

Council Agenda

28 July 2021

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city@busselton.wa.gov.au

CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 28 JULY 2021

TO: THE MAYOR AND COUNCILLORS

NOTICE is given that a meeting of the Council will be held in the Council Chambers, Administration Building, Southern Drive, Busselton on Wednesday, 28 July 2021, commencing at 5.30pm.

Your attendance is respectfully requested.

DISCLAIMER

Statements or decisions made at Council meetings or briefings should not be relied on (or acted upon) by an applicant or any other person or entity until subsequent written notification has been given by or received from the City of Busselton. Without derogating from the generality of the above, approval of planning applications and building permits and acceptance of tenders and quotations will only become effective once written notice to that effect has been given to relevant parties. The City of Busselton expressly disclaims any liability for any loss arising from any person or body relying on any statement or decision made during a Council meeting or briefing.

CHIEF EXECUTIVE OFFICER

MIKE ARCHER

16 July 2021

CITY OF BUSSELTON

AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 28 JULY 2021

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1. <u>DECLARATION OF OPENING, ACKNOWLEDGEMENT OF COUNTRY AND ANNOUNCEMENT</u> OF VISITORS

2. ATTENDANCE

Apologies

Cr Lyndon Miles is an apology.

Approved Leave of Absence

Cr Kelly Hick is an approved Leave of Absence for this Ordinary Council Meeting.

3. PRAYER

4. <u>APPLICATION FOR LEAVE OF ABSENCE</u>

A request for a Leave of Absence has been received from Cr Lyndon Miles for the Ordinary Council Meetings to be held on 28 July 2021 and 11 August 2021.

5. DISCLOSURE OF INTERESTS

6. ANNOUNCEMENTS WITHOUT DISCUSSION

Announcements by the Presiding Member

7. QUESTION TIME FOR PUBLIC

Response to Previous Questions Taken on Notice

Public Question Time For Public

8. CONFIRMATION AND RECEIPT OF MINUTES

Previous Council Meetings

8.1 Minutes of the Council Meeting held 23 June 2021

RECOMMENDATION

That the Minutes of the Council Meeting held 23 June 2021 be confirmed as a true and correct record.

9.	RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS
	Petitions
	Presentations
	Deputations
10.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)
11.	ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY
12.	REPORTS OF COMMITTEE
	Nil

13. PLANNING AND DEVELOPMENT SERVICES REPORT

13.1 <u>APPLICATION FOR DEVELOPMENT APPROVAL DA20/1056 - SERVICE STATION - LOT 9052</u> (No. 210) NORTHERLY STREET, VASSE

STRATEGIC THEME ENVIRONMENT - An environment that is valued, conserved and able

to be enjoyed by current and future generations.

STRATEGIC PRIORITY 1.1 Ensure protection and enhancement of environmental values is a

central consideration in land use planning.

SUBJECT INDEX Development/Planning Application

BUSINESS UNIT Statutory Planning

REPORTING OFFICER Senior Development Planner – Policy - Stephanie Navarro

AUTHORISING OFFICER Manager Environmental Services - Tanya Gillett

NATURE OF DECISION Regulatory: To determine an application/matter that directly affects a

person's right and interests e.g. development applications, applications for other permits/licences, and other decisions that may

be reviewable by the State Administrative Tribunal.

VOTING REQUIREMENT ATTACHMENTS

Simple Majority

Attachment A Development Plans U

Attachment B Traffic Technical Advice U

Attachment C Landscape Strategy Plans and Viewpoint

Perspectives.

Attachment F Schedule of Agency Submissions 1

OFFICER RECOMMENDATION

That the Council determines:

- A. That application DA20/1056 submitted for a 'Service Station' at Lot 9052 (No. 210) Northerly Street, Vasse, is considered by the Council to be generally consistent with Local Planning Scheme No. 21 and the objectives of the zone within which it is located.
- B. That Development Approval is issued for the proposal referred to above (A) subject to the following conditions:

General conditions

- 1. The development hereby approved shall be substantially commenced within two years from the date of this decision letter.
- The development hereby approved shall be undertaken in accordance with the signed and stamped Approved Development Plans except as may be modified by the following conditions.

Prior to commencement of any works conditions

- 3. The development hereby approved, or any works required to implement the development, shall not commence until the following plans or details have been submitted to the satisfaction of the City and have been approved in writing:
 - 3.1 Stormwater and groundwater management plan for the entirety of Lot 9052 to the satisfaction of DWER and the City (Advice note 7).

- 3.2 A Landscaping Plan which shall include details of a 30 metre landscaping buffer along the entire western lot boundary. Landscaping shall be of a sufficient height and density at maturity to screen the development from Bussell Highway to the satisfaction of the City.
 - The Landscaping Plan shall include a plant schedule nominating endemic species, planting distances, numbers, planting sizes, together with the anticipated height of each plant at maturity.
- 3.3 Further to Condition 3.2 above, arrangements shall be made for the 30 metre landscaping buffer to be developed by the landowner/applicant in accordance with an Approved Landscaping Plan and maintained for two summers (Advice note 8).
- 3.4 An exterior lighting plan which shall include the canopy, parking areas and entry/exit points (Advice note 9).
- 3.5 Details setting out a minimum number of 8 car parking bays to be provided on site (including 1 accessible bay). The parking areas, driveways and points of ingress and egress (including crossovers) shall be appropriately designed, constructed, drained and line marked.
- 3.6 Details setting out a minimum of one loading bay to be provided on site. The loading bay shall be appropriately designed, constructed, drained and line marked.
- 3.7 Details of the proposed bicycle parking facilities. The details shall include, as a minimum, the location, design and materials to be used in their construction.
- 3.8 Details of the proposed bin storage areas. The details shall include, as a minimum, the design and the materials to be used in their construction (Advice note 10).
- 3.9 Amended plans for the pylon signs with a maximum height of 6 metres.
- 3.10 Engineering drawings and specifications are to be submitted, and approved by the City and Main Roads WA, for an extension of the existing splitter island past the western driveway to prevent right turn movements into and out of this vehicle access point.
- 3.11 Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended), is to be placed on the Certificates of Title of the lot advising the following:

This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is be subject to a Bushfire Management Plan. The approval of the Service Station is conditional upon the details contained within the Bushfire Management Plan (BMP) prepared by Bushfire Prone Planning dated 16 December 2020 and the accompanying Bushfire Risk Management Plan (BRMP).

A copy of the Certificate of Title with the section 70A notification registered against it, or Landgate lodgement receipt, is to be provided to the City.

Prior To Occupation/Use Of The Development Conditions

- 4. The development hereby approved shall not be occupied, or used, until all plans, details or works required by Condition 2 and 3 have been implemented; and the following conditions have been complied with:
 - 4.1 Crossovers are located and constructed to the City's specifications.
 - 4.2 The development being connected to reticulated sewerage.
 - 4.3 The development being connected to reticulated water.
 - 4.4 Landscaping shall be implemented in accordance with the approved Landscape Plan.
 - 4.5 The proposed Landscaping Buffer shown on the approved Development Plans shall be 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.

Ongoing Conditions

- 5. The works undertaken to satisfy Conditions 3 and 4 shall be subsequently maintained for the life of the development; and, the following conditions shall be complied with:
 - 5.1 For the life of the development, any illuminated signs hereby approved shall:
 - a) Not be of a light emission intensity to cause a traffic hazard or distraction to drivers on the adjacent public road or be confused with traffic signals; and
 - b) Not flash, pulsate, chase, or otherwise cause a nuisance to occupiers of an adjoining site or the local area; and
 - c) Not be animated; and
 - d) Not be illuminated when the business is not operating.
 - 5.2 The pylon signs shall be restricted to a maximum of 6 metres above natural ground level.
 - 5.3 The approved Bushfire Management Plan shall be implemented and maintained in accordance with the approval details and any recommendations therein.

Advice Notes

- If the applicant and/or owner are aggrieved by this decision, there may also be a right of review under the provisions of Part 14 of the *Planning and Development Act 2005*.
 A review must be lodged with the State Administrative Tribunal, and must be lodged within 28 days of the decision being made.
- This Decision Notice grants development approval to the development the subject of this application. It cannot be construed as granting development approval for any other structure shown on the Approved Development Plans, which was not specifically included in this application.

