



Your Ref : 716-160 Lot 308 Coral Bay
Enquiries : Johan Gildenhuys (Ph 6551 9562)

TPG & Place Match
Po Box 7375
CLOISTERS SQUARE WA 6850

Approval Subject To Condition(s) Freehold (Green Title) Subdivision

Application No : 154764

Planning and Development Act 2005

Applicant	:	TPG & Place Match Po Box 7375 CLOISTERS SQUARE WA 6850
Owner	:	BAC Village Pty Ltd Po Box 980 CARNARVON WA 6701
Application Receipt	:	25 January 2017

Lot Number	:	308
Diagram / Plan	:	Deposited Plan 52556
Location	:	-
C/T Volume/Folio	:	2758/224
Street Address	:	Coral Bay
Local Government	:	Shire of Carnarvon

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped **27 January 2017** once the condition(s) set out have been fulfilled.

This decision is valid for **four years** from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by **01 May 2021** or this approval no longer will remain valid.

Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision.

One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 section 251 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Deposited plan

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Condition(s)

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the deposited plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the

condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITION(S):

1. The plan of subdivision is to be modified (marked 'X') as per the plan dated 27 January 2017 (attached) as follows:
 - Lots 3 and 4 to be amalgamated to be one lot and proposed Lot 2 is to be a minimum lot size of 4000m². (Local Government)
2. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.

As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)

3. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:
 - a) street lighting is installed for the area of subdivision appropriate in the context of Coral Bay as tourist node to the standards of the relevant licensed service provider and/or

- b) roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly to the satisfaction of the Western Australian Planning Commission.

(Local Government)

- 4. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths through and connecting to the application area to the satisfaction of the Western Australian Planning Commission and shared paths are to be constructed by the landowner/applicant. (Local Government)
- 5. Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water. (Local Government)
- 6. Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water Management Plan (UWMP) for the site, or where no UWMP exists, to the satisfaction of the Western Australian Planning Commission. (Local Government)
- 7. The land being filled, stabilised, drained and/or graded as required to ensure that:
 - a) lots can accommodate their intended development; and
 - b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
 - c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system.

(Local Government)

- 8. Satisfactory arrangements being made with the local government for the full cost of construction of the proposed roads in the locations as shown on the plan dated 27 January 2017 to a standard of the Shire of Carnarvon. (Local Government)
- 9. Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development. In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying

that all subdivisional works have been carried out in accordance with the pre-works geotechnical report.

(Local Government).

10. All local streets within the subdivision being truncated in accordance with the Western Australian Planning Commission's *Liveable Neighbourhoods* policy/ DC 2.6 *Residential Road Planning*. (Local Government)
11. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)
12. The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for public open space and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)
13. The landowner/applicant shall provide a written undertaking to the satisfaction of the Western Australian Planning Commission to advise prospective purchasers of the provisions of the local government's local planning scheme and the *Coral Bay Settlement Structure Plan 2014* that relate to the use and management of the land. (Local Government)
14. A Notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan).

The notification is to state as follows:

'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land' (Western Australian Planning Commission).

15. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
16. Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
17. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Horizon Power for the provision of an underground electricity supply to the lot(s) shown on the approved plan of subdivision. (Horizon Power)

18. The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Horizon Power)
19. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specifications of Western Power for the provision of necessary electricity easement(s) to the lot(s) shown on the approved plan of subdivision/plan dated 27 January 2017. (Horizon Power)

ADVICE TO APPLICANT AND LOCAL GOVERNMENT:

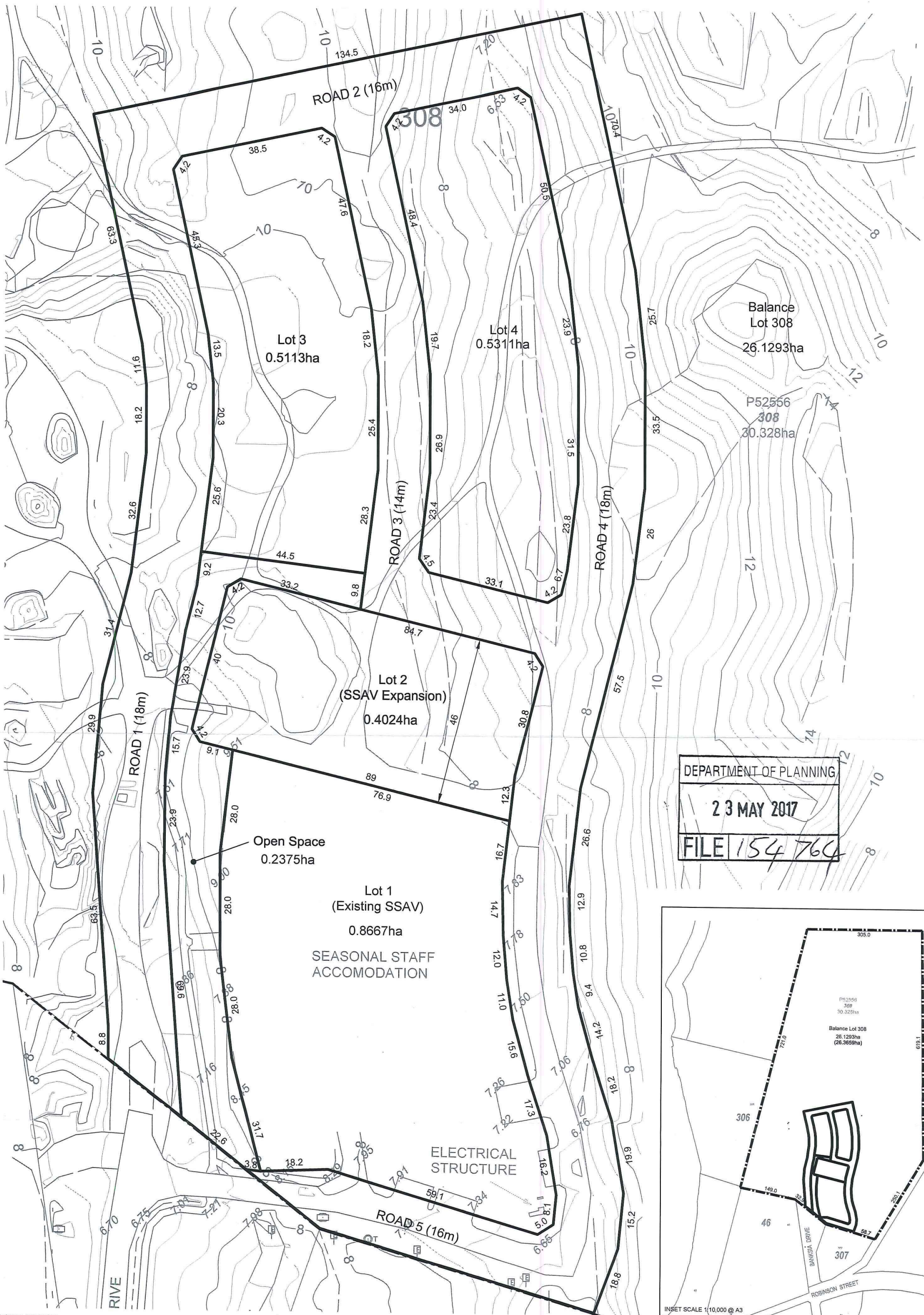
1. Condition 1 has been imposed to align the lots with the minimum lot size requirement of the *Coral Bay Settlement Structure Plan 2014* (CBSSP).
2. In relation to Condition 4, the pedestrian network is to be constructed to the satisfaction of the local government, applicable to the context of Coral Bay.
3. Condition 5 has been imposed in accordance with *Better Urban Water Management Guidelines* (WAPC 2008). Further guidance on the contents of urban water management plans is provided in '*Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions*' (Department of Water 2008).
4. In regard to Condition/s 15 and 16, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 83 of the *Water Services Act 2012* will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.
5. In regard to Condition 17, Horizon Power provides only one underground point of electricity supply per freehold lot.
6. Main Roads Western Australia (WA) advised that any upgrades or alterations to Banksia Drive/Robinson Street/Coral Bay Road intersection:
 - i) Triggers Main Roads WA to review the location and reduce the extent of their responsibility on Coral Bay Road currently at the intersection with Banksia Road/Robinson Street to be relocated further eastwards potentially at the intersection with Sanctuary Road. Therefore, the future arrangement of Banksia Drive/Robinson Street/Coral Bay Road intersection would be under the control and management of the Shire of Carnarvon;
 - ii) Shall be managed by the Shire of Carnarvon in consultation with Main Roads WA as designs plans and construction works progress; and
 - iii) It is up to the discretion of the Shire of Carnarvon to arrange additional contribution funds from respective developers and exercise their powers under the relevant local planning scheme.

