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DEPARTMENT OF PLANNING BUNBURY OFFICE	
23 JUL 2014	
FILE	801/6/9/1P



**AMENDMENT TO**  
**GARDEN OF EATON LOCAL STRUCTURE PLAN**  
**AGREED STRUCTURE PLAN 27 JANUARY 2010**

**This Amendment to the Agreed Structure Plan is prepared under the provisions of  
Part 9 of the Shire of Dardanup District Planning Scheme No. 3**

**RECORD OF AMENDMENTS MADE TO THE SHIRE OF DARDANUP**  
**AGREED STRUCTURE PLAN 27 JANUARY 2010**

Description of Amendment	Finally Endorsed Council	Finally Endorsed WAPC
<p>Modifying the Structure Plan map by:</p> <ul style="list-style-type: none"><li>a) Adjusting the boundary of the Recreation Reserve of the Millar's Creek Foreshore Reserve in the East Millbridge locality;</li><li>b) Increasing the land shown for "Recreation" use on the foreshore of Millar's Creek;</li><li>c) Adjusting the residential density R Code boundaries for land adjacent to the Millar's Creek foreshore reserve;</li><li>d) Adjusting the pattern of residential subdivision for land adjacent to the Millar's Creek foreshore reserve.</li></ul>		

**AMENDMENT TO  
GARDEN OF EATON LOCAL STRUCTURE PLAN  
AGREED STRUCTURE PLAN 27 JANUARY 2010**

The Shire of Dardanup, pursuant to Part 9 of District Planning Scheme No. 3, hereby amends the above Agreed Structure Plan by:

- e) Adjusting the boundary of the Recreation Reserve of the Millar's Creek Foreshore Reserve in the East Millbridge locality;
- f) Increasing the land shown for "Recreation" use on the foreshore of Millar's Creek;
- g) Adjusting the residential density R Code boundaries for land adjacent to the Millar's Creek foreshore reserve;
- h) Adjusting the pattern of residential subdivision for land adjacent to the Millar's Creek foreshore reserve;

As depicted on the Amended Structure Plan map.

CERTIFIED THAT THIS AMENDMENT TO THE GARDEN OF EATON AGREED  
STRUCTURE PLAN 27 JANUARY 2010

WAS ADOPTED BY

RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON

*29<sup>th</sup> July 2014*

Signed for and on behalf of the Western Australian Planning Commission

*[Signature]*

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

*[Signature]* Witness

*29<sup>th</sup> July 2014* Date

AND BY

RESOLUTION OF THE COUNCIL OF THE SHIRE OF DARDANUP  
(or as otherwise delegated under Section 8.1 of its Delegated Authority Register)

ON *2/7/2014*

Signed for and on behalf of the Shire of Dardanup in accordance with the Local  
Government Act 1995, Clause 9.49 A. (1) (b)

*[Signature]*

Chief Executive Officer of the Shire of Dardanup, Shire of Dardanup

*2/7/14* Date

## EXPLANATORY REPORT

### GARDEN OF EATON AGREED STRUCTURE PLAN 27 JANUARY 2010

#### AMENDMENT

#### STRUCTURE PLAN AMENDMENT REPORT

##### 1.0 INTRODUCTION

This amendment proposes minor lot and road layout modifications to two areas within the East Millbridge locality. The modifications will deliver improved environmental, recreational access and tenure outcomes by ensuring that the new subdivision pattern will better relate to the development of the local landform.

This structure plan amendment is produced in accordance with the format prescribed in Amendment No. 144 to the Shire of Dardanup Town Planning Scheme 3.

##### 2.0 CONTEXT

###### 2.1 Regional Context

Millbridge is a suburb of the Shire of Dardanup and forms part of Greater Bunbury, located to the north-east and at a distance of 9km from the city centre. It is bounded by Eaton Drive to the west, the Collie River to the north and Australind Bypass, a Primary Regional Road under the Greater Bunbury Region Scheme (GBRS), to the east.