- 3. For the purposes of this condition, the term "substantially commenced" has the meaning given to it in the *Planning and Development (Local Planning Schemes) Regulations 2015* as amended from time to time. Please note it is the responsibility of the applicant / owner to ensure that this development approval remains current and does not lapse.
- 4. In accordance with the provisions of the *Building Act 2011*, and *Building Regulations 2012*, an application for a building permit must be submitted to, and approval granted by the City, prior to the commencement of the development hereby permitted.
- The Applicant is advised that the food storage, retail and preparation areas are to be designed and constructed in accordance with Food Act 2008, Food Regulations 2009 and the Food Standards Code Requirements.
- 6. The Applicant is advised that the food business is required to be registered with the City of Busselton. A Food Business Notification / Registration Form is to be submitted for approval by an Environmental Health Officer (include a detailed sketch plan of fit out of premise) prior to operating the food business.
- 7. Further to Condition 3.1, the applicant is advised that the stormwater and groundwater management plan shall address the following:
 - a) Pre-development surface and groundwater regime for the small, minor, and major events; and
 - Post-development surface and groundwater management criteria to be applied at the sub-catchment and proposed lot scale for the small, minor, and major events; and
 - c) Measures to mitigate water quantity and quality risks to the Franklin Wetland and downstream receiving environment.
- 8. Further to Condition 3.3, the Applicant is advised that an executed Legal Agreement, prepared at the full cost of the applicant, with the City will be required to satisfy this condition.
- Further to Condition 3.4, the Applicant is advised that lighting will be required to comply with any applicable Main Roads WA requirements and is not to cause a traffic hazard or distractions.
- 10. Further to Condition 3.8, the applicant is advised that a suitable rubbish enclosure adequate to service the development is constructed and provided in accordance with the City of Busselton Health Local Laws 1997.

EXECUTIVE SUMMARY

The City has received an application for development approval for a proposed Service Station at Lot 9052 (No. 210) Northerly Street, Vasse. Due to the nature of the issues requiring consideration, the application is being presented to Council for determination, rather than being determined by City officers acting under delegated authority.

During the assessment of the application, the following issues that require consideration have been raised in relation to the application:

- Zoning and land use permissibility;
- Vehicle access and traffic;
- Visual impact from Bussell Highway;
- Height of pylon signs;
- Bushfire; and
- Environmental impacts.

Having considered the application, including submissions received, officers consider that the application is consistent with the City of Busselton *Local Planning Scheme No. 21* (the 'Scheme') and the broader, relevant planning framework.

It is recommended that the application be approved, subject to appropriate conditions.

BACKGROUND

The Council is asked to consider an application for development approval for a proposed Service Station at Lot 9052 (No. 210) Northerly Street, Vasse. A copy of the development plans that the Council are being asked to consider for approval are provided at Attachment A.

Key information regarding the application is set out below:

1. Landowner: Vasse Commercial Pty Ltd

2. **Applicant**: Able Planning and Project Management

3. **Site area**: 5.8130 Ha

- 4. **General description of the site**: Lot 9052 (No. 210) Northerly Street, Vasse (the Site) is located approximately two kilometres south-west from the Vasse neighbourhood centre. The Site is bound by Bussell Highway to the west and Northerly Street to the south with the surrounding land in these directions zoned Rural under the Scheme. Directly to the north of the Site is a Reserve (Recreation) which contains the Franklin Wetland. To the north of this reserve is the Vasse Light Industrial Area (LIA) (zoned Light Industry under the Scheme). The remaining land to the north-east of the site is zoned Urban Development and is planned, under a Development Guide Plan applicable to the area, to be developed for residential lots in the future.
- 5. **Current development/use:** The Site is currently vacant however has formerly been used for grazing (Agriculture Extensive) and associated residential development (Single House).
- 6. Brief description of proposed development: The applicant proposes a Service Station with three double sided refuelling bays for standard passenger vehicles and two double sided high-flow bays for larger diesel passenger vehicles and trucks, located under two separate canopies.

An ancillary retail building is also proposed that will be the point of sale for fuel purchases, sale of packaged petroleum, lubricant and motoring products, motor vehicle accessories and goods of an incidental or convenience nature, including basic food, snacks and non-alcoholic drinks.

The retail building will have a commercial kitchen, servery, dry store, cool room and freezers, plus a dedicated staff toilet and office. A unisex ambulant toilet and universal access toilet are provided for customers.

Parking will be provided for eight standard vehicles, including one accessible bay. Trucks will be accommodated in three large bays in the western portion of the Site.

Two vehicle access points are proposed along Northerly Street. The eastern vehicle access point is proposed to allow access and egress in both an easterly direction towards the Vasse neighbourhood centre and Vasse (LIA) and a westerly direction towards Bussell Highway. The western vehicle access point is proposed to be left-in only and will only provide access into the Site for vehicles approaching from the west, turning off Bussell Highway.

The applicant also proposes two illuminated pylon signs which will display brand advertising signage and mandatory fuel pricing.

The proposal includes a 30 metre wide landscaping buffer along the entire length of the western lot boundary of the Site. This buffer will be located between the proposed development and Bussell Highway and, once suitably landscaped, will soften the visual impact of the development as viewed from Bussell Highway.

- 7. **Applicable Zoning and Special Control Area designations:** The Site is located within the Urban Development zone and located within a Special Provisions Special Control Area (SP68) and Environmental Conditions Special Control Area.
- 8. **Land-use permissibility:** Under the Scheme land use permissibility within the Urban Development zone is as per clause 3.4.3 of the Scheme which states as follows:

If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land —

- (a) a structure plan;
- (b) an activity centre plan;
- (c) a local development plan.

The Site is subject to the Vasse Newtown Overall Structure Plan (Vasse Structure Plan) and the Vasse Light Industrial Estate Detailed Area Plan and is designated as a Reserve for Recreation under both. The applicable zoning under the Vasse Structure Plan, as well as the land use permissibility is discussed further in the officer comment section of this report below.

OFFICER COMMENT

During consultation on the application, a number of concerns were raised that are not considered to be relevant planning matters. The exercise of discretion when determining a development application should only take into account relevant considerations as identified within Clause 67 Consideration of application by local government, Schedule 2, Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). The decision-maker has an obligation to exercise their statutory responsibilities appropriately and a decision is required to be based upon sound planning principles.

The matters to be given consideration which are relevant to this development application are outlined in the Statutory Environment section of this report, below. If an item or issue is not listed it is not deemed to be a valid planning consideration and therefore is not to be given regard in the determination of a development application. For example, while the improvement of the region, including 'economic development' is one of the broader aims of the Scheme, economic considerations, including the economic competition as well as demand for a development, are not listed under Clause 67 of the Regulations. Therefore, economic considerations per se should only be considered when setting the planning framework and not when making a determination on an individual development application.

It is considered that the main planning issues relevant for detailed discussion in this report are as follows:

- Zoning and land use permissibility;
- Vehicle access and traffic;
- Visual impacts from Bussell Highway;
- Height of pylon signs;
- Bushfire; and
- Environmental impacts.

Zoning and Land Use Permissibility

In 2018 the City endorsed Amendment 28 ('Omnibus 3') to the Scheme. The intent of Omnibus 3 was to align the Scheme with the Regulations and consolidate the 'Development' and 'Deferred Development' areas. In relation to the Vasse Structure Plan area, Omnibus 3 re-zoned the developed portions of land in line with the applicable zoning under the structure plan and areas which had not yet been developed were re-zoned either Urban Development or Industrial Development in line with the Regulations. As part of Omnibus 3, which was subsequently gazetted on 16 February 2021, the Site was rezoned from 'Deferred Vasse Development' to 'Urban Development.'

Land use permissibility within the Urban Development zone is detailed within Clause 3.4.3 of the Scheme which states as follows:

If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land –

- (a) a structure plan;
- (b) an activity centre plan;
- (c) a local development plan.

Currently, under both the Vasse Structure Plan and the Vasse Light Industrial Estate Detailed Area Plan, the Site is designated as 'Reserve for Recreation.'

In 2018, following the endorsement of Omnibus 3 by the City, the City progressed modifications to the Vasse Structure Plan. The purpose of these modifications was to align the structure plan with changes to the Scheme proposed as part of Omnibus 3. During consultation on these modifications, the City received a submission, on behalf of the owners of the Site, opposing to the identification of the Site as 'Reserve for Recreation'. As there was never any intent that the modifications to the Vasse Structure Plan would propose substantive changes to existing land use zones, the Site remained 'Reserve for Recreation'.