7. Any development applications should include an emergency evacuation plan for vulnerable land use as required by State Planning Policy 3.7 *Planning in Bushfire Prone Areas*.
8. The applicant and local government are encouraged to apply the WAPC's *Designing Out Crime Planning Guidelines* to create appropriate interface outcomes between public open space and workers' accommodation lots.
9. The District Manager Department of Water can be contacted on 99416102 regarding Urban Water Management Plan requirements and licensing for groundwater use.
10. In relation to the 'remediated for restricted use' site classification of Lot 308 and acid sulphate soil issues, the Department of Environment and Regulation has advised that:
 - i) Development and ground disturbing activities should be undertaken with awareness of, and in accordance with, the site's classification and associated land use restrictions;
 - ii) A site-specific health and safety plan is recommended to address potential risks to the health of any workers undertaking intrusive works in the vicinity of the former sewage treatment ponds:
 - iii) Remediation of the former waste water treatment ponds area of the site should be completed with the addition of clean fill soils prior to redevelopment for open space use. This area of the site is restricted to open space use and should not be developed for a more sensitive use without further investigation;
 - iv) Due to the nature and extent of groundwater contamination identified to date, the abstraction of groundwater for any purpose is not recommended; and
 - v) Lot 308 comprises areas mapped as representing acid sulphate soils and information for the management of these can be found on:
<https://www.der.wa.gov.au/your-environment/acid-sulphate-soils/69-ass-guidelines>
11. The Department of Parks and Wildlife has advised that measures be implemented to discourage unauthorized pedestrian and vehicle access from the subdivision to the foreshore.



Kerrine Blenkinsop
Secretary
Western Australian Planning Commission

28th April 2017



LOT SUMMARY

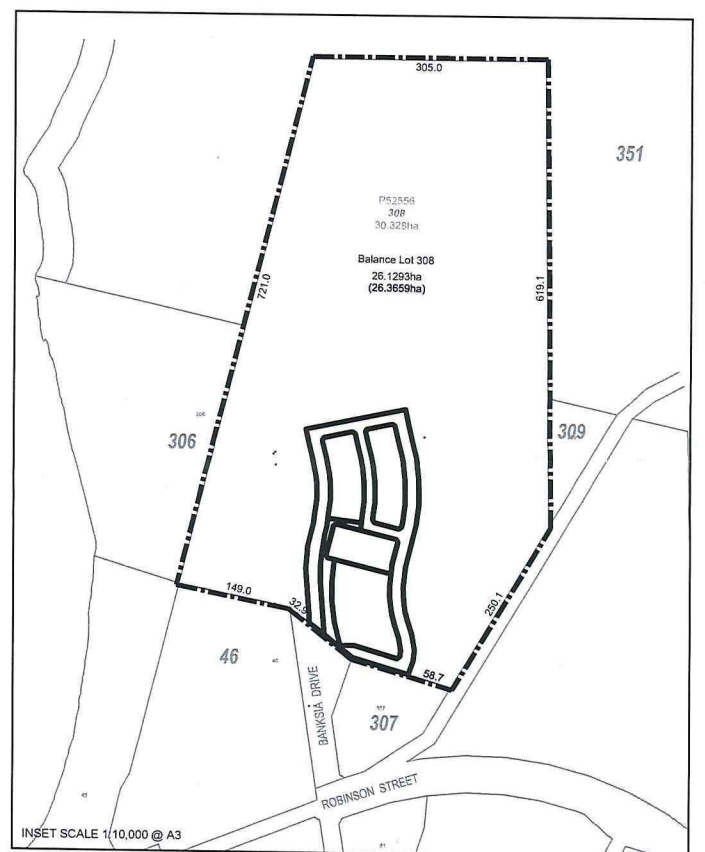
Existing Lot 308 30.3280ha

Proposed Lots 2.3114ha
Proposed Roads 1.6498ha
Proposed Open Space 0.2375ha

Balance Lot 308 26.1293ha

LEGEND

Application Area
Existing Cadastre
Proposed Boundary



SUBDIVISION PLAN

Lot 308
Coral Bay

Date: 23 May 2017

Scale: 1:1000 @ A3

Drawing No. 716-160 SU01C.dwg

Designer: OP

Drawn: GW

TOWN PLANNING
URBAN DESIGN AND HERITAGE



Lot 308 Subdivision

Site Inspection 4 July 2019

D Nielsen and W Sanderson Shire of Carnarvon

Attached is the a marked up photographic record of the inspection and the following are points of note.

