost of the land for the road and construction thereof pursuant to clause (I) of Development Precinct No 1 in Appendix 16 of the Scheme. The exchange provides for the RDA to retain a land holding of same area as the existing lot 1. Subject to subdivision taking place in accordance with the DELSP the obligations of the respective land owners to provide POS will be deemed to have been met.

13)

Whilst the role of Parade Road is nominated as a District Distributor Integrator ‘B’ based on predicted traffic flows, the design of the road cross-section shall include, at strategic intervals, features intended to limit the speed of traffic and deter the use of the road as a through road in the Greater Bunbury road network and as an alternative route to the Bussell Highway.

14)

The subdivider contributions to be the implementation of the Dalyellup Community Facilities Development Plan will be an amount of \$565 per potential dwelling site created at the time of seeking clearance to Deposited Plans of Survey.

15)

A strategy to determine the future treatment, funding and timing of the upgrading of the Five Mile Brook Diversion Drain to be prepared by the subdividing landowners and agreed by the Water Corporation, Department of Water, Shire of Capel and WAPC in accordance with the requirements of Schedule 16 of Town Planning Scheme No.7. Funding arrangements are also to ensure that subdivision applications approved in the Dalyellup East Local Structure Plan area are to be included in the calculations for the funding agreement.

16)

Subdividing landowners adjacent of Bussell Highway to establish a Landscape buffer to the highway for the purpose of noise attenuation and landscape amenity in accordance with the requirements of Schedule 16 of Town Planning Scheme No.7 as agreed by the Shire of Capel, MRWA and WAPC.

17)

Subdivision proposals to be consistent with the agreed traffic management study in relation to road upgrading conditions and road network infrastructure requirements, outside of the Dalyellup East Local Structure Plan Area, to the satisfaction of the Western Australian Planning Commission.

18)

The residential lot interface with the Sleaford Road extension i.e. on the south side of road between the Bussell Highway intersection and south-bound, is to be designed to minimise traffic conflict.

19)

Footpaths to be established as per Figure 22 ‘Pedestrian/Cycle Network’ of the Report and a path along Bussell Highway.

20)

For the entire area fronting Bussell Highway, the subdivider of the respective lot is to establish appropriate road transport noise mitigation measures and landscaped visual screening to protect the amenity of local residents and to provide for an aesthetic approach to Dalyellup. Full details are contained in Section 5.3.13 ‘Bussell Highway Buffer Area Interface Treatment’ of the report.

21)

Display Village buildings are required to demonstrate incorporation of passive solar design principles and demonstration of energy and water efficiency in the design.

22)

The maximum wall height for outbuilding in the R20 coded areas is permitted to be 2.7 metres.

23)

Local Development Plans shall be required for Lots that require specific design responses to ensure a high standard of urban amenity. Matters to be considered include, use of rear laneway, interface treatments for lots directly fronting /abutting public open space/drainage reserves or where vehicular access restrictions are necessary for safety reasons.

24)

Street corners within the Structure Plan Area being truncated to the standard truncation of 8.5 metres and the rear laneway within the subdivision being truncated to the standard corner truncation of 4.2 metres at intersection road/laneway points.

25)

Quiet house treatment will be required on the R40 Lots 175 & 176 and the R20 Lots 184 & 185 in accordance with the recommendations of the Herring Storer Acoustics Road Traffic Noise Assessment dated March 2009 (ref: 8962-4-07196).

26)

Future development of the ‘Residential – Over 55’s’ site shall be considered in accordance with the provisions of the Shire of Capel Town Planning Scheme No. 7 and other development requirements. In addition, a Local Development Plan covering the lifestyle village and aged care facility is to be prepared and approved to the satisfaction of the Shire of Capel in order to address various urban design issues including proposed built form, streetscape amenity, landscaping and pedestrian access to nearby public open space areas.

27)

Residential lots adjoining Regional Open space to the north and west of Lot 9015, should, through subdivision, have a restrictive covenant placed on the certificates of title of the proposed lots advising of a restriction on the construction of habitable buildings within BAL-FZ/BAL-40.

28)

The western and northern boundaries of Lot 9015, adjacent to Regional Open Space, should be fenced and gated and any existing fences/gates in substandard condition should be repaired, to a standard acceptable to the Department of Biodiversity, Conservation and Attractions and the Shire of Capel.

29)

The subdivider of the ‘Residential – Over 55’s’ lifestyle village to construct and establish by way of an easement on title, three separate road access ways through the lot to the adjoining Public Open Space to the north, to the satisfaction of the Shire of Capel.

Part 2

Explanatory Report

1 Planning background

1.1 Introduction

The current Dalyellup East Local Structure Plan (Amendment No.28) was endorsed by the Western Australian Planning Commission (WAPC) on 21 January 2021, and this document is the guiding document for future subdivision and development of land within the Structure Plan area.

A copy of the endorsed Structure Plan (Amendment No.28) is contained in **Appendix 1** of this report.

1.2 Land description

Proposed Amendment No.29 to the Dalyellup East Structure Plan relates to the southwest corner of the Dalyellup District Centre. The subject land is partially developed whilst the balance is cleared.

Refer **Figure 2** Location Plan and **Table 1** Title particulars.

The subject land comprises vacant land owned by Dalyellup Beach Pty Ltd, forming part of balance Lot 9045 DP 410857.

Lots in Stage 19I along this section of Wicklow Boulevard and Tiffany Centre have been created and some sold by Dalyellup Beach Pty Ltd.

Likewise, Lot 8514, 3 Norton Promenade (POS6), has been created as a Reserve under Management Order to the Shire of Capel.

Relevant Deposited Plans are provided at **Appendix 2** of this report.

Table 1: Title particulars

Lot	Deposited Plan
9045	410857
6061-6048	419661
6081-6091	419404
8514	48283

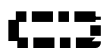
1.3 Background

The Dalyellup East Structure Plan was approved in 2006, and in 2012, the Dalyellup District Centre Outline Development Plan (ODP) was approved, effectively to provide subsidiary guidance and detail to the overall Dalyellup East Structure Plan for the more nuanced commercial and mixed-use town centre of the broader plan.

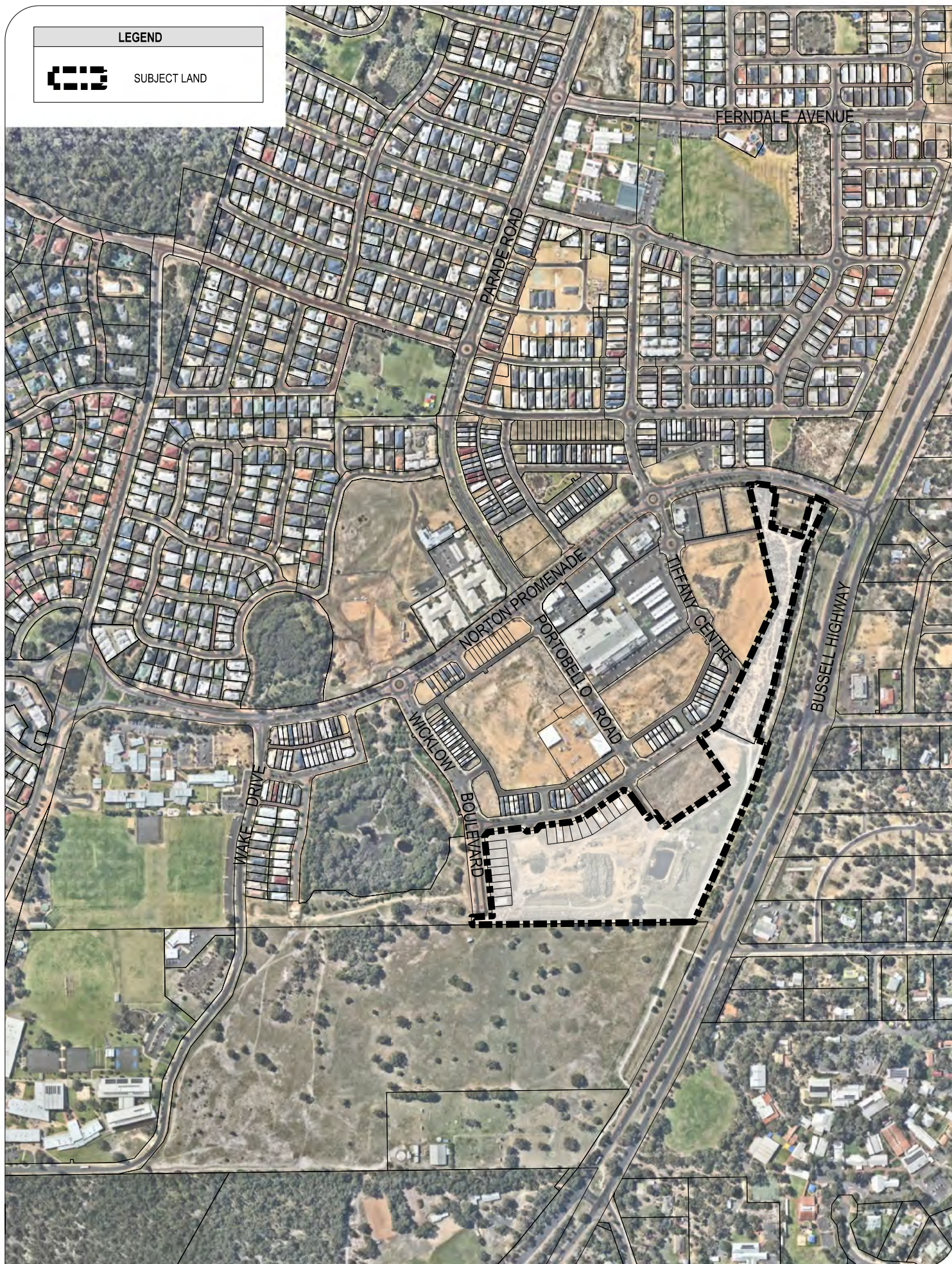
Since this time, subdivision across Dalyellup East and part of the Dalyellup District Centre has advanced generally in accordance with both guiding documents however, it is apparent that detailed level planning has finetuned the original concept and resulted in some adjustments at delivery, including within the subject area. These are adjustments that do not alter the intent and principles set out in the Dalyellup East Structure Plan as the overarching guiding planning instrument.

Much of the subject land, aside from the reserve known as 3 Norton Promenade, is identified as Stages 19I and 19J and these stages are being developed under WAPC Subdivision Approval. The Dalyellup District Centre ODP includes a broad intent for R60 type density within the subject area, which has now eventuated as R30.

LEGEND



SUBJECT LAND



DALYELLUP EAST STRUCURE PLAN

Location Plan



Plan No: 18-0004-FIG-001

Date:	3.7.2021
Rev:	A
Scale:	A4 @ 1:7500
Co-ords:	MGA 50, GDA 94
Aerial:	27/2/2021

Similarly, public open space planning has resulted in minor modifications from that set out in these higher order Structure Plans, and which now, with accurate WAPC approval and release of Title, can more accurately specify Public Open Space calculations.

As conditions of subdivision approval and given the ongoing application of the Urban Development Zone as against a Residential Zone or Mixed-Use Zone under the Shire of Capel Planning Scheme, a Local Development Plan (LDP) has been applied over Stage 19I and 19J to guide development of lots.

The LDP intent is unchanged by this Amendment.

1.4 Planning Framework

1.4.1 Shire of Capel Local Planning Scheme No.7

The subject land is zoned Urban Development by the Shire of Capel District Town Planning Scheme No. 7 and the land is included in Development Precinct No.1 and Special Control Area No.3, which is identified as DCA3 on the Scheme maps.

Clause 5.10 of the Scheme sets out the objectives and requirements of the Urban Development Zone, whilst Appendix 16 sets out special provisions regarding subdivision and development of the land, and Appendix 17, the DCA3 requirements. The DCA requirements specifically relate to a Development Contribution Plan (DCP).