Notwithstanding the above, it is acknowledged that the reservation of the Site on the Structure Plan is somewhat of an anomaly as the land is not required to satisfy the minimum 10% provision of public open space across the Vasse Structure Plan area and in any case is poorly sited for such a purpose. A public open space (POS) audit has been prepared by DPLH for the current Structure Plan area. The schedule identifies 8.81% POS provision within the proposed Structure Plan, representing a shortfall of 1.19% relative to the standard *Liveable Neighbourhoods* allocation of 10%. However, the shortfall is offset by the over-provision of public open space across the endorsed Structure Plan area of 13% of the developable area.

A number of alternative land uses for the Site have been discussed and considered previously by City officers, DPLH and the landowner/landowner's representative. Agricultural land uses were effectively ruled out, as were active recreation (sports ovals and the like) or conservation areas. The Site is not required for residential purposes (nor is the location of the Site ideal for this) as recent changes to the strategic planning framework for Vasse through the City's *Local Planning Strategy* and the *Leeuwin Naturaliste Sub-Regional Strategy* identifies two planning investigation areas to guide the future expansion of Vasse.

The land is now recognised as being a potential extension to the Vasse LIA or 'Business Park' north of the Franklin wetland and west of Lynwood Street. A conceptual Local Development Plan for the Site has been prepared by the landowner, which shows the land zoned as Industry – Light, and has been informally discussed with City and Department of Planning, Lands and Heritage (DPLH) officers. To date, however, it is yet to be lodged as a formal application.

In relation to the consideration of a structure plan when determining a development application, clause 27 of the Deemed Provisions states as follows:

A decision-maker for an application for development approval or subdivision approval in an area that is covered by a structure plan that has been approved by the Commission is to have due regard to, but is not bound by, the structure plan when deciding the application.

In line with the above, while the Council is required to have consideration of a structure plan it is not bound by it when making a determination. It is considered, based on the above justification that the Site is not in a suitable location for a Recreation Reserve, that the Site would form a logical expansion to the Vasse Light Industrial area and that the approval of a Service Station in this location would be in keeping with orderly and proper planning principles.

Vehicle Access and Traffic

During consultation comments were received from Main Roads WA raising concerns in relation to the proximity of the proposed western vehicle access point to a future planned roundabout at the intersection of Northerly Street and Bussell Highway. Of particular concern are vehicles turning left into the Site from Northerly Street, after exiting the roundabout, given limited opportunity to signal on approaching the access, as well as potential conflict with between vehicles turning right out of the Site (from the western vehicle access point) and vehicles approaching the roundabout.

Following comments from Main Roads WA, additional technical advice in the form of a Technical Note was obtained by the applicant. In addition, clarification was provided that only left-in movements were proposed for the western vehicle access point. Subsequently, Main Roads WA advised that provided the western vehicle access point was left-in only, the risk with respect to rear end crashes as a result of vehicles turning left into the driveway was "minor".

Both the applicant and Main Roads WA indicated that other left-in only vehicle access points have been approved in similar proximity to roundabouts in other locations. While these examples did not meet the Main Roads WA desirable standards they were accepted on the basis that they satisfied the minimum sight distance applicable for intersections and that a median was provided on the through road to manage the right-out movements. Main Roads WA subsequently recommended that, in order to prevent right turn movements into the western vehicle access point, the existing splitter island should be extended past the driveway. Should approval be granted, it is recommended that this be imposed by way of condition.

In addition to the above, concerns were also raised during consultation regarding the impact of additional traffic along Northerly Street as a result of the development. A Traffic Impact Statement (TIS) prepared by a suitably qualified Traffic Engineer was submitted with the application. In relation to current and predicted traffic volumes along Northerly Street the TIS states as follows:

The latest traffic count data for Northerly Street indicates an average weekday traffic volume of 2,128 vehicles per day (vpd) in September 2016. According to WAPC Liveable Neighbourhoods, the indicative volume range for a Local Distributor Road is 3,000 to 5,000 vpd. The volume of traffic generated by the proposed fuel outlet has been estimated using standard vehicle trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation. The trip generation rate for standalone service stations are as follows:

- Daily 168.56 vehicle trips per fuel position.
- Morning Peak hour 12.16 vehicle trips per fuel position.
- Afternoon Peak Hour 13.87 vehicle trips per fuel position.

Based on the 9 fuelling positions, the fuel outlet would generate approximately 1517 vehicle trips daily, 109 vehicle trips during the morning peak hour and 125 vehicle trips during the afternoon peak hour.

...

Standard traffic generation rates suggest that approximately 56% of service station (with convenience stores) vehicle trips are "pass-by" trips which are trips that are already on the road network that would divert to the site and then continue on. This proportion is likely to be higher considering the relatively remote location of the site.

The net increase in traffic on the adjacent road network resulting from the development is therefore approximately 667 vehicles per day, 48 vehicles during the morning peak hour and 55 vehicles during the afternoon peak hour.

This volume of traffic is considered to be low to moderate and can be accommodated within the existing capacity of the road network.

Based on the above, the additional traffic generated by the proposed development along Northerly Street will not adversely affect the function or capacity of the road as a Local Distributor and is therefore acceptable. A copy of the TIS and Technical Note are provided at Attachment B of this report.

Visual impacts from Bussell Highway

The potential visual impact of the development as viewed from Bussell Highway was raised as a concern by the City. Clause 4.42 of the Scheme states as follows:

Development which is likely to contribute to ribbon development, the spread of town centres, or otherwise detrimentally impact the efficiency of or the rural and natural ambience of main or arterial roads will not be supported by the local government.

Following discussions with the City, the development has been designed to incorporate a 30 metre wide landscaping buffer along the entire western boundary of the Site. It is proposed, should development approval be granted, that this buffer be landscaped prior to the commencement of any works and ceded prior to occupation/use.

Based on the distance of the development from Bussell Highway, the existing vegetation that will be retained in the reserve to the north (which provides a high quality screen when travelling south along Bussell Highway) and the requirement for additional landscaping to be installed, it is considered that the visual impacts of the development will be sufficiently ameliorated. This is demonstrated within the visual perspectives provided by the applicant at Attachment C.

Height of Pylon Signs

The development includes two proposed pylon signs being 12 metres in height. The proposed height of the pylon signs exceeds the maximum height requirements for 'Pylon-Large' signs permitted in any zone under *Local Planning Policy 4.12 – Advertisements and Advertising Signs* (LPP4.12). A review of recent pylon signs approved in association with various commercial development, including service stations, is summarised below:

- Lot 16 (100) West Street, West Busselton Service station approved by the Regional Joint Development Assessment Panel in March 2021 with a condition for a maximum height of 6 metres.
- Lot 100 (No. 81 93) West Street Service station approved by the Council in 2020 with a condition for a maximum height of 6 metres.
- Lot 1 (99) Causeway Road, Busselton Service station approved in 2017 with a condition for a maximum height of 6 metres.
- Lot 11 (No. 88) Causeway Road, Busselton Service station approved in 2015 with a pylon sign 5 metres in height.

In addition to the above, it is noted that within the Vasse Village Activity Centre Plan, the maximum height for pylon signage for the Service Commercial lots fronting on to Northerly Street is 6 metres. While the Vasse Village Activity Centre Plan is not applicable to this Site, the standards contained within are consistent with LPP4.12 and other approved Pylon Signs within the City.

Notwithstanding the justification submitted by the applicant, the 12m height of the proposed signs is not considered appropriate as it would contribute unnecessarily to visual clutter and pollution and would be contrary to the purpose set out within the LPP. It is further noted that a maximum height of 6m for these kinds of advertising signs is a long held policy position of the City with similar controls being defined in the City's Signage Local Law prior to the introduction of an LPP in 2020 addressing the issue. It is therefore recommended that, should development approval be granted, a condition be placed on the approval limiting the height of both signs to 6 metres which is consistent with both the LPP and other similar signage within the area.

Bushfire

A Service Station is considered a "High-risk" land use under *State Planning Policy 3.7 Planning In Bushfire Prone Areas (SPP3.7)* and the *Guidelines for Planning in Bushfire Prone Areas*. A Bushfire Management Plan (BMP), including a risk management plan, prepared by an accredited Level 3 Bushfire Planning Practitioner was provided with the application and was referred to DFES for comment in accordance with SPP 3.7.

The Site is well serviced being in close proximity to the Vasse neighbourhood centre and it is proposed that the development will be connected to reticulated water. The Site is easily accessible from Northerly Street which provides access and egress from the Site in either an easterly direction towards the Vasse neighbourhood centre or westerly direction towards Bussell Highway.