The land is zoned "Urban" in the GBRS.

###### 2.2 Local Context

The amendment sites are located in East Millbridge, between the Millar's Creek tributary of the Collie River and the Australind Bypass (Primary Regional Road). East Millbridge is zoned Development under the Shire of Dardanup District Planning Scheme No.3 (DPS3) and is identified for residential development in the Millbridge Structure Plan. The two areas proposed for modification are located adjoining the Millar's Creek foreshore and are allocated residential density codings of R10 and R20.

There is existing housing in the southern portion of East Millbridge and to the west of Millar's Creek, separated from the amendment areas by the recreational reserve.

The amendment areas are defined by the natural features of each locality. The southern area is located surrounding a natural gully and is therefore identified as the "Gully Precinct" (refer to **Figure 1**). The northern amendment area is identified as the "Creekside Lots" due to the proximity to Millar's Creek (refer to **Figure 2**).

### 3.0 PROPOSAL

#### 3.1 Gully Precinct, Hatfield Way

- 3.1.1 There is an agreed Structure Plan covering the Millbridge area. This proposal departs from the existing Structure Plan by changing the local road system marginally in order to protect an attractive gully (refer to **Figure 1**).
- 3.1.2 The modifications maintain the existing density coding within the Structure Plan, with R10 lots abutting the Creek reserve and R20 lots for the balance. There is no increase in the number of lots and all lot sizes comply with the relevant density coding.
- 3.1.3 The modifications include an overall increase in the provision of public open space and protection of an attractive, natural gully feature. It is proposed to extend the current "Recreation" zone to the east and include a greater area of the gully, which requires a change in the zoning from "Residential" to "Recreation". The use of the gully was previously specified for private recreation use in a grouped housing development, but will now be accessible to all members of the public.

To achieve the protection of this natural asset, a portion of Reserve 49458 zoned for "Recreation" at the southern extent of the Gully Precinct will be required as "Residential". The table below shows the area of land involved and the overall increase in Public Open Space:

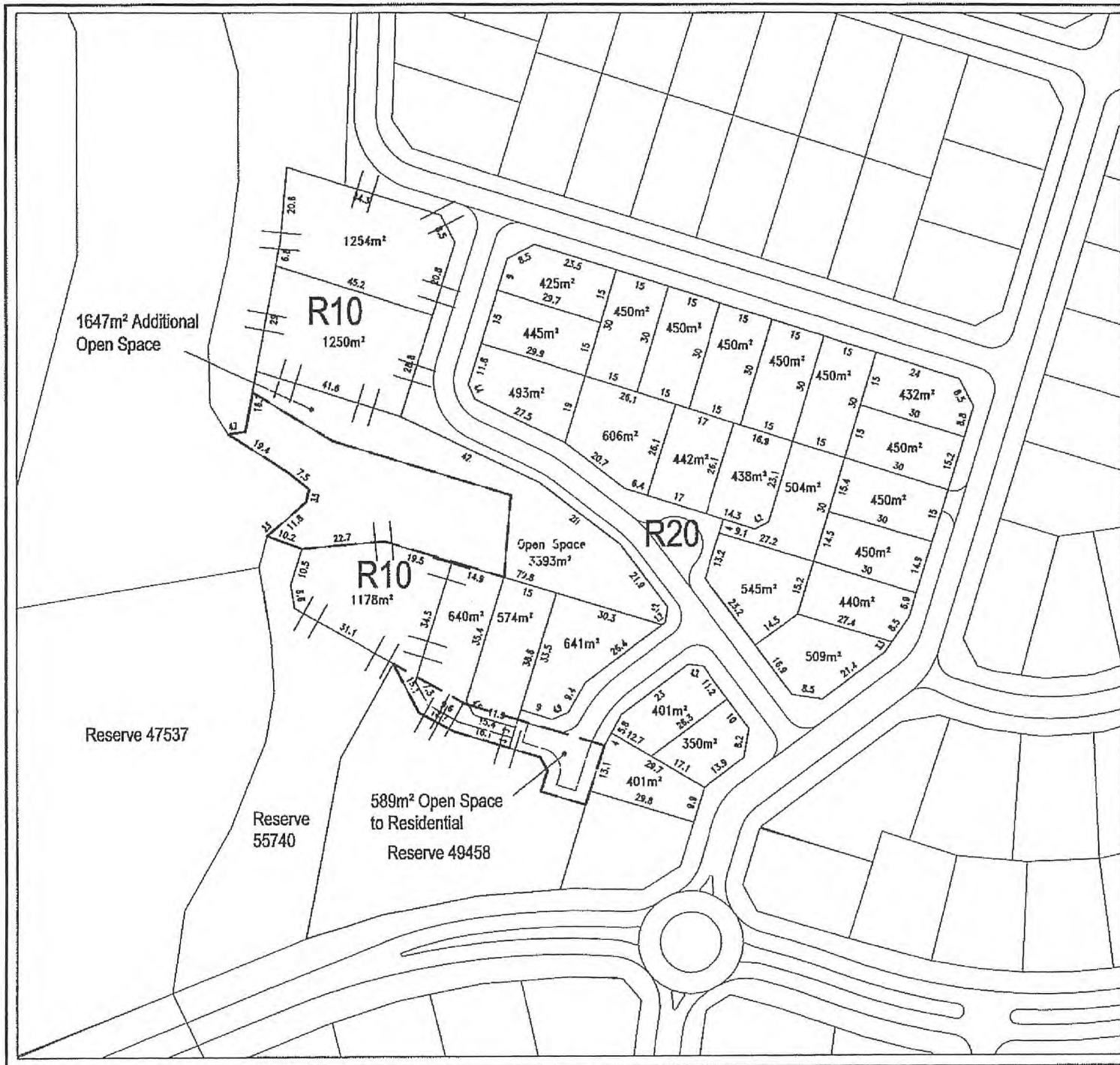
Land Parcel	Zoning Change	Area
Gully	Residential to Recreation (Public Open Space)	1647m <sup>2</sup>
Southern extent	Recreation to Residential (Reserve 49458)	589m <sup>2</sup>

The portion of Reserve 49458 proposed to change to "Residential" is only 589m<sup>2</sup> in area. The additional Recreation reserve proposed contains the high quality environment of the gully and measures 1647m<sup>2</sup>.

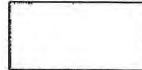

The subdivision layout indicates that the portion of land in the south that is proposed to change from "Recreation" to "Residential" will be used for the local road network and access legs to adjoining lots. The road layout will ensure that good access to POS from the lots north of Millbridge Boulevard will be achieved.

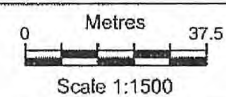
- 3.1.4 The extension of the "Recreation" zone results in modifications to the road network and an improved movement system. The existing Structure Plan design indicated a strata proposal over a portion of the gully and surrounds, which restricted both vehicular and pedestrian north-south movement, encouraging the use of Hatfield Way only or the Millar's Creek foreshore.

The proposed road layout introduces a public street from the subdivision road north of the Gully Precinct, linking to Hatfield Way at the south of the area. A second access street



NOTES: 25mm at scale

-  From 'Residential' to 'Recreation'
-  From 'Recreation' to 'Residential'



A4



Date: 29 April 2014  
 Ref: 1965/2014/April 2014 SP/A4 south

All dimensions and areas subject to survey

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Figure 1  
 GULLY PRECINCT

with a turning head provides increased access to the Recreation area to the south. The permeability of the road network will increase mobility and is in accordance with Liveable Neighbourhoods principles. For lots to the north of the Gully Precinct, the road distance to the Reserve 49457 in the south is significantly decreased from 380m to 210m, indicating greater potential for accessibility.