Effectively, the Dalyellup East Structure Plan, and the Dalyellup District Centre ODP realise these Scheme provisions into a more detailed and cohesive guiding plan that continues to be implemented via WAPC subdivision approvals.

1.4.2 Proposed new Shire of Capel Planning Scheme & Planning Strategy

At the time of preparing this Minor Amendment, the Shire of Capel is advertising a new Planning Scheme and Local Planning Strategy. This process is not a review of the Shire's or the Dalyellup community's strategic vision for Dalyellup, but rather a normalising of existing Scheme requirements into the deemed Planning Scheme format. This process will enable spent requirements to be removed and it will regularise to an extent ongoing planning obligation for Dalyellup into the deemed Scheme format.

This new Scheme process may eventually compel a more wholesale review of the Dalyellup East Structure Plan, which is not the intent of this Minor Amendment.

1.4.3 Greater Bunbury Region Scheme

The subject land is identified as Urban under the Greater Bunbury Region Scheme.

1.4.4 Strategic Framework & Policy

Previous editions of the Dalyellup East Structure Plan include summary of previous and existing policy and legislation including:

- The Bunbury Region Plan (Western Australian Planning Commission, 1987).
- Usher, Gelorup and Dalyellup District Structure Plan (Department for Planning and Urban Development, 1992).

- Greater Bunbury Structure Plan Bunbury Wellington Region Plan (State Government Western Australia, 1995).
- State Planning Strategy (Western Australian Planning Commission, 1997).
- State Sustainability Strategy (Government of Western Australia, 2003).
- Greater Bunbury Strategy (Western Australian Planning Commission, 2013).
- Liveable Neighbourhoods (Western Australian Planning Commission, 2009).
- Statement of Planning Policy (Western Australian Planning Commission) including:
 - SPP No 1 State Planning Framework
 - SPP No 3 Urban Growth and Settlement
 - SPP No 5.4 Road and Rail Noise
 - SPP 3.7 Planning in Bushfire Prone areas

1.4.5 Existing approvals

Two other Local Structure Plans have been prepared and endorsed over the Dalyellup locality to guide subdivision and development:

- **Dalyellup South Local Structure Plan.** This includes over 1000 residential lots, a local centre, Primary/Secondary Schools and large areas of active public open space.
- **Dalyellup Beach Local Structure Plan:** which includes over 2000 residential lots, a local centre, primary school and a tourist precinct adjacent to the coastal foreshore reserve.

Together, the three Structure Plans provide a broad range of local and district open space, secondary and primary schools, district and local commercial and community facilities, residential land and district roads and an interconnected pedestrian network.

As Dalyellup East has developed, ongoing obligations arising from the Structure Plans, and application of orderly and proper planning principles, are applied in the first instance via WAPC subdivision approvals. This includes overarching open space, traffic management and drainage requirements, including for the 5 Mile Brook system.

Subdivision across Dalyellup has occurred in stages under various WAPC subdivision approvals. For the subject land, this has been realised ultimately under WAPC Approval 158066, and more recently, it will advance under WAPC Approval 160878. These approvals evaluated and accepted the road, lot and open space layouts that are now eventuating and which this Minor Amendment reflects.

1.4.6 Pre lodgement consultation

Discussions have occurred with the Shire of Capel and the general configuration of POS5, which is reduced in area from earlier proposals, is at their suggestion.

Discussions have also occurred with the Department of Planning, Lands and Heritage (DPLH), to determine the level of support for this Minor Amendment, as well as to establish the execution pathway. This Minor Amendment follows those directions.

2 Environment, Heritage & Bushfire

2.1 Environmental Assessment

To inform and guide preparation of the original endorsed Structure Plan a detailed Environmental Assessment was carried out by ATA Environmental to review the physical features of the land and to identify any environmental issues which may impact on the future development of the Structure Plan area. Apart from two areas associated with wetlands identified in the southern portion of the Structure Plan Area, vegetation condition was found to be “degraded” to “completely degraded”.

A Water Resources Management Strategy was also prepared to identify and address relevant regulatory requirements and design criteria for water harvesting/use, stormwater management, flood protection, wetlands and groundwater management. Over time the Strategy has been updated and refined to inform ongoing development that has occurred throughout the Structure Plan Area.

For the subject land, this includes implementation of the 5 Mile Brook – East Dalyellup Flood Relief Path via conditions of subdivision approval, which are supplemented by more detailed Urban Water Management Plans (UWMP) prepared by JDA. There is an approved UWMP for Stage 19I and 19J.

2.2 Aboriginal Heritage

A review of the original Structure Plan Report indicates only one registered site by the Department of Indigenous Affairs (now Department of Aboriginal Affairs) occurs in the vicinity of the Dalyellup East Structure Plan area. The site (S01764) is a small artefact scatter consisting several quartz flakes located approximately 1km east of Bussell Highway.

A previous survey of aboriginal heritage values in respect of the adjoining Dalyellup Beach structure plan area, also indicates several other registered sites located in the region, however the survey information suggests none of these heritage sites occur within the Dalyellup East Structure Plan Area.

2.3 Bushfire Hazard

Part of the subject land is identified as bushfire prone by the Department of Fire and Emergency Service. Bushfire assessment has occurred over the subject land through the WAPC subdivision approvals that apply and is not affected by this Minor Amendment.

2.4 Acid Sulfate Soils

Acid sulfate soils (ASS) are naturally occurring, formed under waterlogged conditions. These soils contain iron sulfide minerals which in an undisturbed state below the water table, are benign. If the soils are drained, excavated or exposed to air by a lowering of the water table, the sulfides react with oxygen to form sulfuric acid. Once mobilised in this way, the acid and metals can create a variety of harmful impacts to the environment and infrastructure.

Published acid sulfate soil risk mapping indicates that the Structure Plan Area is within an area of “high to moderate risk of acid sulfate soils within 3m of natural soil surface” which requires investigation to be carried out, and where applicable, a management plan is required to be prepared and approved by the Department of Water and Environment Regulation (DWER) prior to commencement of development. This requirement has been imposed as conditions of WAPC subdivision approvals across Dalyellup and is not relevant to this Minor Amendment.

3 Proposed Structure Plan Amendment

3.1 The proposal

This Minor Amendment to the Dalyellup East Structure Plan specifically proposes to:

1. Update the Public Open Space Table and associated plan as it applies to Public Open Space Areas No.5 and No.6.
2. Replace the District Centre category as it applies to the subject area by applying the Residential R30 R-Code, Public Open Space and Drainage to reflect approved subdivision.

The modified Structure Plan area is shown in **Figure 3**. None of these changes necessitate any other modifications to the Structure Plan or technical reports, including no adjustments to the Structure Plan Implementation Notes. Only the Structure Plan graphic, Public Open Space Table and accompanying Public Open Space Map are amended.

3.2 Public Open Space

Public Open Space contribution, method and location were identified strategically when the Dalyellup East Structure Plan was originally developed.

In around 2013, Areas No.5 and No.6 as they are now known, were considerably enlarged from the original concept. This included relocation by agreement of public open space from within the Topshore land south into the District Centre as means to satisfy requirements of the Scheme and the Dalyellup East Structure Plan.

This satisfies Implementation Note 12 v) which refers to 1.2ha of Public Open Space being provided in the District Centre, associated with the extension of Wicklow Boulevard through to Hastie Road, and the Riding for the Disabled land swap this involves.

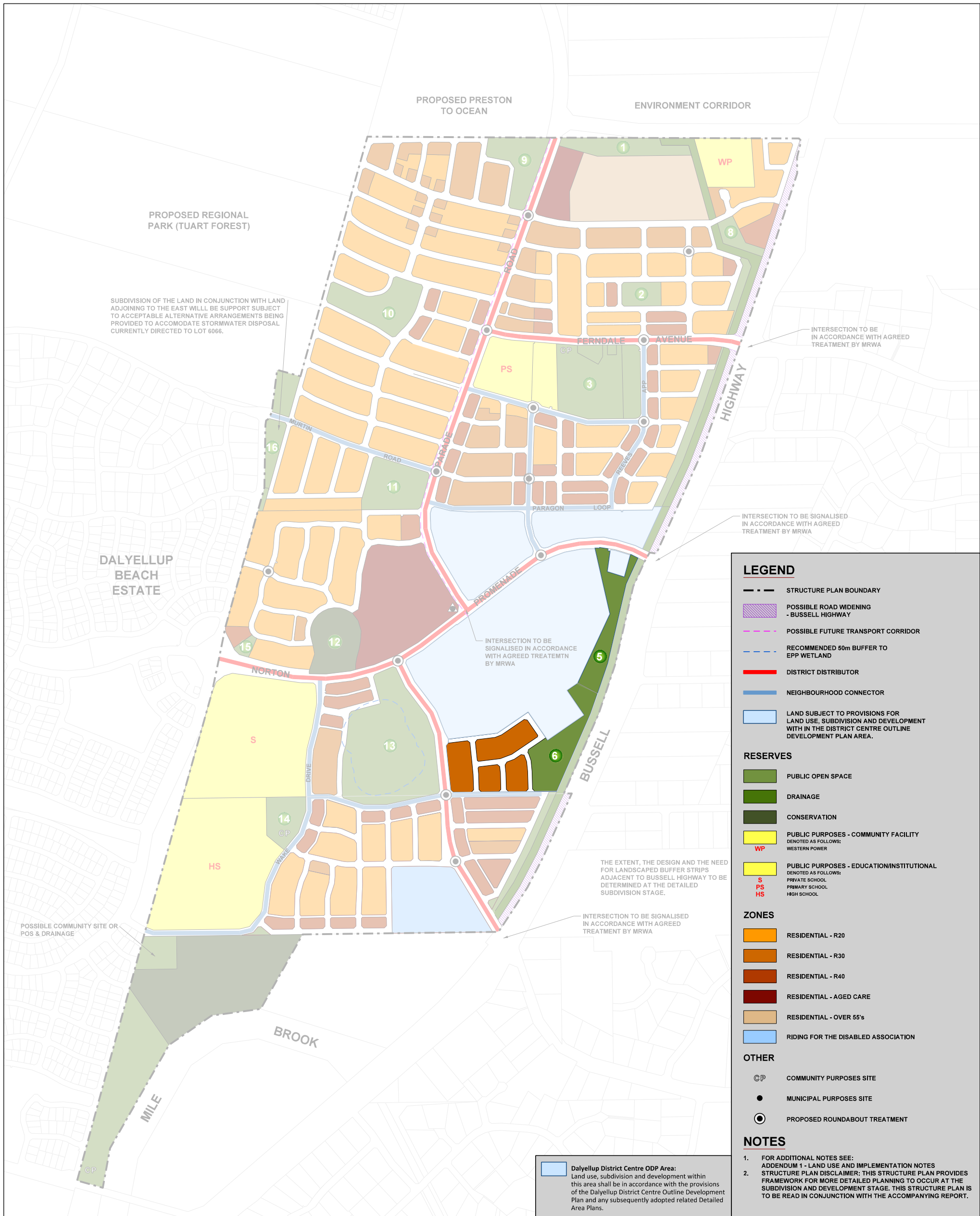
It is noted that some figures in the Public Open Space Table are approximate only, and whilst they are subject to detailed subdivision design and survey as stages advance, there is also historical method and assumptions made in the calculations that sit behind and have informed these figures.

For the purposes of this Minor Amendment, only POS5 and POS6 have been examined. The current Dalyellup East Structure Plan sets out the area calculations for POS5 and POS6 as below in **Table 2**.