Part 6.6 of SPP3.7 applies to consideration of High Risk land uses:

6.6 Vulnerable or high-risk land uses

6.6.1 In areas where BAL-12.5 to BAL-29 applies Subdivision and development applications for vulnerable or high-risk land uses in areas between BAL-12.5 to BAL-29 will not be supported unless they are accompanied by a Bushfire Management Plan jointly endorsed by the relevant local government and the State authority for emergency services. Subdivision applications should make provision for emergency evacuation. Development applications should include an emergency evacuation plan for proposed occupants and/or a risk management plan for any flammable on-site hazards.

The BMP indicates that the development can achieve a Bushfire Attack Level (BAL) of BAL-29 and will be able to maintain this BAL rating even within the installation of landscaping within the buffer along the western lot boundary. In accordance with SPP3.7, the BMP was referred to Department of Fire and Emergency Services (DFES) for comment. The only concern raised by DFES was in relation to the Asset Protection Zone (APZ) required to achieve BAL-29 projecting outside the future lot boundary to the north. From a statutory perspective, there is no ability to consider the subdivision of the parent lot as part of this development application. The applicant has agreed that, when the time comes for the structure planning of the Site, the lot boundaries will be designed to ensure the APZ is wholly within the Service Station lot. A new BMP will be required with the new Structure Plan which can address this issue.

A copy of the Bushfire Management Plan submitted as part of the development application is provided at Attachment D.

Environmental Impacts

A number of concerns were raised during consultation regarding the impact the Service Station may have on the natural environment, more specifically the ground water and the wetlands in this area. The application has been referred to, and a submission received from, the Department of Health, Department of Water Environment and Regulations (DWER) and Department of Mines, Industry Regulation and Safety (DMIRS).

DMIRS identified no issues with the development and confirmed that the site will require a Dangerous Goods Licence before it can operate. The site requirements will be fully assessed during the Dangerous Goods Licence application process where it will be assessed against the relevant Australian Standards for compliance. The issuing of the Dangerous Good Licence will ensure that there will be no adverse effect of storing fuel on site such as fumes (vapour) or ground contamination.

The City is satisfied that this type of industry is regulated through DMIRS and that, subject to a suitable stormwater and groundwater management plan being prepared and implemented, the development will not have an adverse impact on the ground water and/or surrounding wetlands.

Statutory Environment

The key statutory environment is set out in the City of Busselton *Local Planning Scheme 21* (Scheme), the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), Schedule 2 of which is the 'deemed provisions', which also functionally form part of the Scheme. The key aspects of the Scheme and Regulations relevant to consideration of the application are set out below.

Zoning

The site is zoned 'Urban Development' under the Scheme. The objectives of the Urban Development Zone area as follows:

Objectives

- (a) To designate land for future urban development and provide a basis for more detailed structure planning in accordance with this Scheme.
- (b) To provide for a range of residential densities to encourage a diversity of residential housing opportunities.
- (c) To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.
- (d) To proactively plan for vibrant and attractive activity centres in urban areas developed along 'main-street' lines with activated public streets, high levels of pedestrian and civic amenity and a mix of public spaces including retail, commercial, café, restaurant, bar, entertainment, tourism and community uses.
- (e) To provide for a range of recreational, community, cultural and social facilities to meet the needs of a growing and diverse population.
- (f) To provide for the protection of natural areas and habitats within urban areas.

Land-use and permissibility

The proposed land use is defined as follows:

"Service Station" means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for:

- the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.

Land use permissibility within the Urban Development zone is detailed within Clause 3.4.3 of the Scheme which states as follows:

If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land —

- (a) a structure plan;
- (b) an activity centre plan;
- (c) a local development plan.

This matter is discussed further in the officer comment section of this report above.

Special Provision Area

The Site is subject to Special Provision Area Special Control Area (SP68) as outlined below:

5.3 SPECIAL PROVISION AREA

5.3.1. Notwithstanding any other provisions of the Scheme, use and development of land identified on the Scheme map within a Special Provision area and specified in Schedule 3, shall be subject

SP68	Lot 9558 Napoleon	Urban	1.	Notwithstanding the requirement for a structure plan for land in a Development Zone a single integrated Structure	
	Promenade, Lots 4000 and 9000 Yebble	Development Industrial		Plan shall be required for the whole of Special Provision	
				Area 68.	
	Drive, Lot 9521 Bussell	Development	١ ,		
	Highway, Lots 9052		2.	Lot 221 Northerly Street, Vasse contains important	
	and 221 Northerly			environmental values including, but not limited to, poorly	
	Street, Lot 461			represented vegetation and habitat for Western Ringtail	
	Florence Road and Lot			Possum (<i>Pseudocheirus occidentalis</i>) and Black Cockatoo	
	250 Kaloorup Road,			species (Calyptohynchus latirostis, Calyptohynchus	
	Vasse		baudinii and Calyptohynchus bandsi naso). Future		
	(Amendment No. 28 –		structure planning should require these environmenta		
	GG 16 February 2021)			values to be retained, managed and protected for	
				conservation purposes.	
			3.	For residential areas of SP68 a minimum front setback of	
				4 metres applies to dwellings and structures (excluding	
				driveways) to facilitate provision of drainage.	

In relation to point 1 above, see discussions regarding the requirement for an integrated Structure Plan in the officer comment section of this report above.

In relation to point 2, it is considered that the proposed development will not have a significant impact upon vegetation and habitat for Western Ringtail Possum (Pseudocheirus occidentalis) and Black Cockatoo species (*Calyptohynchus latirostis, Calyptohynchus baudinii* and *Calyptohynchus bandsi naso*). It is considered that the proposed landscaping within the vegetation buffer will provide opportunity to enhance supporting habitat for the species.

Point 3 is not applicable to this site.

Environmental Conditions

The Site is subject to Environmental Conditions Special Control Area (EC1) as outlined below:

No.	PARTICULARS OF LAND	GAZETTAL DATE	ENVIRONMENTAL CONDITIONS
EC1	Portions of Sussex Locations 221, 241, 248 and Part 657 and Lots 1, 2, Part 3 and 173 Bussell Highway, Lot 175 Rendezvous Road, Lots 3, 37 and 174 Kaloorup Road, Part Lot 159, portion of Lot 160 and portion of Sussex Location 4324 Yallingup Siding Road and Part Sussex Location 5, portion of Sussex Location 5252 and Lot 20 Dowell Road, Vasse	October 15, 2004	1 Contamination 1-1 Areas of soil and groundwater contamination resulting from previous activities in the District Town Planning Scheme No. 20 Amendment No. 1 shall be identified and remediated to a standard suitable for the intended land uses. 1-2 Any subdivision or application for development approval for land in the District Town Planning Scheme No. 20 Amendment No. 1 that has been utilised for farming practices creating the potential for contamination shall be accompanied by a report of an investigation of the area to determine the nature and extent of any soil and groundwater contamination, to the requirements of the Department of Environment Regulation.

No.	PARTICULARS OF LAND	GAZETTAL DATE	ENVIRONMENTAL CONDITIONS
No.	PARTICULARS OF LAND	GAZETTAL DATE	ENVIRONMENTAL CONDITIONS The site is determined to be contaminated if substances occur in the soil or groundwater at concentrations above background levels and where assessment indicates it poses, or has the potential to pose, an unacceptable risk to human health or the environment. 1-3 If unacceptable soil or groundwater contamination is identified by the investigation referred to in condition 1-2, a remediation program shall be prepared and implemented and if necessary, a management plan shall be prepared, to the requirements of the Office of the Environmental Protection Authority, prior to subdivision. 1-4 The management plan referred to in condition 1-3 shall be implemented. 2 Wetland Management Plan 2-1 Prior to ground disturbing activities the developer shall prepare a Wetland Management Plan for the wetlands and buffers to meet the following objectives; "to maintain and, where possible enhance the integrity, functions and environmental values of the wetland". The Wetland Management Plans shall be prepared to the requirements of the responsible authority in consultation with the Office of the Environmental Protection Authority and on advice of the Department of Parks and Wildlife and the Department of Water. Each plan shall include- (i) A description of the wetland including its ecosystem, attributes and values; (ii) Management objectives, including the protection of the wetland; (iii) Management actions to ensure that the management objectives are achieved including control of access through fencing and paths. (iv) Measures to ensure that where thear are impacts to a wetland or its buffer caused by development then there will be a net gain in environmental value for the remaining wetland to offset these impacts; (v) A monitoring programme, including definition of
			a net gain in environmental value for the remaining wetland to offset these impacts; (v) A monitoring programme,

In relation to point 1, a contamination report is generally conducted when there are known prior contaminating land uses, or the site is identified on DWER's contaminated sites database (this Site is not). Given the Site was previously used for grazing, with no evidence of intensive agriculture or other potentially contaminating land uses, a contamination report is not deemed necessary. In addition, as no sensitive land uses (eg: dwellings) are proposed the risk to future users of the site, should contamination be present, is very low.