Point Failures in the Seal

- Multiple locations were noted where no aggregate or seal was present on the pavement.
- Identification of these locations requires careful and close inspection of the seal surface and the aggregate matrix.
- The mechanical sweeping action completed did not remove all fine sand particles from the seal surface. This is not a criticism of the sweeping work, it is simply a limitation of its ability to remove all fine material.
- Where there appeared to be gaps in the aggregate matrix, blowing and or brushing or of the remaining fine material from those sites regularly revealed unsealed pavement or pavement with minimal binder.
- Each of these points leave the pavement unsealed to water penetration.
- They are failures of the seal to carry out its primary water resistance function.
- The likelihood of potholing to develop from these failure points is almost certain.
- One sample area noted 10 such points within a 1SQM area.
- The point failures were distributed throughout the seal both laterally and longitudinally.
- The failures appeared to be more prevalent on the western road however **all** sealed areas had these failures present.
- Close examination of the residual bitumen adjacent to the seal failures appears to indicate low to almost non-existent residual bitumen on the pavement surface.
- This is typically a result of a blocked spray jet during sealing operations. However, given the distribution of the failures throughout all sealed areas, this appears unlikely. It may be indicative of an overall low binder application rate, a significant blocked jet problem during the spraying operation or possible loose sand material on the pavement surface during spraying.
- These failures did not appear to be the result of the sweeping action although the sweeping action and the movement of the skid steer tracks has also resulted in dislodgement of aggregate.
- In addition to the very small point failures in the seal, there were other larger sites where the two-coat seal had stripped entirely from the pavement leaving exposed pavement.

Seal Consistency

- The seal generally has poor consistency and does not have an even distribution of aggregate.

- Multiple areas are observable where the surface appears to be a 14mm aggregate only. Other areas appear to be 7mm only and others again a correct 14/7 matrix.
- This varies laterally across the sealed surface and continues for extended lengths.
- It seems likely that some form of reseal treatment may be necessary however a this treatment will be problematic due to that lateral variation. Flushed areas are likely to result unless repairs can be undertaken to improve the lateral consistency of the reseal surface.

Possible Rutted Areas and/or Thickened Seal

- There were multiple examples of apparent rutted areas.
- On closer examination, the raised areas appear to be long strips of thickened seal.
- Possible cause is failure to leave a wet edge and/or poor spreading operations resulting in there being a doubling of the completed aggregate depth for extended lengths.
- Regardless of the cause, these areas are likely to hold and not shed water as a proper newly constructed road surface should do and a rectification will need to be employed to ensure water sheds properly.

Cul De Sac Heads

- Multiple seal failures areas were noted on the single coat seal areas in the cul de sac heads.
- The pavement surface finish levels in these areas is also uneven.
- It is acknowledged that these cul de sac areas are likely to require reconstruction as additional subdivision stages proceed. However, there is no guarantee whatsoever regarding future staging timeframes and the level of seal damage already present creates an unacceptable maintenance liability for the Shire.

Edge Failures

- Edge failures were observed, predominantly on the western edge of the western road.
- In these areas the seal had little or no adhesion to the pavement surface and had been dislodged by the tread of the sweeper.
- On closer examination the edges were very easily lifted from the pavement surface. The width of the breaking areas was up to 250mm.
- An additional seal over the top of these areas will not be an effective repair. Areas where there is poor seal adhesion will likely need to be removed and the pavement prepared again for sealing.

Material Proposed for Erosion Control

- The material stockpile proposed to be used for erosion control was inspected.
- The material consists of coarse to oversize stony material combined with extremely fine powdery material – possible this fine material is abraded limestone.
- This stockpiled material is not considered acceptable as a cover material over exposed sand batter areas as a wind erosion control method.
- Possible alternate solutions may be the use of a heavy shredded type woodchip or river sand.