Table 2: Current POS Table extracts

	Drainage (Ha)	POS (Ha)	TOTAL (Ha)
POS5	1.4340	0.8890	2.3230
POS6	0.2580	1.9820	2.2400
TOTAL	7.2842	17.0217	24.3059
Total POS & Drainage			24.3059
10% POS requirement			16.5672
Total POS provided (excl drainage)			17.0217
% POS provided (excl drainage)			10.27%

Effectively in context of this current Table, there is an assumed excess of 0.27% Public Open Space provided, which equates to an additional area of 0.4545ha over and above the required 10% of Gross Subdividable Area. This Public Open Space calculation is based upon areas of useable Public Open Space, deducting any parts that are restricted by drainage function.



NOTES

Base data supplied by CALIBRE / TME / LB Planning
Projection MGA94 zone 50
Areas and dimensions shown are subject to final survey calculations.
All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.

The Gross Subdividable Area is calculated by deduction of various matters from total land area including schools, infrastructure, conservation areas, noise bunds, road widenings etc. For Dalyellup East, the 5 Mile Brook overland flood route is deducted, and this 20m wide easement runs along the eastern side of POS5 and POS6.

For the purposes of this Minor Amendment, the Public Open Space deductions set out in the current Dalyellup East Structure Plan are not re-examined, including for the 5 Mile Brook and the District Centre.

In relation to the District Centre, this was deliberately excluded as a deduction with awareness that the District Centre would also include residential development. This approach has been consistently reflected in WAPC Subdivision Approvals. Aside from the various Public Open Space areas identified within the Dalyellup East Structure Plan area, there is also a Community Purpose Lot and Town Square Lot (that will be fully developed by the developer) provided as additional community and in part, open space, and recreational assets within the District Centre.

Table 3 demonstrates Public Open Space deductions, and a Gross Subdividable Area of 165.6726ha, which remain unchanged from the current Dalyellup East Structure Plan, including with regards to deductions for the District Centre.

3.2.1 Drainage

Beyond the 5 Mile Brook easement deduction, the other drainage deductions presently stated in POS5 and POS6 have also been reviewed.

POS5 largely comprises 2 drainage basins. The as constructed plan demonstrates a slightly increased area of basins than stated in the current Public Open Space Table. The Table states 1.4340ha whereas the as constructed area is 1.4452ha.

In terms of POS6, final plans for this reserve are yet to be developed or approved.

This said, the JDA Urban Water Management Plan for Stage 19I and 19J under WAPC Approval 158066 provides direction. The project engineer advises that 0.2730ha is required, as against the 0.238ha estimate in the current Public Open Space Table.

3.2.2 Subdivision approvals

POS5 has now been created, running alongside the 5 Mile Brook drainage easement. The POS5 area calculation however, compared to what exists in the Table has reduced to 1.9012ha given that the boundary between POS5 and POS6 is now further north than in the current Dalyellup East Structure Plan.

POS6 now comprises public open space and drainage reserves detailed in Stage 19I and J under WAPC Approvals 158066 and 160878. From this, it is apparent that POS5 and POS6 combined, even with the boundary shift described above, was slightly smaller than estimated in the current Table.

In WAPC Approval 158066, POS6 has a demonstrated area of 2.347ha, whilst more recent WAPC Approval 160878 facilitates a further reduction of POS6 to 2.2425ha (noting these figures include the drainage deductions outlined above).

Table 3: Public Open Space deductions

Structure Plan Area	238.5453ha
Public Open Space Deductions	
1 High School	10.2480ha
1 Primary School	3.4857ha
1 Private School	10.2382ha
Sewer Pump Station Sites	0.3928ha
Western Power Site	2ha
Drainage (allows for exclusions and credits)	6.6644ha
District Centre	15.6453ha
Municipal Purposes Site	1.2603ha
Bussell Highway Widening	2.9781ha
EPP Wetland & Buffer	5.9236ha
5 Mile Brook Overland Flood Route	4.1700ha
Riding for the Disabled	4.0505ha
Reserve 46267 (Drainage)	1.2048ha
Wetland Conservation Area	1.6600ha
Noise Bund	2.9514ha
Total deductions	72.8727ha
Gross Subdividable Area	165.6726ha

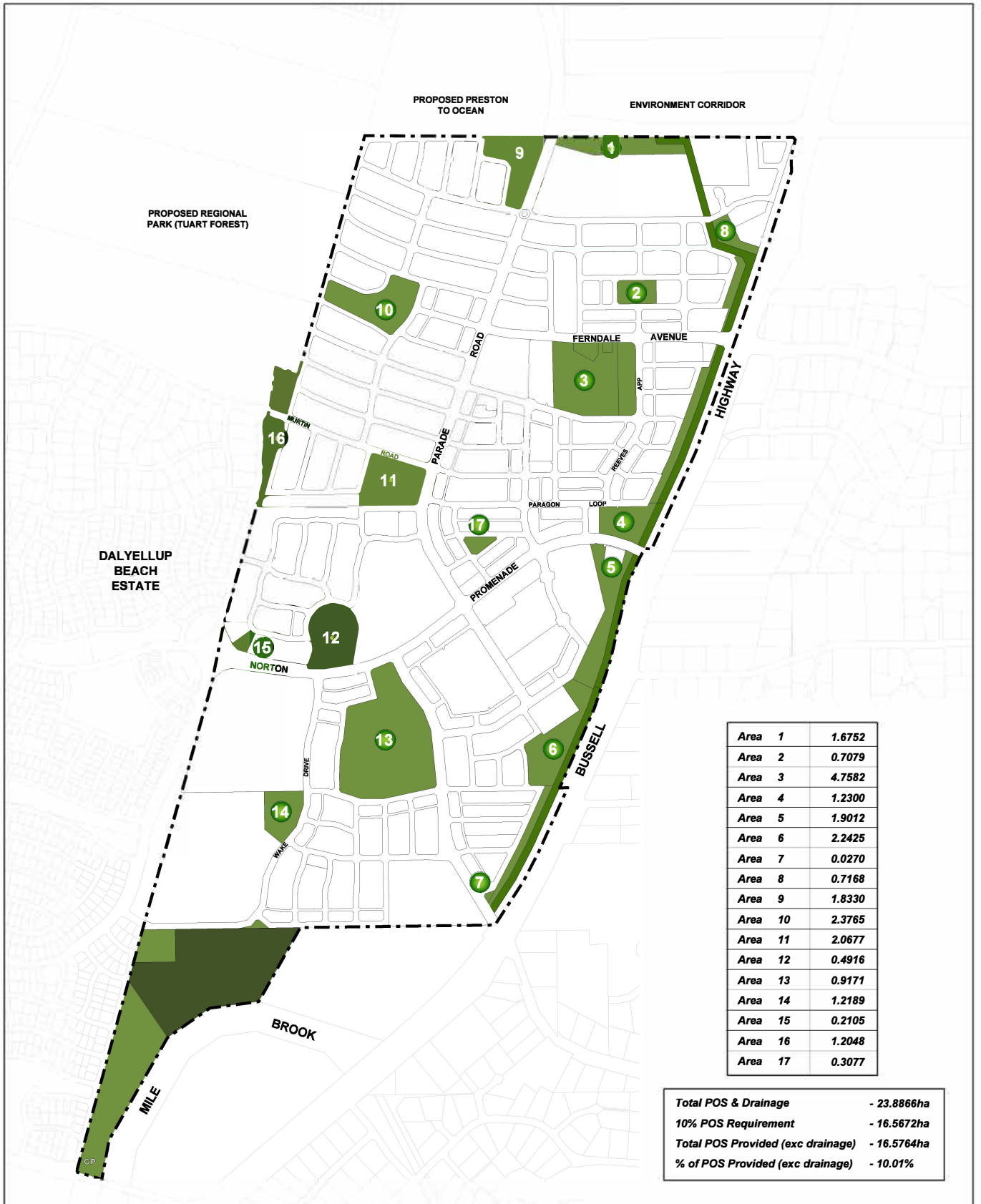
3.2.3 Updated POS calculations

The proposed amendments to the Public Open Space Table and Plan do not significantly impact current open space or drainage provision across Dalyellup, including the Public Open Space contribution the developer is required to cede free of cost.

In summary, this Minor Amendment adjusts the total area of Public Open Space provided (excluding drainage) to approximately 16.5764ha, achieving 10.01% of the gross subdividable area (see Table 4 and Figure 4).

Table 4: Public Open Space / Drainage requirements

	Drainage (Ha)	POS (Ha)	TOTAL (Ha)
POS1	0.9168	0.7584	1.9752
POS2	0.2769	0.4310	0.7079
POS3	0.9990	3.7592	4.7582
POS4	0.6860	0.5440	1.2300
POS5	1.4452	0.4562	1.9012
POS6	0.273	1.9695	2.2425
POS7	0.0270	0.000	0.0270
POS8	0.3250	0.3918	0.7168
POS9	0.4670	1.3660	1.8330
POS10	0.2194	2.1571	2.3765
POS11	0.3100	1.7577	2.0677
POS12	0.0000	0.4916	0.4916
POS13	0.0000	0.9171	0.9171
POS14	0.1303	1.0886	1.2189
POS15	0.0000	0.2105	0.2105
POS16	1.2048	0.0000	1.2048
POS17	0.0300	0.2777	0.3077
TOTAL	7.3102	16.5764	23.8866
Total POS & Drainage			23.8866
10% POS requirement			16.5672
Total POS provided (excl drainage)			16.5764
% POS provided (excl drainage)			10.01%
<p><i>Note: The above calculations are approximate only and subject to detailed subdivision design and survey</i></p>			



3.3 R30 Residential land use

For various reasons, and as approved by WAPC subdivision approvals, an R30 and not an R60 outcome is being delivered in the subject area known as Stage 19I and 19J.

This area is at the fringe of the Dalyellup District Centre and has delivered a more conventional, yet still denser outcome than the across the balance of Dalyellup. It is practical to identify these cells within the overarching Dalyellup East Structure Plan.

This approach is following the advice of DPLH, which is without necessity to also update the District Centre ODP. This is presumably because the Dalyellup East Structure Plan is higher order. The new Shire of Capel Planning Scheme is also intended to regularise some of these matters as well, taking direction from the overall Dalyellup East Structure Plan and as built development.

Estimated dwelling yield

The current approved Dalyellup East Structure Plan estimates for 2373 dwellings and an estimated population of 5584 people. These assumptions exclude the District Centre, and this is not adjusted by this Minor Amendment.

4 Conclusion

The proposed amendment to the current endorsed Dalyellup East Structure Plan is of a minor nature. This report has been prepared in accordance with the WAPC's *"Structure Plan Framework"* and *The Planning and Development (Local Planning Scheme) Regulations 2015*.

The proposed amendment will normalise and accurately reflect approved subdivision and POS provision into the Dalyellup East Structure Plan.

Technical Appendices

No.	Document title	Approval required or supporting document	Approval agency	Approval status

Appendices

Appendix 1

Dalyellup East Structure Plan (Amendment No.28)

PROPOSED PRESTON
TO OCEAN

ENVIRONMENT CORRIDOR

PROPOSED REGIONAL
PARK (TUART FOREST)

SUBDIVISION OF THE LAND IN CONJUNCTION WITH LAND
ADJOINING TO THE EAST WILL BE SUPPORT SUBJECT
TO ACCEPTABLE ALTERNATIVE ARRANGEMENTS BEING
PROVIDED TO ACCOMMODATE STORMWATER DISPOSAL
CURRENTLY DIRECTED TO LOT 6066.

DALYELLUP
BEACH
ESTATE

INTERSECTION TO BE
IN ACCORDANCE WITH AGREED
TREATMENT BY MRWA

INTERSECTION TO BE SIGNALISED
IN ACCORDANCE WITH AGREED
TREATMENT BY MRWA

INTERSECTION TO BE
SIGNALISED IN ACCORDANCE
WITH AGREED TREATMENT
BY MRWA

THE EXTENT, THE DESIGN AND THE NEED
FOR LANDSCAPED BUFFER STRIPS
ADJACENT TO BUSSELL HIGHWAY TO BE
DETERMINED AT THE DETAILED
SUBDIVISION STAGE.