In relation to points 2 and 3, the requirement for a Wetland Management Plan and a Drainage Nutrient & Pollutant Management Plan pre-date the current requirements under the *Better Urban Water Management Manual and Guidelines*. Following discussions with DWER, it is considered that the issues raised under points 2 and 3 can be adequately addressed through the provisions of a suitable stormwater and groundwater management plan that addresses the entirety of Lot 9052. Water management across the whole of Lot 9052, rather than just the area to be developed for the Service Station, is required to be addressed as the development application is being considered forward of subdivision or structure planning, which is when the broad impacts of water management would ordinarily be considered.

The stormwater and groundwater management plan shall be required to address the following:

- a) Pre-development surface and groundwater regime for the small, minor, and major events; and
- b) Post-development surface and groundwater management criteria to be applied at the sub-catchment and proposed lot scale for the small, minor, and major events; and
- c) Measures to mitigate water quantity and quality risks to the Franklin Wetland and downstream receiving environment.

Clause 67 Consideration of application by local government

Clause 67 of the deemed provisions within the Regulations sets out matters to be given consideration by a local government in considering an application for development approval. The following matters are considered to be relevant to consideration of this application:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (d) Any environmental protection policy approved under the Environmental Protections Act 1986 Section 31 (d);
- (e) any policy of the commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;...
- (h) any structure plan or local development plan that relates to the development;
- (m) the compatibility of the development with its setting including
 - (i) compatibility of the development with the desired future character of its setting; and

- (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following
 - (i) environmental impacts of the development
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following
 - (i) public transport services;
 - (ii) public utility services;
 - (iii) storage, management and collection of waste;
 - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
 - (v) access by older people and people with disability;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;...
- (zb) any other planning consideration the local government considers appropriate.

The proposal generally complies with the relevant provisions noted above.

Relevant Plans and Policies

A matters to be given consideration when determining a development application includes any applicable LPP, which in this instance include the following LPPs:

- LPP 2.1 Car Parking; and
- LPP 4.12 Advertisements and Advertising Signs; and
- LPP 6.1 Stormwater.

LPPs are prepared by a local government to provide additional information about the position that local government will take on certain planning matters. LPPs are not part of a local planning scheme and as such cannot impose any mandatory requirement upon development, however, they may provide guidance on the way in which proposals will be assessed and determined by that local government. LPPs must be consistent with the intent of the relevant local planning scheme provisions and must also be consistent with any relevant SPP.

Local Planning Policy 2.1 - Car Parking

Under LPP 2.1 there is no car parking standard for a Service Station. For similar applications the car parking standard for a Shop under LPP 2.1 is applied to the net lettable area (NLA) of the store associated with the development.

NLA is defined under the Regulations as follows:

net lettable area or **NLA** means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas —

- (a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building.

In this instance, the NLA for the tenancy is 154m² which equates to 5.13 (6) car parking bays. The development proposes 8 car bays and therefore it is considered that there is sufficient car parking for the development provided on the Site.

Local Planning Policy 4.12 – Advertisements and Advertising Signs

Based on the nature of the development it is considered appropriate that the advertisement requirements applicable to the Light Industry zone be given due regard in the assessment of the development. It is noted that both 'Pylon – Large' and Wall advertising signs are proposed as part of the development application.

The requirements applicable to these types of signs in the Light Industry zone under the LPP are as follows:

- Wall signage: Maximum 25% of the façade or 10m² per tenancy, whichever is lesser.
- Pylon Large :
 - One per Lot multitenancy sites should combine into one sign.
 - Maximum Height: 6m or the height of the associated building whichever is lesser.
 - o Maximum Area: 10m²
 - O Shall be located so as to not impede sightlines.

Further discussion regarding the Pylon – Large sign is provided within the officer comment section of this report above.

Local Planning Policy 6.1 – Stormwater

It is recommend that a condition for a Local Water Management Plan be prepared and submitted should development approval be granted.

Financial Implications

There are no financial implications associated with the officer recommendation.

Stakeholder Consultation

Public Consultation

Consultation on the proposed development was undertaken in the following manner:

- Letters sent directly to surrounding landowners and the Vasse Joint Venture; and
- Two signs erected on the lot; and
- Notification placed in the local paper on 15, 22 and 29 January 2021; and
- Development plans and information provided by the applicant were made available for public viewing on the City's website via 'Your Say'.

Consultation on the proposal concluded on 5 February 2021 with 14 public submissions received, including one on behalf of the Vasse Joint Venture, all of which raised concerns with the development.

The key concerns raised in the submissions are provided below:

- Economic impact on existing service stations with the locality; and
- Lack of need/demand for an additional service station in the locality; and
- Proximity to, and environmental impact on, the Franklin Wetlands to the north of the Site; and
- Concerns regarding traffic volumes.

These issues are addressed in the officer comment section of this report above. A complete schedule of all submissions is provided at Attachment E.

Agency Submissions

The proposed development was referred to the following agencies:

- DMIRS;
- DWER;
- DPLH;
- Department of Health;
- Main Roads WA:
- DFES; and
- DBCA.

Submissions were received from all agencies with the key concerns raised by Main Roads WA in relation to potential conflict of the proposed western vehicle access point with a future proposed roundabout at the intersection of Bussell Highway and Northerly Street. A schedule of Agency submissions is provided at Attachment F and further discussions regarding the comments from Main Roads WA and DFES is provided within the officer comment section of this report above.

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation, the Council could:

- 1. Refuse the proposal, setting out reasons for doing so; or
- 2. Apply additional or different conditions.

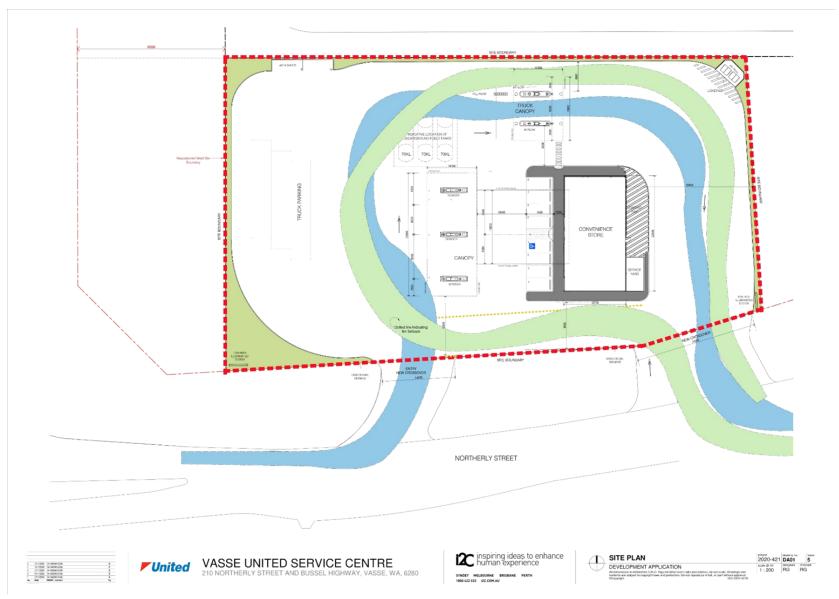
CONCLUSION

Subject to the inclusion of relevant conditions, the proposal is considered appropriate to support and it is accordingly recommended for approval.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

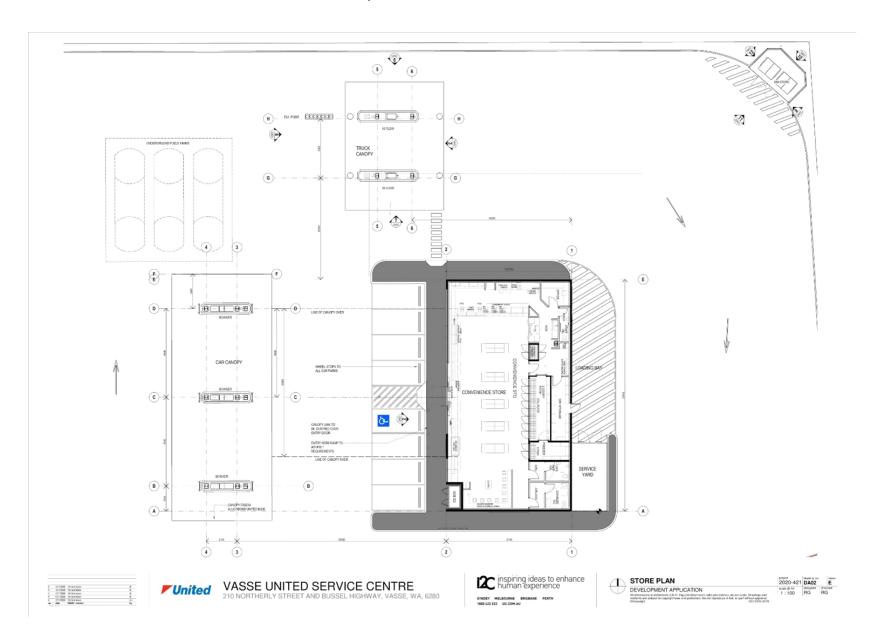
The applicant and those who made a submission will be advised of the Council decision within two weeks of the Council meeting.