- Regardless of the methodology employed, the issue for the Shire is to ensure that wind blown sand onto the roadway is minimised and does not present an ongoing maintenance issue.

Conclusion

In the view of the inspectors, the seal work completed is substandard. It does not meet a reasonable quality expectation required for an asset to be accepted by a local government to become a publicly maintained asset.

Western Road Cul de Sac -
Multiple stripped areas



Eastern Road Cul de Sac -
Multiple stripped areas



Eastern Road Cul de Sac -
Multiple stripped areas





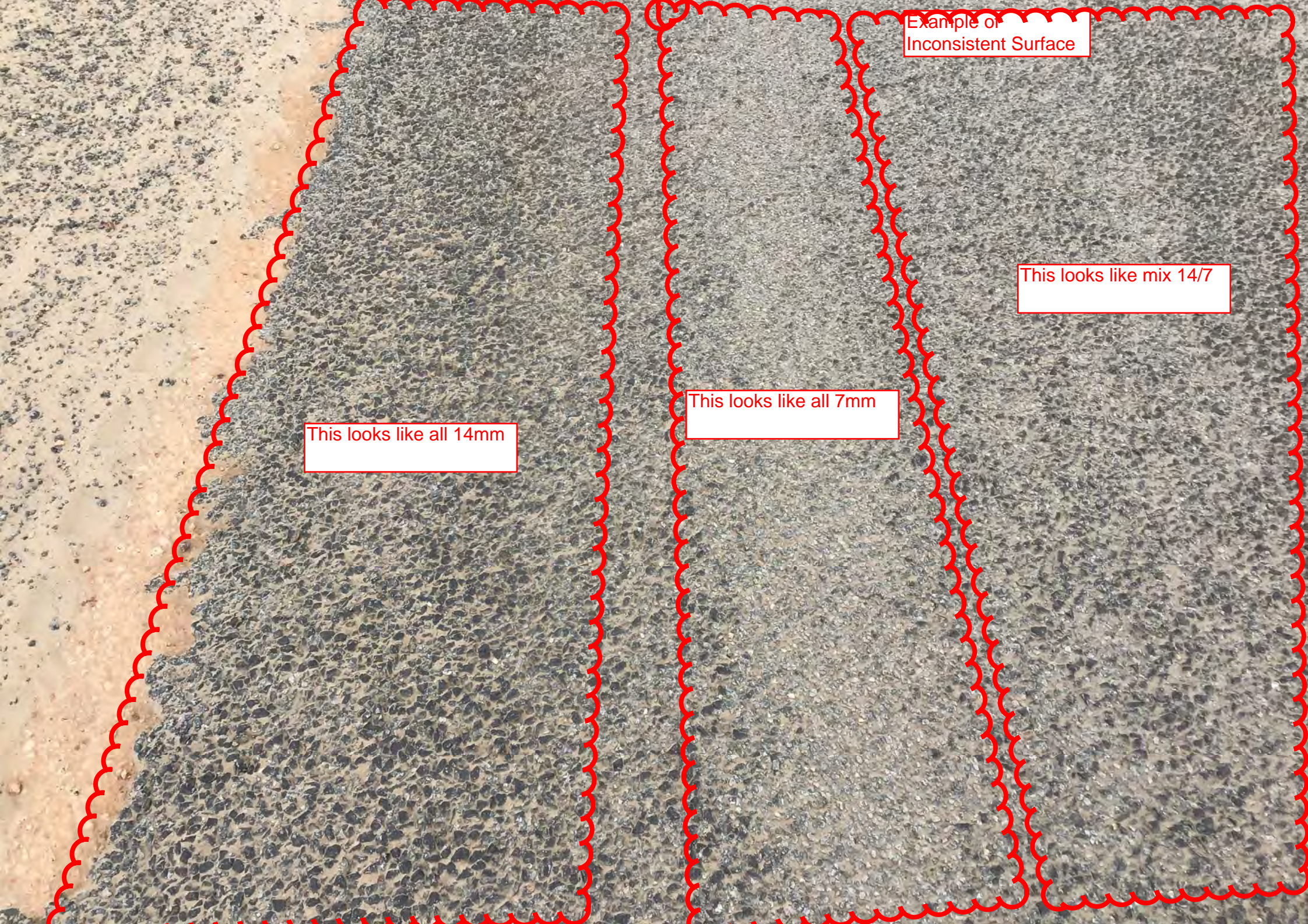


Point Failures



Point Failures





Example of
Inconsistent Surface

This looks like mix 14/7

This looks like all 7mm

This looks like all 14mm

Failure and inconsistent surface