INTERSECTION TO BE SIGNALISED
IN ACCORDANCE WITH AGREED
TREATMENT BY MRWA

POSSIBLE COMMUNITY SITE OR
POS & DRAINAGE

BROOK

MILE

LEGEND

- STRUCTURE PLAN BOUNDARY
- POSSIBLE ROAD WIDENING - BUSSELL HIGHWAY
- POSSIBLE FUTURE TRANSPORT CORRIDOR
- RECOMMENDED 50m BUFFER TO EPP WETLAND
- DISTRICT DISTRIBUTOR
- NEIGHBOURHOOD CONNECTOR
- LAND SUBJECT TO PROVISIONS FOR LAND USE, SUBDIVISION AND DEVELOPMENT WITHIN THE DISTRICT CENTRE OUTLINE DEVELOPMENT PLAN AREA.

RESERVES

- PUBLIC OPEN SPACE
- DRAINAGE
- CONSERVATION
- PUBLIC PURPOSES - COMMUNITY FACILITY
DENOTED AS FOLLOWS:
WP WESTERN POWER
- PUBLIC PURPOSES - EDUCATION/INSTITUTIONAL
DENOTED AS FOLLOWS:
S PRIVATE SCHOOL
PS PRIMARY SCHOOL
HS HIGH SCHOOL

ZONES

- RESIDENTIAL - R20
- RESIDENTIAL - R30
- RESIDENTIAL - R40
- RESIDENTIAL - AGED CARE
- RESIDENTIAL - OVER 55's
- RIDING FOR THE DISABLED ASSOCIATION

OTHER

- CP COMMUNITY PURPOSES SITE
- MUNICIPAL PURPOSES SITE
- PROPOSED ROUNDABOUT TREATMENT

NOTES

- FOR ADDITIONAL NOTES SEE:
ADDENDUM 1 - LAND USE AND IMPLEMENTATION NOTES
- STRUCTURE PLAN DISCLAIMER: THIS STRUCTURE PLAN PROVIDES
FRAMEWORK FOR MORE DETAILED PLANNING TO OCCUR AT THE
SUBDIVISION AND DEVELOPMENT STAGE. THIS STRUCTURE PLAN IS
TO BE READ IN CONJUNCTION WITH THE ACCOMPANYING REPORT.

Dalyellup District Centre ODP Area:
Land use, subdivision and development within
this area shall be in accordance with the provisions
of the Dalyellup District Centre Outline Development
Plan and any subsequently adopted related Detailed
Area Plans.



0 100 200 300 400
metres

NOTES

Base data supplied by CALIBRE / TME
Projection MGA94 zone 50
Areas and dimensions shown are subject to final survey calculations.
All carriageways are shown for illustrative purposes only and are
subject to detailed engineering design.
The concepts presented in this plan are based on the original design
prepared by CALIBRE / TME dated 22/10/14.

CLIENT : Piara Landholdings
SCALE : 1:10,000@A3
DATE : 11 December 2020
PLAN No : FE-SP-04L.dgn
REVISION : L
PLANNER : SLB
DRAWN : BL

PLAN 1 DALYELLUP EAST LOCAL STRUCTURE PLAN





Dalyellup East Local Structure Plan: Addendum 1 – Land Use and Implementation Notes

- 1) Upon land nominated within any Residential Density Code it is anticipated land use will be approved in a manner consistent with the uses permitted in the Residential Zone and development will be subject to the applicable R Code requirements as contained within the Residential Design Codes of Western Australia.
- 2) Within the land nominated as District Centre and/or Mixed Use Precinct, the endorsed Outline Development Plan specifies anticipated land uses and indicates appropriate development standards.
- 3) Notwithstanding any other provisions of the Scheme or the Shire of Capel Signs Hoardings and Bill Postings Local Laws Council may approve a comprehensive system of signs designed for the estate for the purposes of:
 - Advertising the sale of property.
 - Informing the public of proposed uses for the development intended for particular sites.
 - To provide direction to services and facilities.
 - Interpret natural features of the site.Once a comprehensive system of signage is approved all signage shall conform to design guidelines and finishes set out therein.
- 5) Design plans setting out finishes of proposed open space areas shall be submitted together with an explanation of the placement of the area of development within the overall public open space development distribution and maintenance strategy.
 - Stages of earthworks and levels will be related to an overall levels and drainage strategy for the estate to be confirmed with the Shire prior to commencement of works.
 - An overall approval to earthworks is not to be construed as any form of subdivision approval that must be obtained from the WAPC.
- 6) Subdivision shall be generally in accordance with the endorsed Dalyellup East Local Structure Plan.
- 7) An Urban Water Management Plan to integrate approval of the use of water within public open space development shall be prepared to the satisfaction of the Shire of Capel prior to the development of additional areas of public open space.
- 8) Development of open space on Lot 664 will be considered in conjunction with drainage needs, future needs of The Riding for the Disabled (RDA) and provision of useable passive recreation space for residents. Use of Public Open Space adjacent to the RDA land for horse agistment and the development of fringing areas of the reserve currently occupied by the Bunbury Horse and Pony Club for passive recreation (by future residents) shall be considered as an integrated plan to the satisfaction of Council.
- 9) Corner lots having an area of 600m² or larger may be developed to R30 density coding standards in accordance with the Residential Design Codes of Western Australia.
- 10) The importance and continued use of the Riding for the Disabled site (and its associated activities) is both recognised and supported by the Shire of Capel. Council shall facilitate the continued use of the land which is considered to be of Regional community importance.
- 11) A strategy to determine the future treatment, funding and timing of intersections with Bussell Highway to be prepared by subdividing land owners and agreed to by the Shire of Capel and WAPC in accordance with the requirements of schedule 16 of the Town Planning Scheme No. 7.
- 12) The areas of POS and drainage shown on the Structure Plan indicate the desired location and areas but these shall be reviewed at each stage of subdivision application and the following minimum standards shall be met:
 - i) A minimum area of 0.5ha shall be provided within each area of POS with minimum dimensions of 50m length and width and at a sufficient level so as not to be subject to inundation from stormwater. Council may agree to a lesser area having regard to the size and location of the site.
 - ii) Side slopes from the road boundary level of POS and Drainage areas to the base level of areas to be subject to inundation during storms with an Average Recurrence Interval of 1 in 10 years or greater shall not be a steeper grade than 1:20 and further slopes into areas subject to annual inundation shall not be steeper than 1:6. Council may allow the use of slopes of 1:6 and retaining walls in place of the 1:20 maximum, provided access for persons with disabilities is catered for and the general usefulness of the site is not compromised.
 - iii) Each land owner shall contribute to a total minimum of 10% of the gross subdivisible area of the Structure Plan, for the purpose of POS and that area shall, in the case of each of the areas nominated on the Structure Plan, consist of land that complies with standard (i) and other land that is finished in accordance with standard (ii) to a level that is designed to be subject to inundation to assist in the management of stormwater from storms with an ARI of 1 in 10 years or greater. Land subject to annual inundation shall not be included within the POS contribution.
 - iv) In order to provide for one minimum area of 4ha of playing field space in the northern section of the Structure Plan Area to be available without inundation by stormwater, the area of POS collocated with the primary school site shall have a minimum area of 3.5ha of land in a rectangular shape finished to a level that is above that which is predicted to be the level of stormwater that would need to be held in any adjacent stormwater basins or other stormwater infrastructure and consistent with the primary school site development level.
 - v) An exchange of land between the owner of Lot 1 Bussell Highway, Riding for the Disabled Association, and the adjoining owner of Lot 9000 Bussell Highway and the associated subdivision design on lot 9000 will in part be facilitated by the provision of 1.2220 ha of POS from a surplus of POS in the Dalyellup Beach Pty Ltd land holding in the Dalyellup East Local Structure Plan area. The land exchange has been proposed to provide the land for the future connection of the road network through the RDA lot to the intersection of Bussell Highway and Hasties Road and will assist Dalyellup Beach Pty Ltd as owner of the District Centre land to meet the cost of the land for the road and construction thereof pursuant to clause (l) of Development Precinct No 1 in Appendix 16 of the Scheme. The exchange provides for the RDA to retain a land holding of same area as the existing lot 1. Subject to subdivision taking place in accordance with the DELSP the obligations of the respective land owners to provide POS will be deemed to have been met.
- 13) Whilst the role of Parade Road is nominated as a District Distributor Integrator 'B' based on predicted traffic flows, the design of the road cross-section shall include, at strategic intervals, features intended to limit the speed of traffic and deter the use of the road as a through road in the Greater Bunbury road network and as an alternative route to the Bussell Highway.
- 14) The subdivider contributions to be the implementation of the Dalyellup Community Facilities Development Plan will be an amount of \$565 per potential dwelling site created at the time of seeking clearance to Deposited Plans of Survey.
- 15) A strategy to determine the future treatment, funding and timing of the upgrading of the Five Mile Brook Diversion Drain to be prepared by the subdividing landowners and agreed by the Water Corporation, Department of Water, Shire of Capel and WAPC in accordance with the requirements of Schedule 16 of Town Planning Scheme No.7. Funding arrangements are also to ensure that subdivision applications approved in the Dalyellup East Local Structure Plan area are to be included in the calculations for the funding agreement.



- 16) Subdividing landowners adjacent of Bussell Highway to establish a Landscape buffer to the highway for the purpose of noise attenuation and landscape amenity in accordance with the requirements of Schedule 16 of Town Planning Scheme No.7 as agreed by the Shire of Capel, MRWA and WAPC.
- 17) Subdivision proposals to be consistent with the agreed traffic management study in relation to road upgrading conditions and road network infrastructure requirements, outside of the Dalyellup East Local Structure Plan Area, to the satisfaction of the Western Australian Planning Commission.
- 18) The residential lot interface with the Sleaford Road extension i.e. on the south side of road between the Bussell Highway intersection and south-bound, is to be designed to minimise traffic conflict.
- 19) Footpaths to be established as per Figure 22 'Pedestrian/Cycle Network' of the Report and a path along Bussell Highway.
- 20) For the entire area fronting Bussell Highway, the subdivider of the respective lot is to establish appropriate road transport noise mitigation measures and landscaped visual screening to protect the amenity of local residents and to provide for an aesthetic approach to Dalyellup. Full details are contained in Section 5.3.13 'Bussell Highway Buffer Area Interface Treatment' of the report.
- 21) Display Village buildings are required to demonstrate incorporation of passive solar design principles and demonstration of energy and water efficiency in the design.
- 22) The maximum wall height for outbuilding in the R20 coded areas is permitted to be 2.7 metres.
- 23) Local Development Plans shall be required for Lots that require specific design responses to ensure a high standard of urban amenity. Matters to be considered include, use of rear laneway, interface treatments for lots directly fronting /abutting public open space/drainage reserves or where vehicular access restrictions are necessary for safety reasons.
- 24) Street corners within the Structure Plan Area being truncated to the standard truncation of 8.5 metres and the rear laneway within the subdivision being truncated to the standard corner truncation of 4.2 metres at intersection road/laneway points.
- 25) Quiet house treatment will be required on the R40 Lots 175 & 176 and the R20 Lots 184 & 185 in accordance with the recommendations of the Herring Storer Acoustics Road Traffic Noise Assessment dated March 2009 (ref: 8962-4-07196).
- 26) Future development of the 'Residential – Over 55's' site shall be considered in accordance with the provisions of the Shire of Capel Town Planning Scheme No. 7 and other development requirements. In addition, a Local Development Plan covering the lifestyle village and aged care facility is to be prepared and approved to the satisfaction of the Shire of Capel in order to address various urban design issues including proposed built form, streetscape amenity, landscaping and pedestrian access to nearby public open space areas.
- 27) Residential lots adjoining Regional Open space to the north and west of Lot 9015, should, through subdivision, have a restrictive covenant placed on the certificates of title of the proposed lots advising of a restriction on the construction of habitable buildings within BAL-FZ/BAL-40.
- 28) The western and northern boundaries of Lot 9015, adjacent to Regional Open Space, should be fenced and gated and any existing fences/gates in substandard condition should be repaired, to a standard acceptable to the Department of Biodiversity, Conservation and Attractions and the Shire of Capel.
- 29) The subdivider of the 'Residential – Over 55's' lifestyle village to construct and establish by way of an easement on title, three separate road access ways through the lot to the adjoining Public Open Space to the north, to the satisfaction of the Shire of Capel.