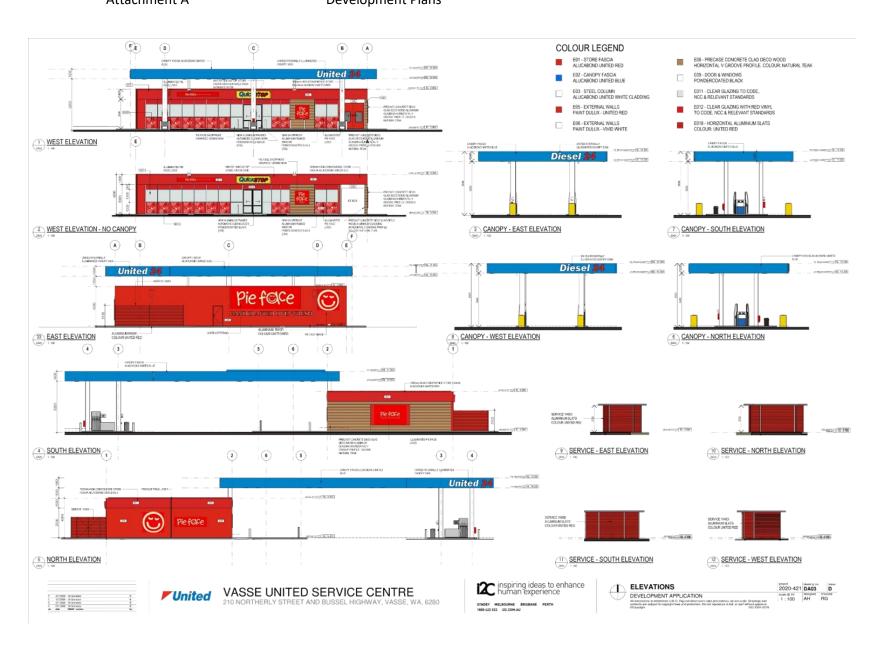




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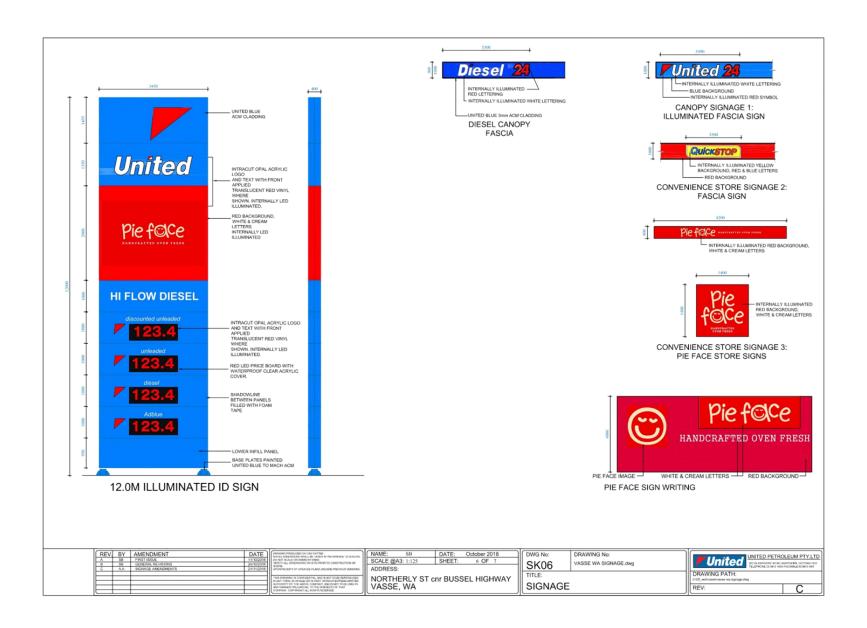




28 July 2021

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Project: **Proposed Service Station**

210 Northerly Street, Vasse

Saracen Properties c/o Able Planning and Project Client:

Management

Anthony Anastas Author:

2nd December 2020 Date:

Shawmac

2011009-TIS-001 Document #:

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Attachment B Traffic Technical Advice



Document Status: Document Status

Version	Prepared By	Reviewed By	Approved By	Date
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1. Introduction

1.1. Proponent

Shawmac Pty Ltd has been commissioned by Able Planning and Project Management on behalf of Saracen Properties to prepare a Transport Impact Statement (TIS) for the proposed service station to be located on Lot 9052, No. 210 Northerly Street, Vasse. The local authority is the City of Busselton.

This TIS has been prepared in accordance with the Western Australian Planning Commission (WAPC) *Transport Impact Assessment Guidelines Volume 4 – Individual Developments*. The assessment considers the following key matters:

- The site and surrounding road network.
- Traffic generation characteristics.
- Traffic distribution and network assignment.
- · Parking assessment and management.
- Vehicle access and circulation.
- Road safety assessment.
- · Pedestrian and cyclist accessibility.
- Public transport accessibility.

1.2. Site Location

The site location shown in Figure 1. An aerial photo of the existing site is shown in Figure 2.

The site is zoned as "Vasse Development Zone".



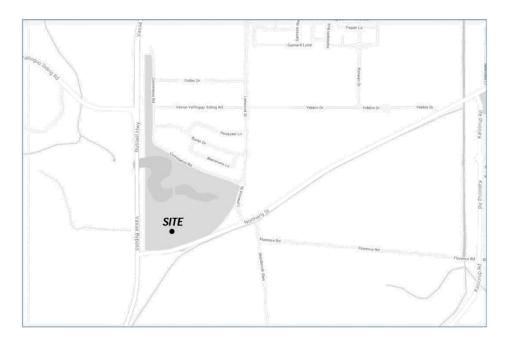


Figure 1: Site Location



Figure 2: Aerial View (March 2020)

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2. Proposed Development

2.1. Land Use

The proposed development is a United fuel outlet with 9 fuelling points (6 for cars and 3 for trucks). The site will operate 24 hours a day, 7 days a week.

The proposed site plan is shown in Figure 3 and the development plans are attached as Appendix A.



Figure 3: Extract of Site Plan

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3. Traffic Management on Frontage Streets

3.1. Road Network

3.1.1. Existing Road Layout and Hierarchy

The layout and hierarchy of the existing local road network according to the Main Roads WA *Road Information Mapping System* is shown in **Figure 3**.



Figure 4: Existing Road Network Hierarchy

3.1.2. Carriageway Width and Cross Section

The configuration of the relevant existing roads is summarised in Table 1.

Table 1: Road Configuration

Road and Location	Road Type	Cross Section	Speed Limit (km/h)
Northerly Street	Local Distributor	2-lane single carriageway	70km/h
Bussell Highway / Vasse Bypass	Primary Distributor	2-lane single carriageway	90km/h

Bussell Highway / Vasse Bypass is under the control of Main Roads WA.

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3.2. Traffic Volumes

The latest traffic count data for Northerly Street indicates an average weekday traffic volume of 2,128 vehicles per day (vpd) in September 2016. According to WAPC Liveable Neighbourhoods, the indicative volume range for a Local Distributor Road is 3,000 to 5,000 vpd.

The latest traffic count data for Bussell Highway indicates an average weekday traffic volume of 6,609 vehicles per day (vpd) in 2019/20. Bussell Highway is not currently constructed to a typical Primary Distributor standard with four lanes and is better described as a District Distributor / Integrator B Road. According to WAPC Liveable Neighbourhoods, the indicative volume range for an Integrator B Road is 15,000 to 20,000 vpd.