Lot 1005 is an existing stand-alone property abutting the southern boundary of the Gully Precinct. Under the approved strata scheme, it was intended that parking bays be provided, via a laneway off Hatfield Way and adjoining Lot 1005, for users of the adjacent POS. The current proposal removes the parking bays and the laneway, providing a road to the north and associated street parking instead.

The proposed road to the north of Reserve 49458 provides vehicular access to four lots only, so traffic levels on that road are expected to be low. Street parking for users of the reserve can be accommodated within the road reserve without interfering with the traffic flow or access to properties and accordingly, there is no necessity to have bays formally marked for that purpose.

The amenity of Lot 1005 will be increased under the current proposal, with the removal of potential traffic and associated impacts, including noise and security issues.

3.1.5 The proposed amendment to the structure plan ensures that each lot has adequate frontage to a public street. The design introduces three battle-axe lots to maximize use of the irregularly-shaped site remaining following allocation of the gully as POS. Despite the shape constraints, the proposed lots are generally regular and all achieve greater than the minimum areas and frontages required under the respective density codings.

### 3.2 Creekside Precinct

3.2.1 There is an agreed Structure Plan covering the Millbridge area. This part of the proposal departs from the existing Structure Plan by changing the local road system marginally in order to simplify the access to lots and change tenure (refer to **Figure 2**).

3.2.2 The modifications rationalise the existing density codings from the Structure Plan, utilizing the density codings more effectively to increase the overall number of lots and increasing the amount of POS. Battleaxe lots are deleted from the plan in line with advice relating to fire management and all lot sizes comply with the relevant density coding.

3.2.3 The proposed amendment results in an increased lot yield from ten to <sup>elevated</sup> ~~seven~~. There is three less R10 sites and four more R20 sites, with the balance of land being incorporated into an extended road reserve and Recreation reserve. The following table summarises the changes:

	Existing	Proposed
R10	6 lots	3 lots
R20	4 lots	8 lots
Recreation	An additional 1125m <sup>2</sup> added to Recreation reserve	





3.2.4 The modification to the road layout includes extending a cul-de-sac northwards, providing the majority of lots with greater road frontage for easy access. The changes result in more regularly shaped and larger lots that will be easier to build on. They will also enable formation of a more continuous and regular streetscape and it is envisaged that the changes will enable more efficient servicing in terms of water, sewerage and power.

#### **4.0 IMPLEMENTATION**

4.1 Following approval of the Structure Plan amendment, negotiations with the Crown will be required to transfer a portion (589m<sup>2</sup>) of the Recreation Reserve 49458 to the subdivider. This will enable the access road and driveways at the southern extent of the Gully Precinct to be constructed.

4.2 Subdivision applications for the two amendment areas will be required. These applications will provide the necessary detail to enable the development to proceed.

#### **5.0 CONCLUSION**

The following points demonstrate the appropriateness of the proposal:

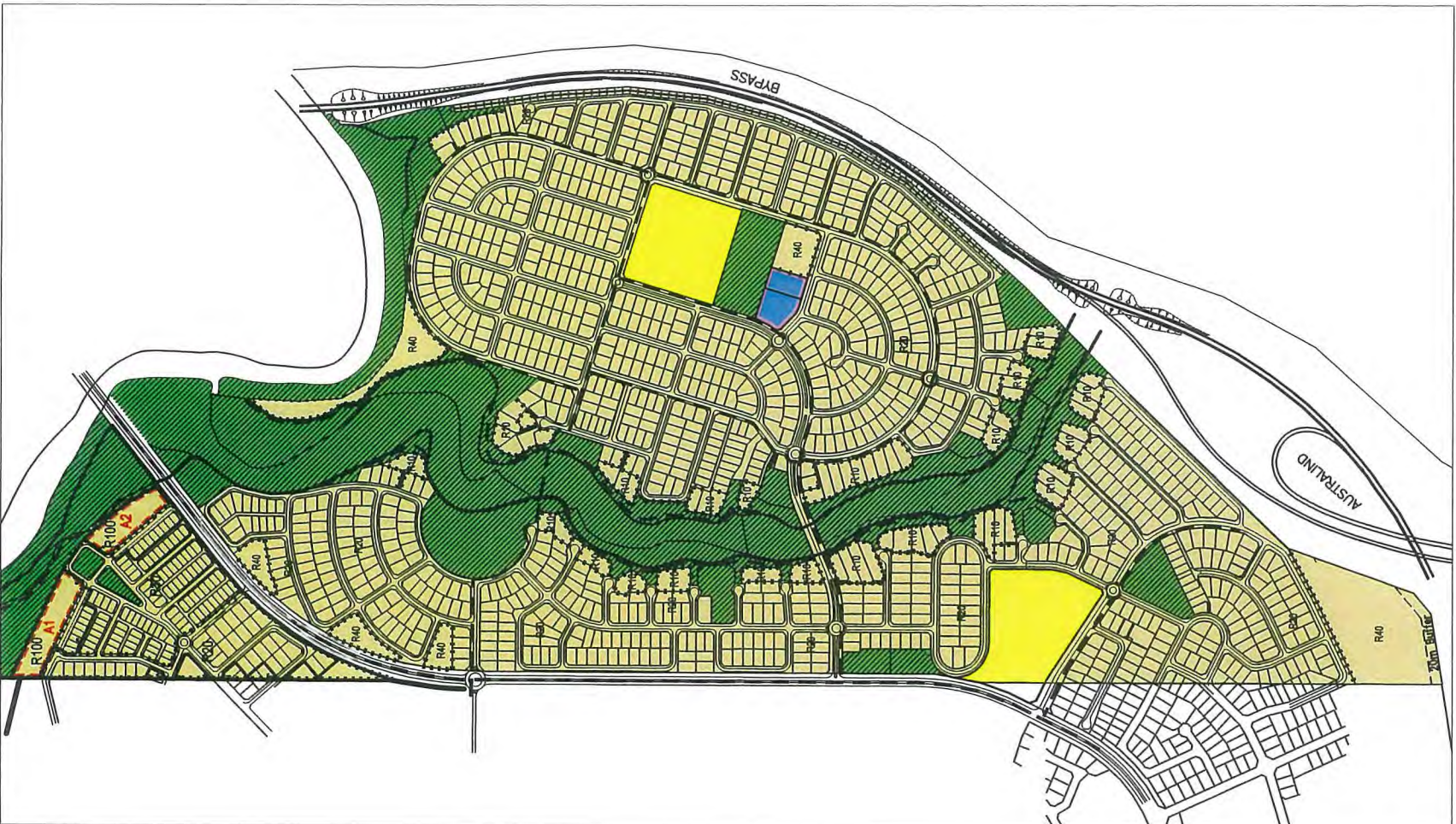
- The changes to the road network increase the permeability of the development, enabling greater access between proposed lots and areas of Recreation reserve. The permeability of the road network will allow future residents within the Gully Precinct and further north to more easily access an area for active and passive recreation opportunities within Reserve 49458.
- There will be an overall increase in the amount of Recreation reserve provided (some 2183m<sup>2</sup>), increasing the amenity of the locality. The increase in Recreation reserve also directly relates to the protection of areas of high amenity value, those being a natural gully feature and foreshore reserve.
- The proposal reduces the number of battleaxe lots, potentially increasing the streetscape presence of future buildings. The extension of the road network will make servicing of lots more efficient.
- The amenity of the existing adjoining sites will be increased with the modification of parking and access routes.