Appendix 2

Deposited Plans

Deposited Plan 48283

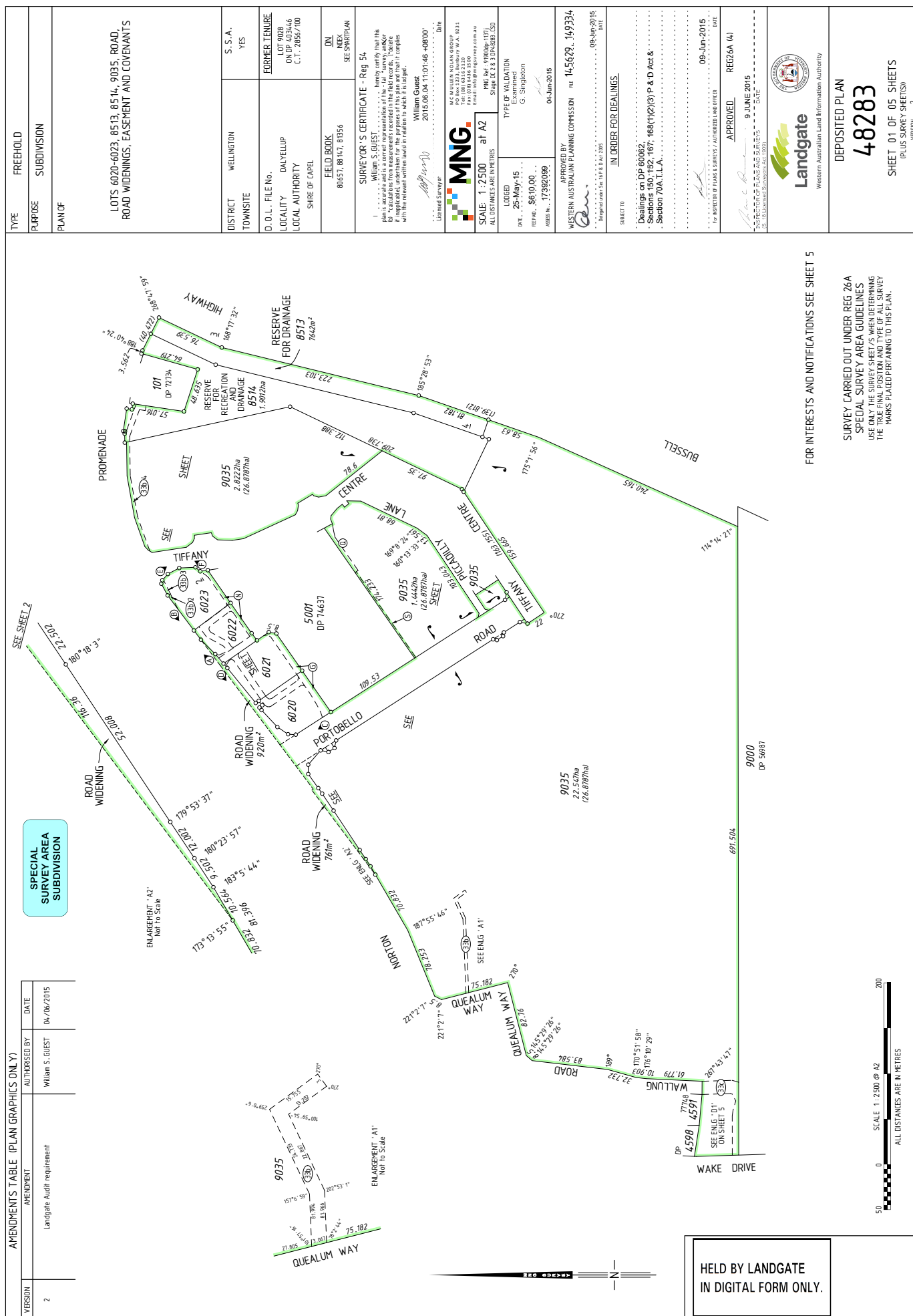
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6020	SP71442	Strata'd	
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6022	2875/798	Registered	
6023	2875/799	Registered	
8513	LR3165/850	Registered	
8514	LR3165/851	Registered	
9035	2875/800 (Cancelled)	Retired	

Deposited Plan 419404

Lot	Certificate of Title	Lot Status	Part Lot
6059	LR3172/233	Registered	
6081	2989/699	Registered	
6082	2989/700	Registered	
6083	2989/701	Registered	
6084	2989/702	Registered	
6085	2989/703	Registered	
6086	2989/704	Registered	
6087	2989/705	Registered	
6088	2989/706	Registered	
6089	2989/707	Registered	
6090	2989/708	Registered	
6091	2989/709	Registered	
9043	2989/710 (Cancelled)	Retired	

Deposited Plan 410857

Lot	Certificate of Title	Lot Status	Part Lot
6009	2994/127	Registered	
6010	2994/128	Registered	
6011	2994/129	Registered	
6012	2994/130	Registered	
6013	2994/131	Registered	
6014	2994/132	Registered	
6015	2994/133	Registered	
6016	2994/134	Registered	
6017	2994/135	Registered	
6018	2994/136	Registered	
9045	2994/137	Registered	



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SCALE 1:600 @ A2
ALL DISTANCES ARE IN METRES

SURVEY CARRIED OUT UNDER REG 26A
SPECIAL SURVEY AREA GUIDELINES
SEE SURVEY SHEET/S FOR SURVEY INFORMATION
USE ONLY THE SURVEY SHEET/S WHEN DETERMINING
THE TRUE FINAL POSITION AND TYPE OF ALL SURVEY
MARKS PLACED PERTAINING TO THIS PLAN.

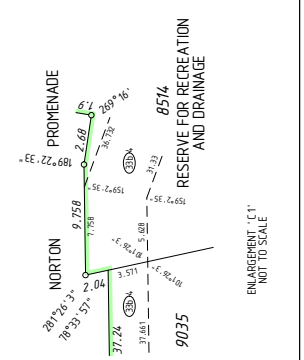
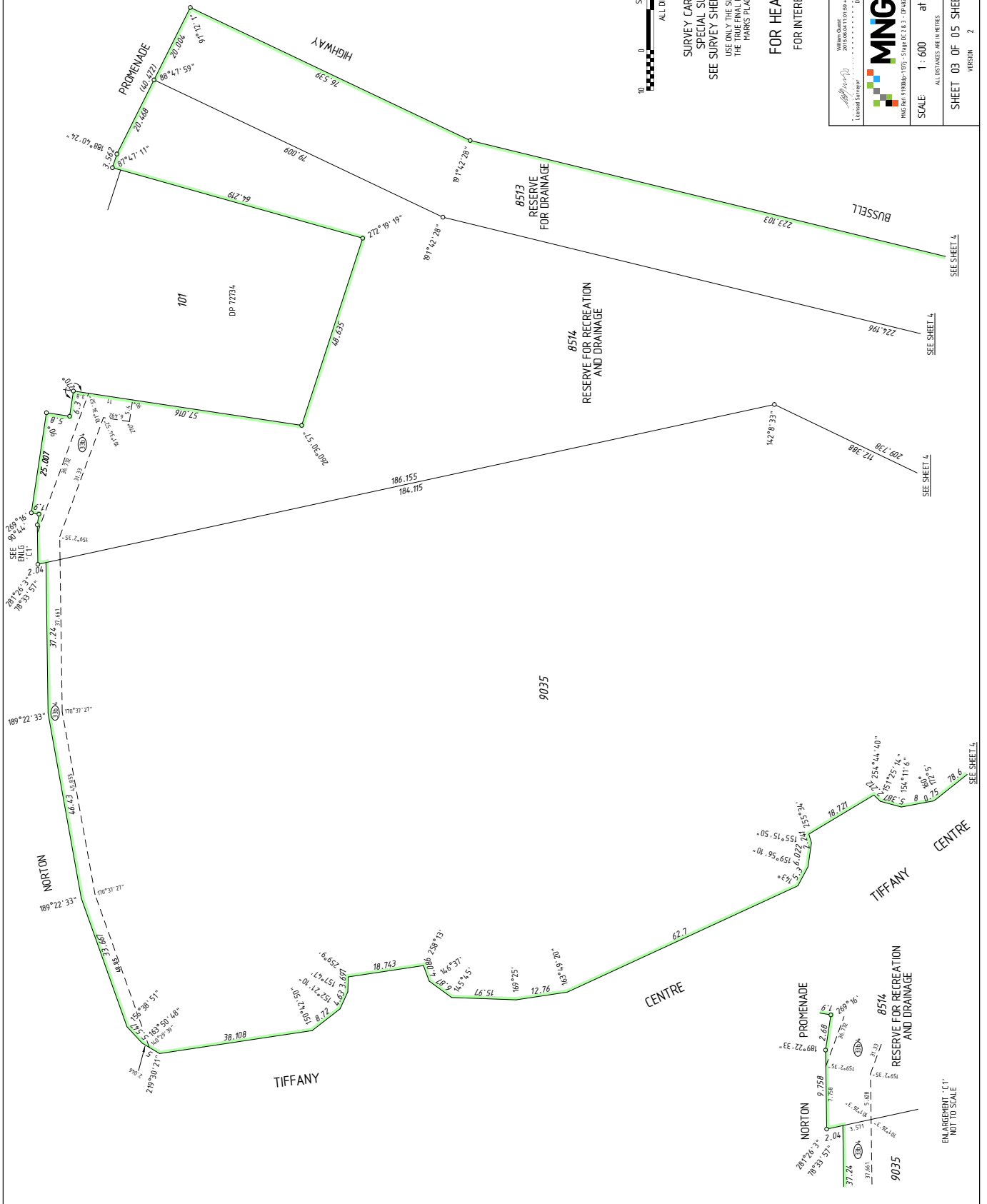
FOR HEADING SEE SHEET 1
FOR INTERESTS AND NOTIFICATIONS
SEE SHEET 5



Western Australian Land Information Authority
MNG MAPPING & NAVIGATION
MNG REF: 700000-107 - 2019-02-23 1:24:00:00.000
1:24:00:00.000