4. Vehicle Access and Parking

4.1. Access

4.1.1. Access Layout

Vehicle access to site will be via two proposed crossovers on Northerly Street. The western crossover will be a left in only, with the eastern crossover allowing full movements.

A potential alternative access arrangement could be to make the western access entry only and the eastern access exit only. The benefits of this arrangement are:

- The eastern crossover could be made much narrower:
- There would be fewer conflicting movements at the eastern crossover.
- The internal circulation would be simpler.

The western crossover is located approximately 100m east of Bussell Highway and so it is unlikely that any queueing at the intersection would block right turns into the site.

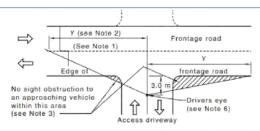
Although right turns into the western entry crossover would need to give-way to eastbound traffic along Northerly Street, traffic volumes along Northerly Street are relatively low. Further, the proximity to the Bussell Highway intersection would create gaps in the eastbound traffic that would allow vehicles to turn into the site. On this basis, the queuing of vehicles waiting to turn right into the site would be minimal and unlikely to impact westbound traffic significantly.

4.1.2. Access Sight Distance

The sight distance requirements from exit crossovers for commercial vehicles according to Australian Standard AS2890.2 are shown in **Figure 5**.

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Frontage road speed (see Note 4)	Distance (Y) along frontage road (see Note 5)		
km/h	5 s gap	8 s gap	
40	55	89	
50	69	111	
60	83	133	
70	97	156	
80	111	178	
90	125	200	
100	139	222	
110	153	244	

NOTE 1 Centre-line or centre of roadway (undivided road), or right-hand edge of right-hand through lane (divided road).

 $NOTE\ 2-A\ check\ to\ the\ left\ is\ not\ required\ at\ a\ divided\ road\ where\ the\ median\ is\ wide\ enough\ to\ shelter\ a\ vehicle\ leaving\ the\ driveway.$

 $NOTE\ 3-Parking\ on\ this\ side\ of\ the\ frontage\ road\ may\ need\ to\ be\ restricted\ on\ either\ side\ of\ the\ driveway\ so\ that\ the\ sight\ distance\ required\ by\ the\ above\ table\ to\ an\ approaching\ vehicle\ is\ not\ obstructed.$

NOTE 4 This is the posted or general speed limit unless the 85th percentile speed is significantly higher.

NOTE 5 These distances are equivalent to minimum gap sight distance (MGSD) for an exiting vehicle. The minimum requirement is a 5 s gap. A right turn exit into a six lane road may require up to an 8 s gap, unless the median is wide enough to shelter a vehicle leaving the driveway.

NOTE 6 When checking sight distance the height of the object (approaching vehicle) is to be taken as $1.15\,\mathrm{m}$ above the road surface. The driver's eye height is to be taken as any height in the range $1.15\,\mathrm{m}$ to $2.5\,\mathrm{m}$, to cater for both car and commercial vehicle drivers.

Figure 3.3 — Sight distance requirements at access driveway exits

Figure 5: Sight Distance Requirements

Based on the 70km/h speed limit along Northerly Street, the minimum required sight distance is 97m.

As shown in Figure 6, the minimum sight distance is achieved at the proposed exit crossover.

Vertically, the geometry of Northerly Street is relatively flat with no major crests that would impede sight distance.





Figure 6: Sight Distance Check

4.2. Parking

The City's Local Planning Policy No. 2.1 requires 2 spaces per working bay and 1 for each employee for service stations. As no working bays are proposed, the only parking requirement is for employees. The proposed development provides 10 car parking bays and 3 truck parking bays which would be more than adequate for 1 or 2 employees and for customers.

4.3. Provision for Service Vehicles

A bin store is proposed in the north-east corner of the site. There is adequate room for waste collection vehicles to access the site and the bin store.

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5. Daily Traffic Volumes

The volume of traffic generated by the proposed fuel outlet has been estimated using standard vehicle trip generation rates from the Institute of Transportation Engineers (ITE) *Trip Generation*. The trip generation rate for standalone service stations are as follows:

- Daily 168.56 vehicle trips per fuel position.
- Morning Peak hour 12.16 vehicle trips per fuel position.
- Afternoon Peak Hour 13.87 vehicle trips per fuel position.

Based on the 9 fuelling positions, the fuel outlet would generate approximately 1517 vehicle trips daily, 109 vehicle trips during the morning peak hour and 125 vehicle trips during the afternoon peak hour.

Standard traffic generation rates suggest that approximately 56% of service station (with convenience stores) vehicle trips are "pass-by" trips which are trips that are already on the road network that would divert to the site and then continue on. This proportion is likely to be higher considering the relatively remote location of the site.

The net increase in traffic on the adjacent road network resulting from the development is therefore approximately 667 vehicles per day, 48 vehicles during the morning peak hour and 55 vehicles during the afternoon peak hour.

This volume of traffic is considered to be low to moderate and can be accommodated within the existing capacity of the road network.

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6. Pedestrian and Cyclist Access

There is no existing pedestrian/cyclist infrastructure along Northerly Street. There are wide sealed shoulders along both sides of Bussell Highway that could accommodate cyclists. Based on the proposed use and location, customers are unlikely to walk or cycle to the site and so the provision of additional infrastructure is not considered necessary.

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7. Public Transport Access

There are no public transport services in the vicinity of the site, with the closest public transport service is 4km away from the site.

The proposed development is unlikely to generate any demand for public transport use.



8. Site Specific Issues and Safety Issues

8.1. Crash History

The crash history of the adjacent road network was obtained from the MRWA Reporting Centre, with the summary of the recorded incidents over the five-year period ending December 2019 is shown in **Figure 7**.

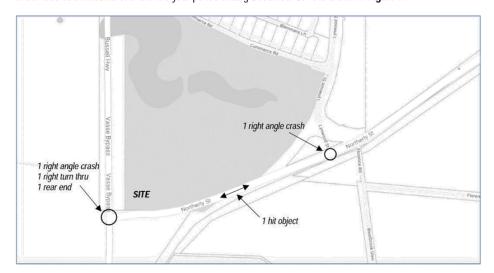


Figure 7: Crash History January 2015 to December 2019

The crash history does not indicate any safety issues on the adjacent road network. There is no indication that the traffic generated by the proposed development would increase the risk of crashes to unacceptable levels.

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9. Conclusion

A Transport Impact Statement for the proposed service station concluded the following:

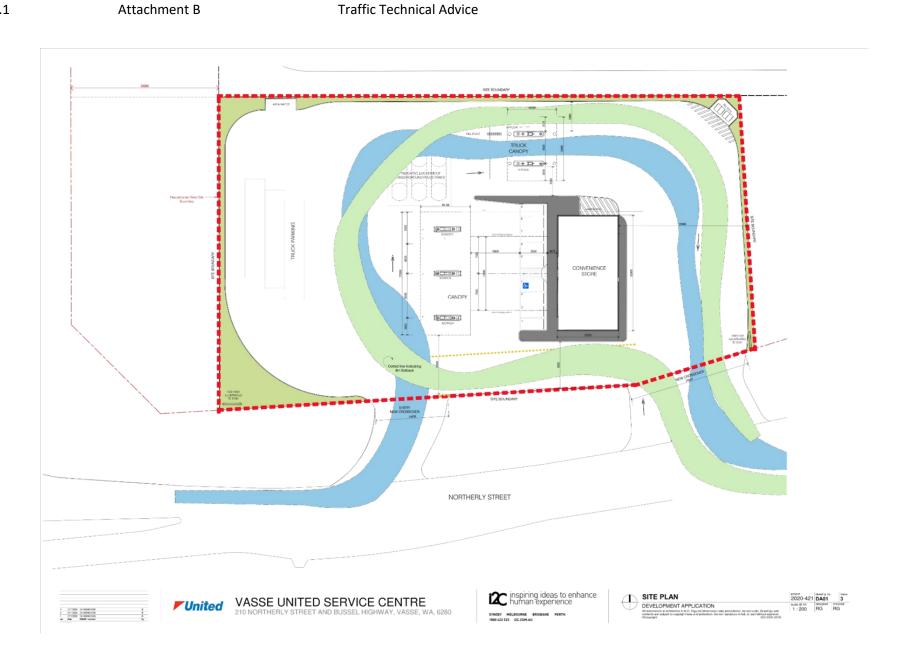
- The existing road network will have sufficient capacity to accommodate the traffic generated by the development and no modifications are required.
- The proposed parking provision meets the planning policy requirements and would be adequate to meet the likely parking demand.
- Site exit via the eastern crossover allows for adequate sight distance.
- A potential alternative access arrangement could be to make the western access entry only and the eastern access exit only. The alternative arrangement would provide some operational and safety benefits and it is unlikely that the queuing at the nearby intersection would unacceptably impact the ability for vehicles to turn right into the western crossover.
- The crash history does not indicate any issues with the road network that will be significantly changed by the introduction of additional traffic.
- The demand for walking, cycling and public transport is likely to be minimal and so the provision of paths, cycle lanes or additional public transport services is not required.