AMENDED STRUCTURE PLAN



MODIFICATIONS



EXISTING STRUCTURE PLAN

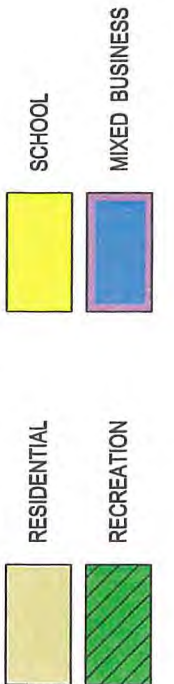
Residential Density and other additional provisions



SHIRE OF DARDANUP

AMENDED LOCAL STRUCTURE PLAN

The following land use classifications to have the same land use control as the zoning provisions under Shire of Dardanup Local Town Planning Scheme No. 3



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A3

Scale 1/12500 Drawn 22/5/2014  
May 2014 Structure Plan.dwg

# LEGEND

The following land use classifications to have the same land use control as the zoning provisions under Shire of Dardanup Local Town Planning Scheme No. 3

	RESIDENTIAL		SCHOOL
	RECREATION		MIXED BUSINESS

Residential Density and other additional provisions

	R CODES		PATHWAY SYSTEM
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	ADDITIONAL USES
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- A1**
- Short stay residential
  - Up to 500m<sup>2</sup> NLA floorspace may be used for the commercial purposes, including and limited to restaurants, eating houses, offices, professional offices and/or shops. Shops shall not occupy more than 200m<sup>2</sup> NLA of the 500m<sup>2</sup> NLA (maximum) commercial floor area.
- A2**
- Short stay residential
  - Up to 500m<sup>2</sup> NLA floorspace may be used for the commercial purposes, including and limited to restaurants, eating houses, offices, professional offices and/or shops. Shops shall not occupy more than 200m<sup>2</sup> NLA of the 500m<sup>2</sup> NLA (maximum) commercial floor area.

### Planning Policy Statements.

1. Maximum retail floor space is limited to 1000m<sup>2</sup> Net Lettable Area (NLA) on a total lot area of 5000m<sup>2</sup>;
2. The retail site is to be developed as the main focus of the Local Centre and be developed for other uses which serve the community;
3. In addition to the retail site, the Local Centre can consist of a maximum 2000m<sup>2</sup> lot for community related non-retail uses (i.e. Childcare centre or similar). A minor increase in lot area can be supported, subject to justification.
4. Detailed Area Plans contained in the Report are indicative plans and do not form part of the Structure Plan and are subject to a separate planning process for the plans to be used to guide subdivision and development.
5. No green-title, survey strata or strata subdivision of the A1 and A2 cells will be supported until a Detailed Area Plan has been adopted by the Shire of Dardanup and endorsed by the Western Australian Planning Commission. The Detailed Area Plan is also to include the adjoining public open space and foreshore reserve and the appropriate provision of public parking.

Council will require the submission of a suitable geotechnical report prior to development approvals for group housing on the isthmus to ensure that the land is capable of accommodating development.

Council will require the submission of a suitable acoustic assessment prior to development approvals being issued for the lots adjoining the emergency access to ensure that the lots will not be adversely impacted by the break in the bund wall.

Emergency Access

BYPASS

AUSTRALIND

20m Buffer

Treatments along the eastern boundary of the site, adjoining the Australind Bypass are to be suitably addressed at the subdivision stage. In particular, a suitable vegetated buffer and noise attenuation measures are required to be provided by the subdivider.

The width of the vegetated buffer is to be determined on-site and should be designed in a manner that appropriate residential amenity and creates an attractive entry/departure feature for the Bunbury area.

The Local Structure Plan shows a framework for future subdivision and development. Detailed planning will be undertaken at subdivision and development stages

This Structure Plan is to be read in conjunction with the accompanying Report for the East Millbridge and Southbank Precincts.

Chief Executive Officer

Date

*[Signature]*  
21/7/14

## GARDEN OF EATON LOCAL STRUCTURE PLAN

WELLINGTON LOCATION 49 FOR ARDROSS ESTATES PTY LTD

Figure 3

### ENDORSED STRUCTURE PLAN

To provide a framework for future detailed planning at the subdivision and development stage.

Date 29/7/2014 *[Signature]*

Delegated under s 16 of the Planning & Development Act 2005