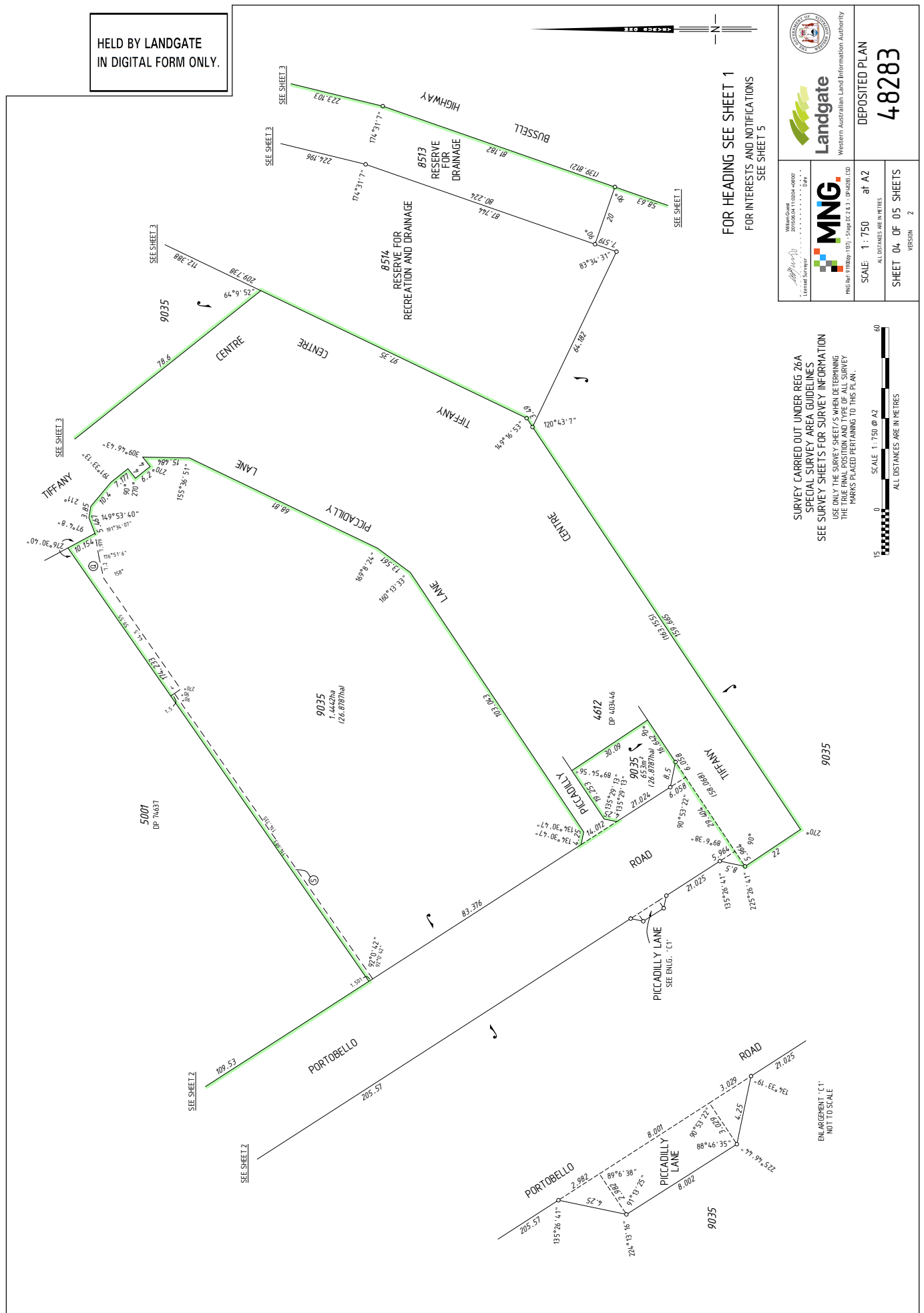
DEPOSITED PLAN
48283

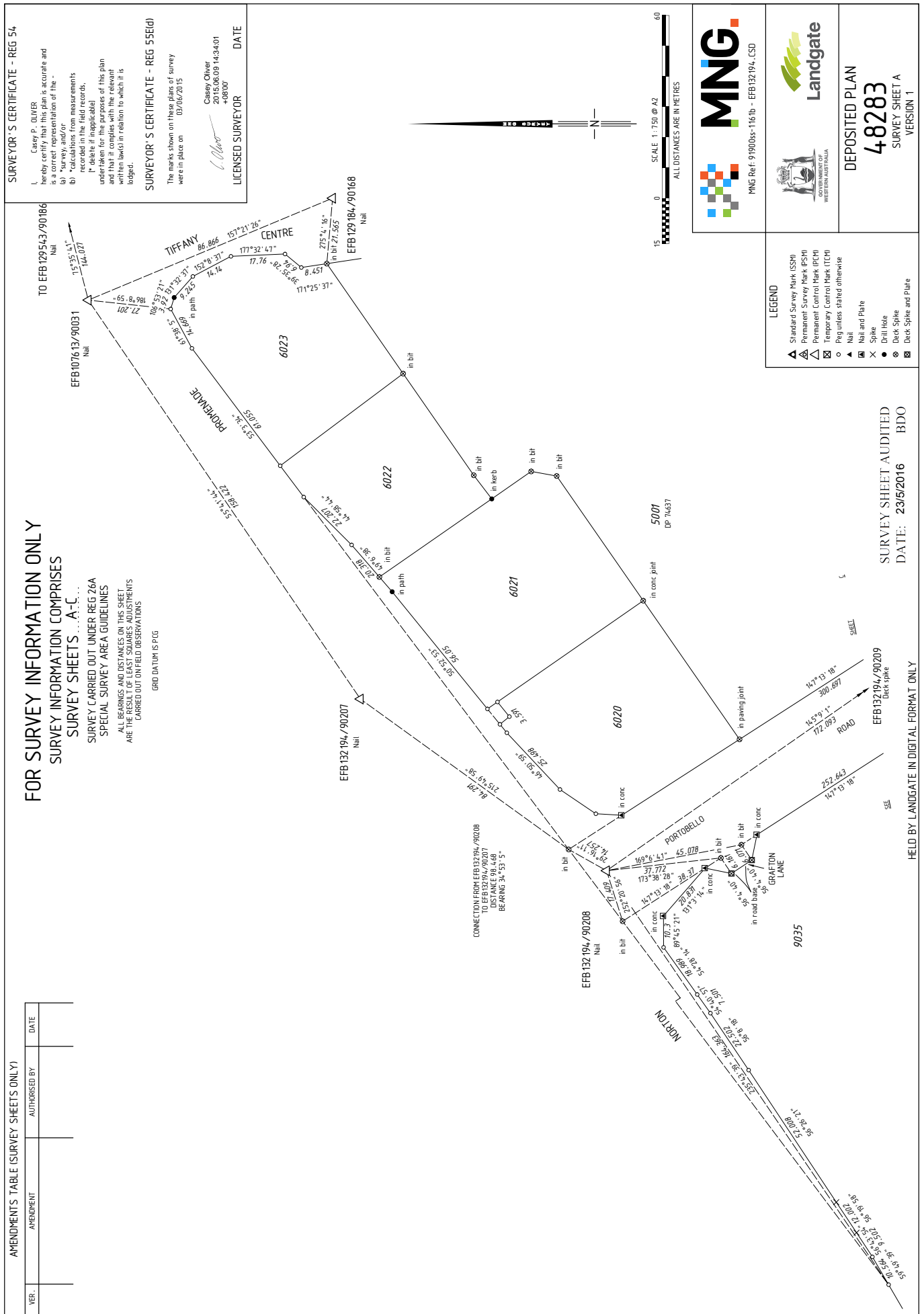
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ALL DISTANCES ARE IN METRES
SHEET 03 OF 05 SHEETS
VERSION 2





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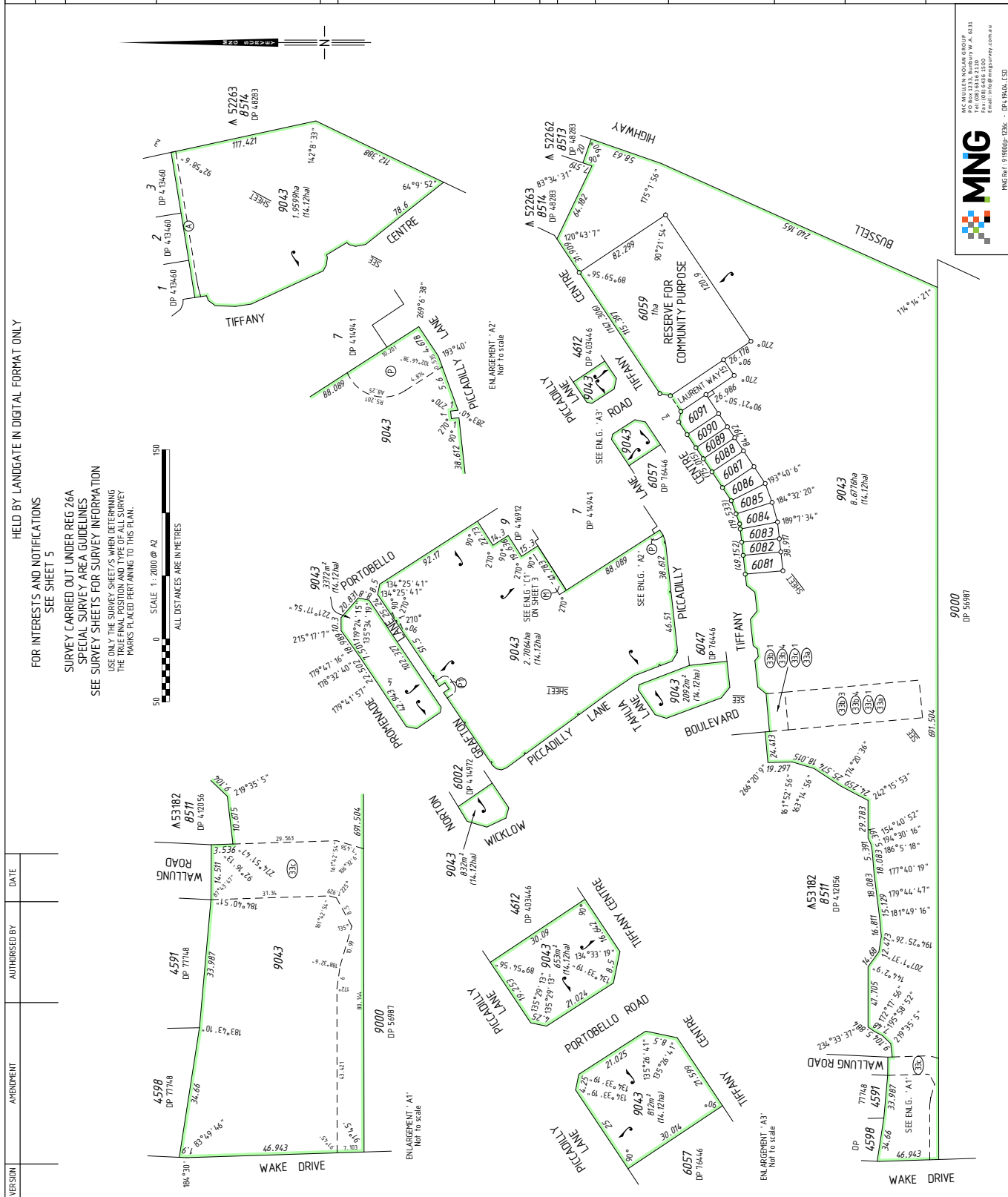
HELD BY LANDGATE
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TYPE	FREEHOLD	S.S.A.	YES
PURPOSE	SUBDIVISION		
PLAN OF	LOTS 6081-6091, 6059, 9043, ROAD, EASEMENTS AND RESTRICTIVE COVENANT		
FORMER TENURE	LOT 9041 ON DP 414972 C.T. 2971483		
LOCAL AUTHORITY	SHERE OF CAPEL		
LOCALITY	DAYLELLUP		
D.O.L. FILE			
FIELD RECORD	B0657, B1356, B8147		
SURVEYOR'S CERTIFICATE - REG 54			
I, Casey P. OLIVER			
herby certify that this plan is accurate and is a correct representation of the -			
(a) "survey, and/or			
(b) "calculations from measurements recorded in the field records,			
(c) "fields if inapplicable			
undertaken for the purposes of this plan and that it complies with the relevant written law in relation to which it is lodged.			
LICENSED SURVEYOR	Casey Oliver	2020.08.11 14:21:30 +0800	DATE
LOGGED			
DATE	12-Aug-2020	FEE PAID	ASSESS No.
L.S.C.			
EXAMINED			14-Aug-2020 DATE
WESTERN AUSTRALIAN PLANNING COMMISSION			
FILE	150066		
Delegated under s. 16 P&A Act 2005			06-Oct-2020 DATE
IN ORDER FOR DEALINGS			
SUBJECT TO	Secs 70A & 136D of TLA Secs 152, 165, 167 & 168(1)(2) of P&A Act		
FOR INSPECTOR OF PLANS AND SURVEYS			9-Oct-2020 DATE
APPROVED			REG264 (4)
INSPECTOR OF PLANS AND SURVEYS			9.10.2020 DATE
(S. 18 Licensed Surveyors Act 1909)			
 			