Multiple point Failures in approx 1sqm





Point Failure

Point Failures



Point Failure Close
View



Eastern Road Cul de Sac -
Multiple stripped areas




Eastern Road Cul de Sac -
Multiple stripped areas



Western Road Cul de Sac -
Multiple stripped areas





Looks like a reasonable aggregate matrix
but again - a point failure





Edge Breaks



Edge Breaks



Edge Breaks



Edge Break and Thickened
area

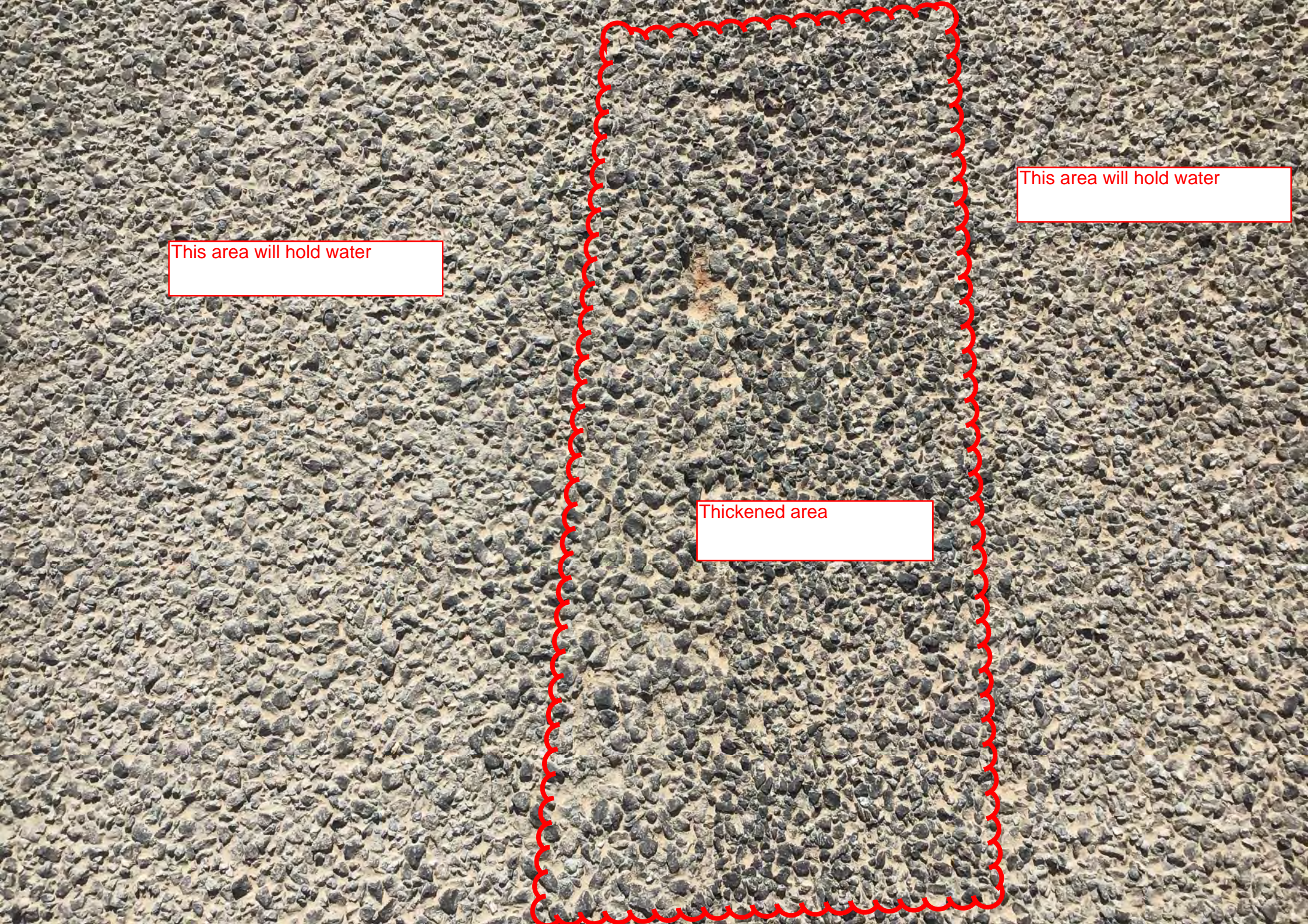








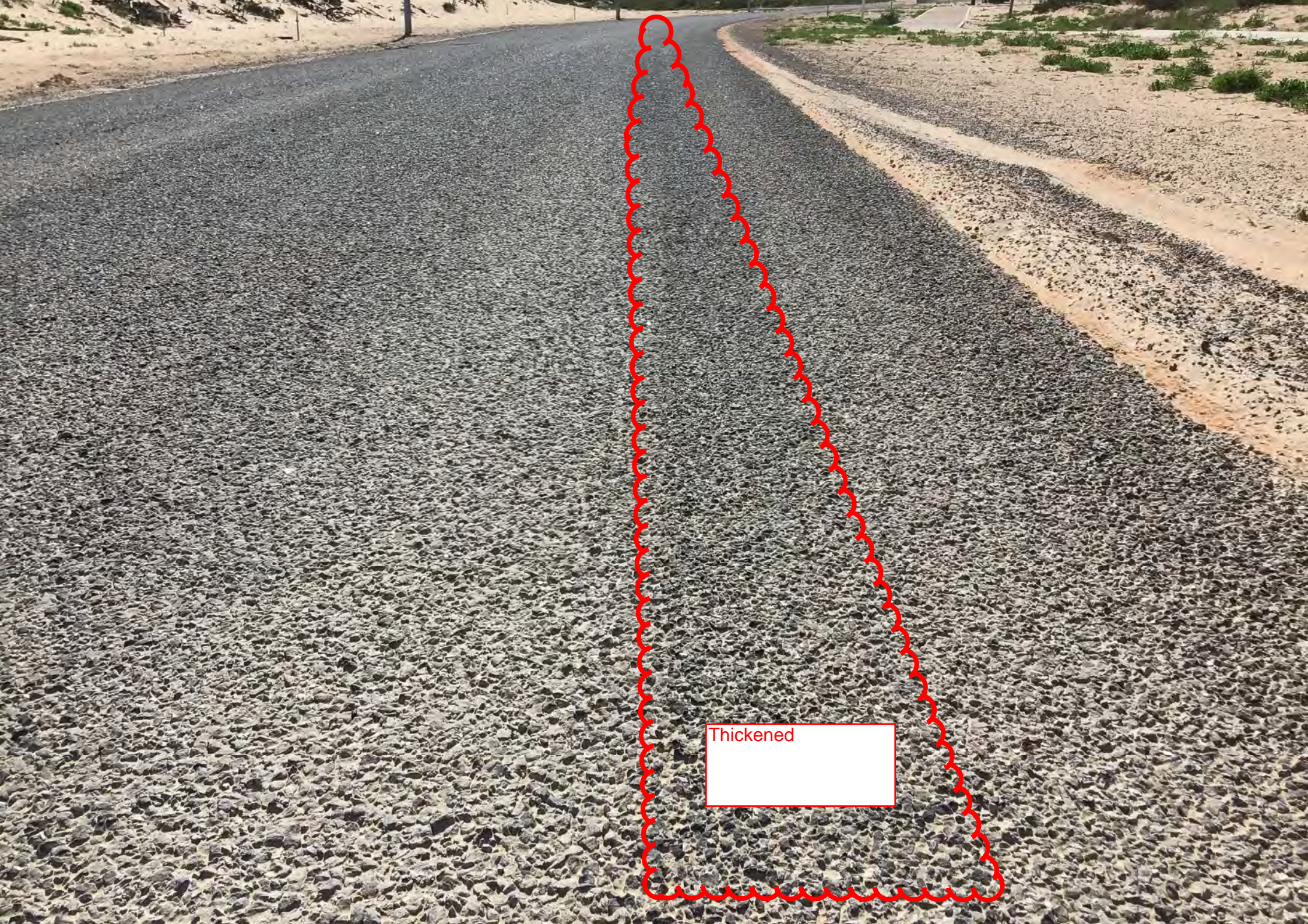




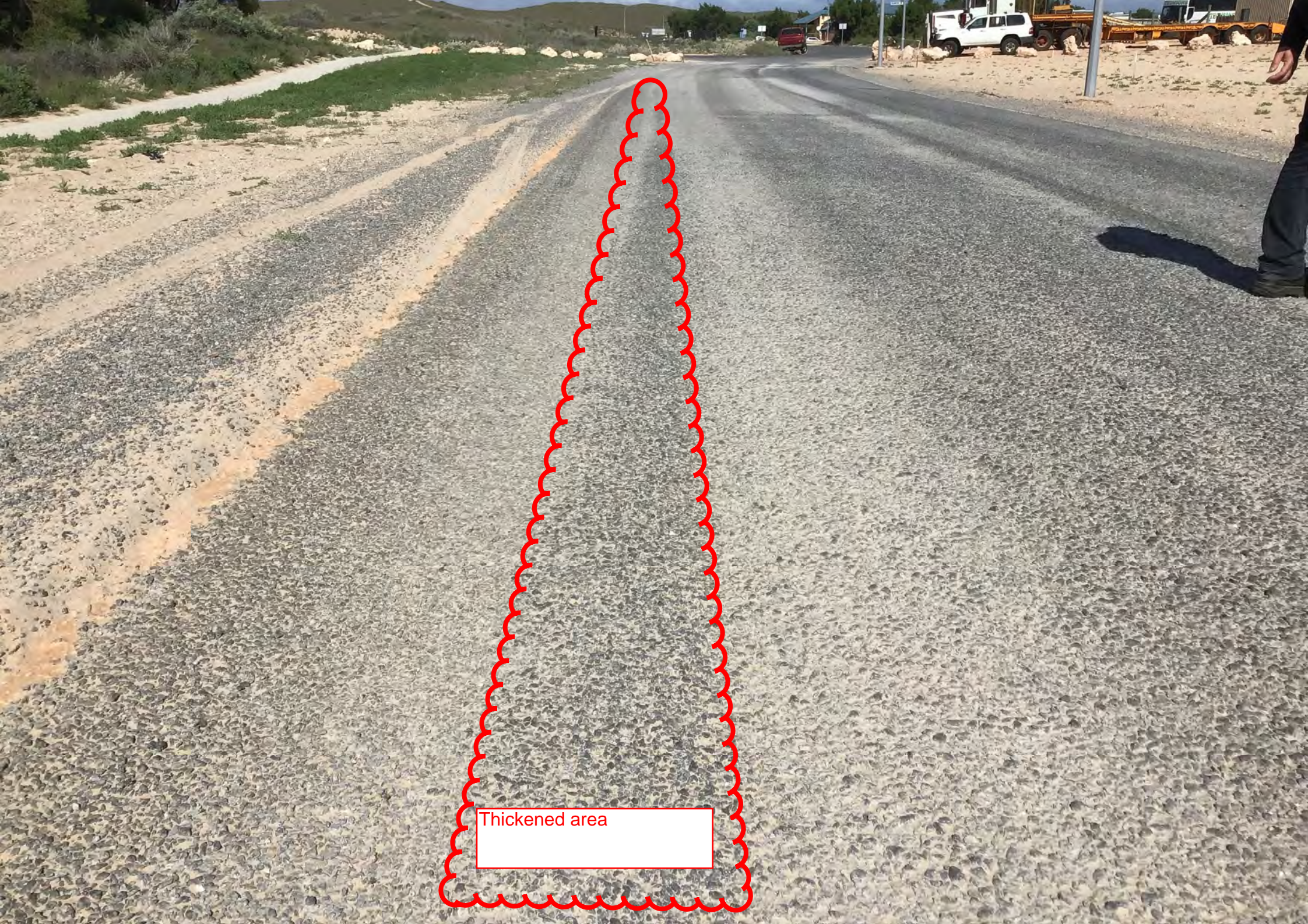
This area will hold water

This area will hold water

Thickened area



Thickened



Thickened area



Thickened Area



This is the join new seal with existing seal





This is in the
western Cul de sac
head - some sort
of failure area