DEPOSITED PLAN 4 19404 SHEET 01 OF 05 SHEETS (IPLUS SURVEY SHEETS) VERSION 1			



MNG

100 BULLYBUSH ROAD, BULLYBUSH
WA 6033
Tel: (08) 9318 2120
Fax: (08) 9318 2120
Email: info@mngsurvey.com.au

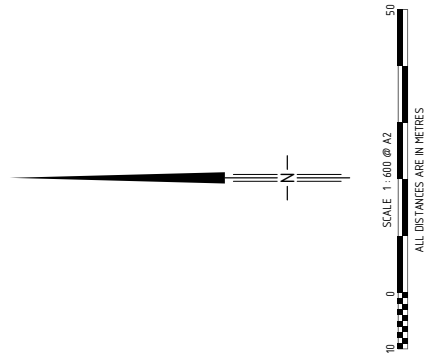
MNG Ref: 191900p-1236 - DPA/PA/04, CSD

FOR HEADING SEE SHEET 1
FOR INTERESTS AND NOTIFICATIONS
SEE SHEET 5



SURVEY CARRIED OUT UNDER REG 26A
SPECIAL SURVEY AREA GUIDELINES
SEE SURVEY SHEETS FOR SURVEY INFORMATION
USE ONLY THE SURVEY SHEET(S) MARKS DETERMINING
THE TRUE FINAL POSITION AND TYPE OF ALL SURVEY
MARKS PLACED PERTAINING TO THIS PLAN.

	MNG Ref : 91900dp-1236c - DP4/194/04, LSD
	Casey Oliver 2020.08.11 14:21:36 +0800
	DATE
	LICENSED SURVEYOR
DEPOSITED PLAN 4 19404 SHEET 02 OF 05 SHEETS VERSION 1	



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SURVEY CARRIED OUT UNDER REG 26A
SPECIAL SURVEY AREA GUIDELINES
SEE SURVEY SHEETS FOR SURVEY INFORMATION

USE ONLY THE SURVEY SHEET/S WHEN DETERMINING
THE TRUE FINAL POSITION AND TYPE OF ALL SURVEY
MARKS PLACED PERTAINING TO THIS PLAN.



MNG Ref : 91900dp-1236c - DP419404.CSD

Casey Oliver

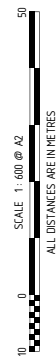
C. V. Davis
LICENSED SURVEYOR
2020.08.11 14:21:42 +0800
DATE



DEPOSITED PLAN

707617

OF US SHEETS
VERSION 1



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FOR HEADING SEE SHEET 1

INTERESTS AND NOTIFICATIONS

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
(3k) (31d) (31b) 2	EASEMENT (Electricity Supply) EASEMENT (Sewerage) RESTRICTIVE COVENANT	SEC 167 OF THE P & D. ACT REG 33 (f) SEC 167 OF THE P & D. ACT REG 33 (b) SEC 129BA OF THE T. L. A.	DP 77748 DP 76446 DOC N670075	LOT 9043 LOT 9043 LOT 9043	ELECTRICITY NETWORKS CORPORATION WATER CORPORATION ELECTRICITY NETWORKS CORPORATION	FIRE SEPARATION
(P) (P) Q	EASEMENT	SEC 195 & 196 OF THE LAA	DOC N883476	LOT 9043	SHIRE OF CAPEL & THE PUBLIC AT LARGE	
(P)	EASEMENT	SEC 195 & 196 OF THE LAA	DOC 0186493	LOT 9043	SHIRE OF CAPEL & THE PUBLIC AT LARGE	
(33b) (31b) 3 (31b) 4 (31c) 1	EASEMENT (Electricity Supply) EASEMENT (Sewerage) EASEMENT (Water Supply) EASEMENT (Electricity Supply) RESTRICTIVE COVENANT	SEC 167 OF THE P & D. ACT REG 33 (a) SEC 167 OF THE P & D. ACT REG 33 (b) SEC 167 OF THE P & D. ACT REG 33 (b) SEC 167 OF THE P & D. ACT REG 33 (c) SEC 136D OF THE T. L. A.	THIS PLAN THIS PLAN THIS PLAN THIS PLAN THIS PLAN THIS PLAN & DOC 0484696	LOT 9043 LOT 9043 LOT 9043 LOT 9043 LOTS 6081-6091	SHIRE OF CAPEL WATER CORPORATION WATER CORPORATION ELECTRICITY NETWORKS CORPORATION LOTS 6081-6091	
LOT 6059	RESERVE FOR COMMUNITY PURPOSE NOTIFICATION	SECTS IN THE CROWN UNDER SEC 152 OF THE P & D. ACT SEC 10A OF THE T. L. A. SEC 165 OF THE P & D. ACT	THIS PLAN DOC 0484697 DOC 0484698	LOTS 6081-6091 LOTS 6081-6091		SPECIFIED AREA RATING MOSQUITO BREEDING

SURVEY CARRIED OUT UNDER REG 26A
SPECIAL SURVEY AREA GUIDELINES
SEE SURVEY SHEETS FOR SURVEY INFORMATION
USE ONLY THE SURVEY SHEET/S WHEN DETERMINING
THE TRUE FINAL POSITION AND TYPE OF ALL SURVEY
MARKS PLACED PERTAINING TO THIS PLAN.



MNG Ref : 91900dp-1236c - DP4/194/04, CSD

Cassidy Oliver
2020.08.11 14:21:51 +0800
LICENSED SURVEYOR

DATE



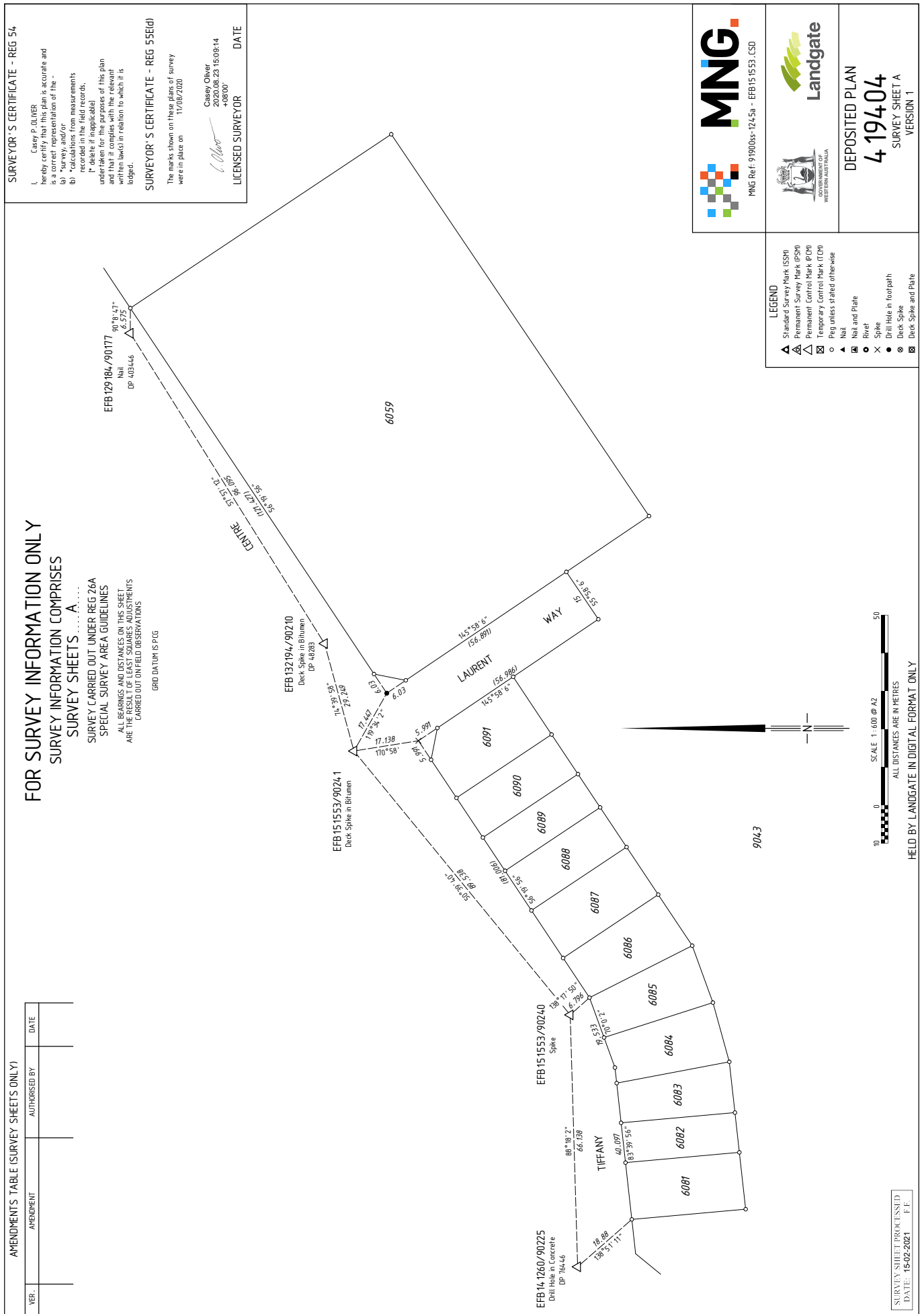
Landgate

DEPOSITED PLAN

4 19404

SHEET 05 OF 05 SHEETS
VERSION 1

HELD BY LANDGATE IN DIGITAL FORMAT ONLY



	<p>MNG Ref : 91900dp-12345 - DP4.1966.1.CSD</p>	<p>Cashier Over 2020.08.17 15:54:16 -485007</p>	<p>DATE</p>	<p>LANDgate</p>	
	<p>MNG Ref : 91900dp-12345 - DP4.1966.1.CSD</p>	<p>Cashier Over 2020.08.17 15:54:16 -485007</p>	<p>DATE</p>	<p>LANDgate</p>	
	<p>MNG Ref : 91900dp-12345 - DP4.1966.1.CSD</p>	<p>Cashier Over 2020.08.17 15:54:16 -485007</p>	<p>DATE</p>	<p>LANDgate</p>	
	<p>MNG Ref : 91900dp-12345 - DP4.1966.1.CSD</p>	<p>Cashier Over 2020.08.17 15:54:16 -485007</p>	<p>DATE</p>	<p>LANDgate</p>	
	<p>MNG Ref : 91900dp-12345 - DP4.1966.1.CSD</p>	<p>Cashier Over 2020.08.17 15:54:16 -485007</p>	<p>DATE</p>	<p>LANDgate</p>	
	<p>MNG Ref : 91900dp-12345 - DP4.1966.1.CSD</p>	<p>Cashier Over 2020.08.17 15:54:16 -485007</p>	<p>DATE</p>	<p>LANDgate</p>	

10 0 50
SCALE 1:600 @ A2
ALL DISTANCES ARE IN METRES

SURVEY CARRIED OUT UNDER REG 26A
SPECIAL SURVEY AREA GUIDELINES
(SEE SURVEY SHEETS FOR SURVEY INFORMATION)

USE ONLY THE SURVEY SHEET/S WHEN DETERMINING
THE TRUE FINAL POSITION AND TYPE OF ALL SURVEY
MARKS PERTAINING TO THIS PLAN.



MNG Ref : 91900dp-1239d - DP419661.CSD

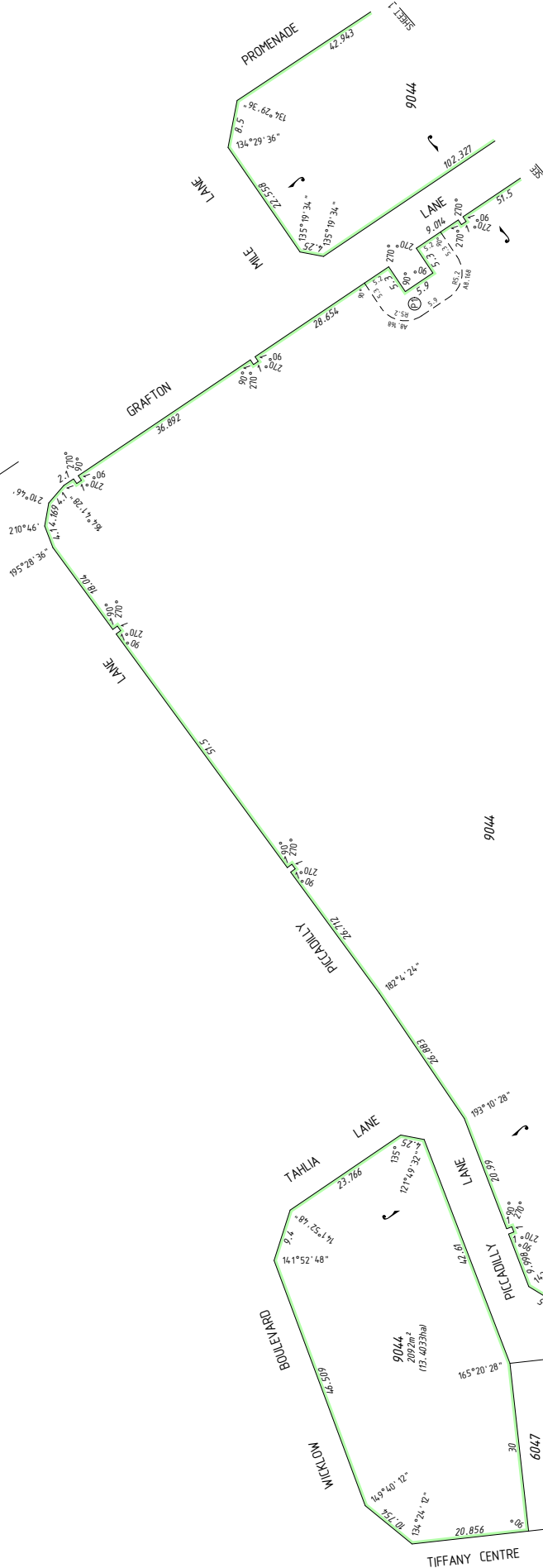
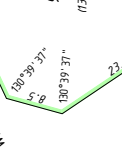
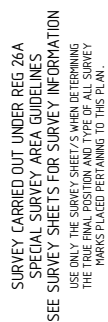
C. Oliver
Casey Oliver
2020.08.17 15:54:21 +08'00'



DEPOSITED PLAN
419661
SHEET 03 OF 05 SHEETS
VERSION 2



HELD BY LANDGATE IN DIGITAL FORMAT ONLY



Casey Oliver
2020.08.17 15:54:26 +08'00'



DEPOSITED PLAN
419661
SHEET 04 OF 05 SHEETS
VERSION 2

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FOR HEADING SEE SHEET 1

INTERESTS AND NOTIFICATIONS

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
(3k)	EASEMENT (Electricity Supply)	SEC 167 OF THE P & D. ACT REG 33 (7)	DP 77748	LOT 9044	ELECTRICITY NETWORKS CORPORATION	
(3b) 2	EASEMENT (Sewerage)	SEC 167 OF THE P & D. ACT REG 33 (b)	DP 76446	LOT 9044	WATER CORPORATION	
(P), (P)	RESTRICTIVE COVENANT	SEC 129BA OF THE T. L. A.	DOC N676075	LOT 9044	ELECTRICITY NETWORKS CORPORATION	FIRE SEPARATION
(A)	EASEMENT	SEC 195 & 196 OF THE LAA	DOC N883476	LOT 9044	SHIRE OF CAPEL & THE PUBLIC AT LARGE	
(P)	EASEMENT	SEC 195 & 196 OF THE LAA	DOC 01866493	LOT 9044	SHIRE OF CAPEL & THE PUBLIC AT LARGE	
	RESTRICTIVE COVENANT	SEC 136D OF THE T. L. A.	THIS PLAN & DOC O484776	LOTS 6061-6068	LOTS 6061-6068	
	NOTIFICATION	SEC 70A OF THE T. L. A.	DOC O484777	LOTS 6061-6068		SPECIFIED AREA RATING
	NOTIFICATION	SEC 165 OF THE P & D ACT	DOC O484778	LOTS 6061-6068		MOSQUITO BREEDING
	NOTIFICATION	SEC 165 OF THE P & D ACT	DOC O484779	LOTS 6061-6068		BUSHFIRE MANAGEMENT PLAN

SURVEY CARRIED OUT UNDER REG 26A
SPECIAL SURVEY AREA GUIDELINES
SEE SURVEY SHEETS FOR SURVEY INFORMATION
USE ONLY THE SURVEY SHEET/S WHEN DETERMINING
THE TRUE FINAL POSITION AND TYPE OF ALL SURVEY
MARKS PLACED PERTAINING TO THIS PLAN.



MNG Ref : 91900dp-1239d - DP4, 1966 1, LSD

Casey Oliver
2020.08.17 16:54:30 +0800
LICENSED SURVEYOR DATE

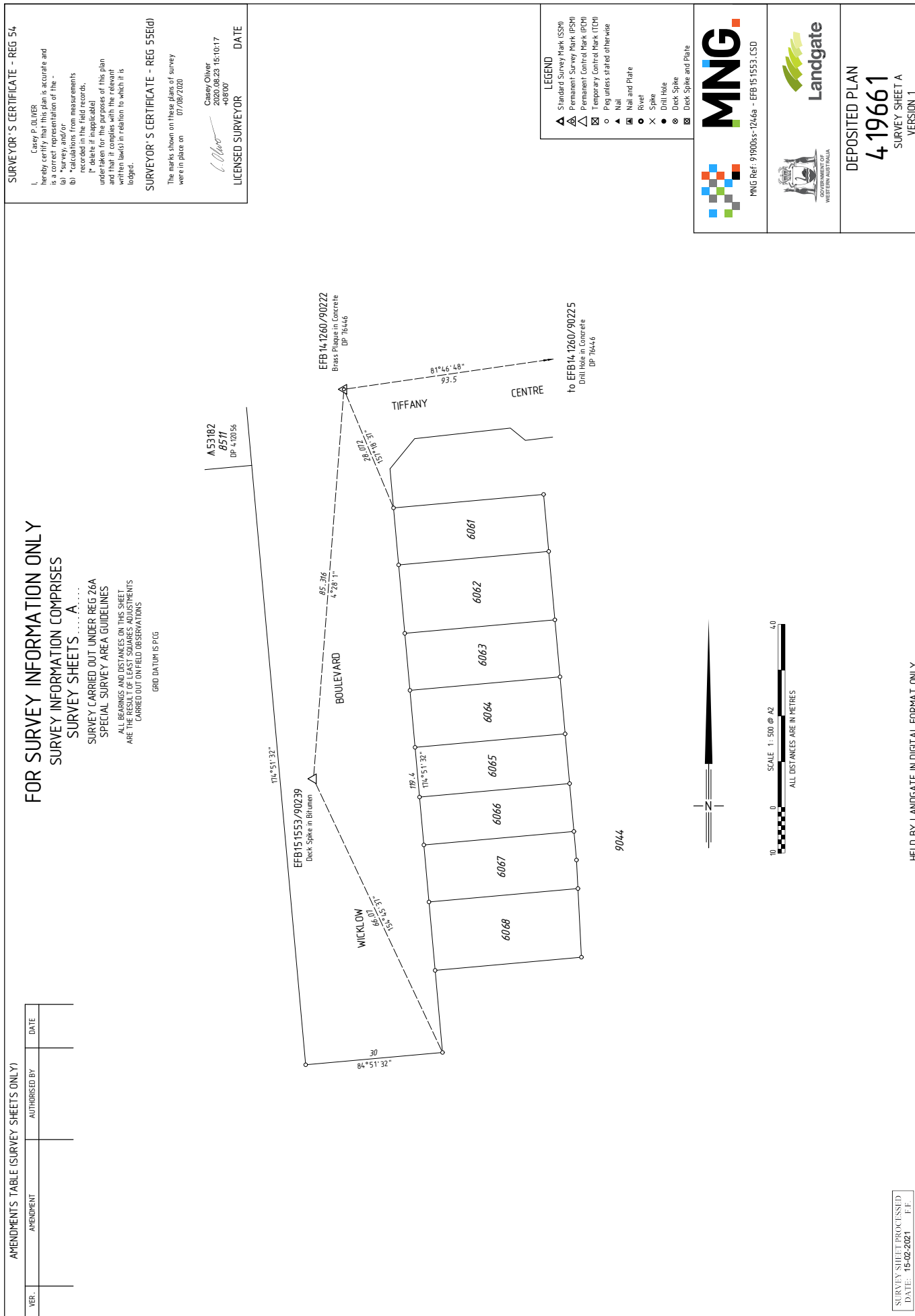


DEPOSITED PLAN

4 19661

SHEET 05 OF 05 SHEETS
VERSION 2

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WESTERN



AUSTRALIA

REGISTER NUMBER

9045/DP410857DUPLICATE
EDITION**N/A**

DATE DUPLICATE ISSUED

N/AVOLUME
2994FOLIO
137

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 9045 ON DEPOSITED PLAN 410857

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

DALYELLUP BEACH PTY LTD OF LEVEL 3 27-31 TROODE STREET WEST PERTH WA 6005
(AF O538088) REGISTERED 2/12/2020

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. *EASEMENT BURDEN CREATED UNDER SECTION 167 P. & D. ACT FOR ELECTRICITY PURPOSES TO ELECTRICITY NETWORKS CORPORATION - SEE DEPOSITED PLAN 410857 AS CREATED ON DEPOSITED PLAN 77748
2. *EASEMENT BURDEN CREATED UNDER SECTION 167 P. & D. ACT FOR SEWERAGE PURPOSES TO WATER CORPORATION - SEE DEPOSITED PLAN 410857 AS CREATED ON DEPOSITED PLAN 76446
3. *N676075 RESTRICTIVE COVENANT TO ELECTRICITY NETWORKS CORPORATION - SEE DEPOSITED PLAN 410857 REGISTERED 19/7/2017.
4. *N883476 EASEMENT TO SHIRE OF CAPEL FOR PUBLIC ACCESS PURPOSES - SEE DEPOSITED PLAN 410857 REGISTERED 23/5/2018.
5. *O186493 EASEMENT TO SHIRE OF CAPEL FOR PUBLIC ACCESS PURPOSES - SEE DEPOSITED PLAN 410857 REGISTERED 21/8/2019.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP410857
PREVIOUS TITLE: 2989-742
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF CAPEL

END OF PAGE 1 - CONTINUED OVER

RECORD OF CERTIFICATE OF TITLE

REGISTER NUMBER: 9045/DP410857

VOLUME/FOLIO: 2994-137

PAGE 2

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING
M420508

Kanella Hope Pty Ltd
Trading as Planned Focus
ACN 630 552 466
ABN 773 722 49 856

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South Bunbury WA 6230
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