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Appendix A - Development Plans



Traffic Technical Advice H - BUPONT - DECEMBED 0 (9) 9) (5) (F)-CAR CANOPY WHEEL STOPS TO -ALL CAR PARKS CONVENIENCE STOR

49





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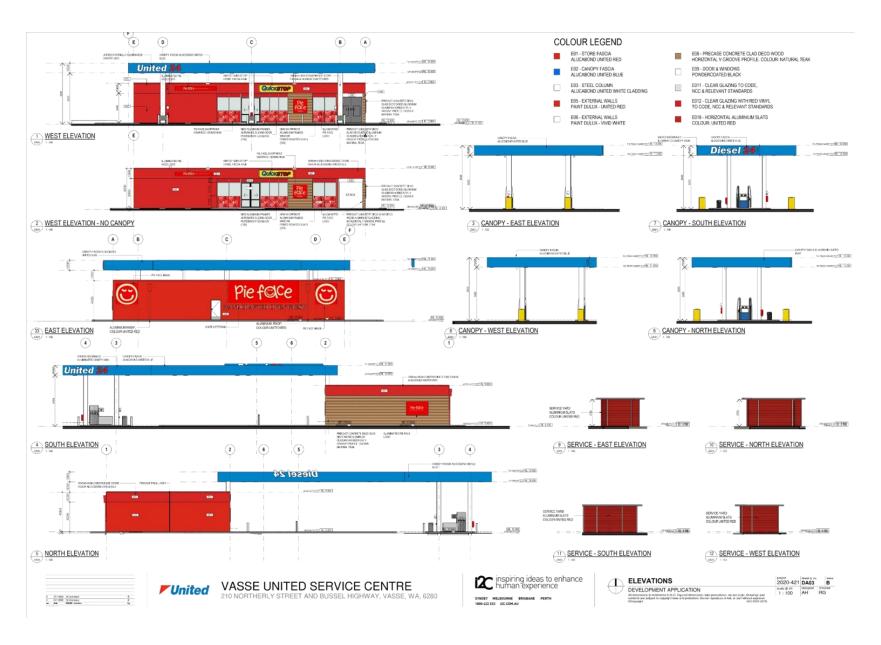
VASSE UNITED SERVICE CENTRE 210 NORTHERLY STREET AND BUSSEL HIGHWAY, VASSE, WA, 6280



*



50 Attachment B Traffic Technical Advice





Subject:	Proposed Service Stati Response to Main Roa	ion at 210 Northerly Street, Va ds WA Comments	sse
Date:	4th June 2021		
Author:	Paul Nguyen	Reviewer:	Ryan Needham / Richard Jois
Client:	Saracen Properties c/c	Able Planning	

1. Introduction

Attachment B

Saracen Properties are proposing a service station to be located at 210 Northerly Street in Vasse. Vehicle access is proposed via two new crossovers on Northerly Street as shown in **Figure 1**.



Figure 1: Site Layout and Access Arrangement





Attachment B

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Main Roads has provided the following comments regarding the proposed access arrangement:

"It is understood that the DPLH is currently investigating potential for future urban expansion/development to the south of Northerly Street.

Main Roads is currently investigating provision of a roundabout at the intersection of Northerly Street and Bussell Highway in conjunction with the future Busselton Outer Bypass Road.

In the future Bussell Highway will be upgraded to a dual carriageway and with possible future development south of Northerly Street there may also be warrant for upgrading of Northerly Street.

The proposed service station access is close to the highway intersection and will conflict with the future roundabout land and access requirements.

It is critical that access is coordinated along Northerly and moved as far east away from the existing intersection (and proposed roundabout) as possible.

Existing development plus the (major) PIA to the south may result in Northerly/Bussell being a busy intersection in the future.

The service station access and the proposed local road access to Northerly Street are also located close to an existing local road access on the south side of Northerly Street.

It is recommended that the proposed service station access be relocated as far as possible from existing Bussell Highway intersection to avoid conflict with the future roundabout and access requirements."



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Figure 2 is concept plan of the potential future roundabout as provided by Main Roads WA. The proposed service station and future industrial area are also shown.

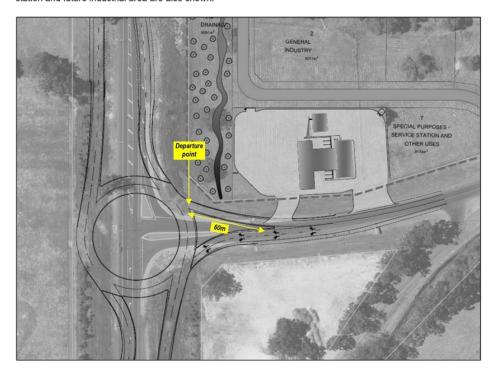


Figure 2: Future Roundabout

The above plan shows that there is approximately 60m separation from the likely departure point of the roundabout and the proposed left-in access.

The proposed left-in access is a free flowing access point and so the likelihood of any queueing back onto Northerly Street or the future roundabout is minimal.

In the event that Northerly Street is widened to a dual carriageway, it is unlikely that the resulting upgrade would shorten the distance between the roundabout and the access.

It is also noted that almost all existing service stations have at least two crossovers to minimise on-site circulation. Many of these are along distributor roads with access close to major intersections. The restriction of access to a single crossover would result in unnecessary circulation and potential blockage due to the turning movement of trucks which could lead to traffic backing up onto Northerly Street.

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2. Design Criteria

Main Roads WA guidance on driveways notes that if there is a reasonable likelihood that traffic signals or a roundabout will be required at an intersection that is not signalised or planned to be signalised within 10 years of the development of the site, then driveways shall not be permitted within the functional areas of the future intersection.

54

The functional area of an intersection is defined in Austroads Guide to Road Design Part 4: Intersections and Crossings - General (AGRD04).

According to AGRD04:

- The upstream functional area is that length over which vehicles on the through road are manoeuvring to execute a right or left-turn at the intersecting road. This length is the greater of the distance required for the right or left turn, including storage or the queue length.
- The downstream distance is that required for a driver to avoid a collision with a vehicle entering the road from an access connection.
- Stopping distance is a method of assessing the required downstream distance. This allows a driver to pass through the intersection before having to decide that it is necessary to stop because of a conflict at a downstream access connection.
- If this overlaps with the upstream functional area of the next intersection, then there is no access window. In urban areas, it may not be possible to prevent any accesses in this situation and conditions will have to be applied to any approvals to grant an access in this zone.

Based on the above, the separation distance between the roundabout and the proposed left-in should satisfy the required stopping distance.



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3. Stopping Distance

The stopping distance has been calculated using on the Stopping Sight Distance equation of Austroads *Guide to Road Design Part 3: Geometric Design* (AGRD03) which is shown in **Figure 3**.

55

$$SSD = \frac{R_T V}{3.6} + \frac{V^2}{254(d+0.01a)}$$
 where
$$R_T = \text{reaction time (sec)}$$

$$V = \text{operating speed (km/h)}$$

$$d = \text{coefficient of deceleration (longitudinal friction factor)}$$

$$a = \text{longitudinal grade (%, + for upgrades and - for downgrades)}$$

Figure 3: Austroads Stopping Sight Distance Equation

3.1. Roundabout Scenario

The fastest approaching vehicle is likely to be a vehicle turning right from the south along Bussell Highway. The likely travel speed of vehicles turning right from the roundabout has been obtained from Table 4.1a of Main Roads WA supplement to Austroads *Guide to Road Design Part 4B; Roundabouts* (AGRD04B) as shown in **Figure 4**.

Table 4.1a: Recommended Friction Factors for Predicting Speed and Vehicle Transit Path Radii for a Roundabout

		Vehicle Trans	sit Path Radii
Side Friction Factor	Speed (KPH)	Entry and Exit Curve (m) Based on 3% Superelevation	Circulation (m) Based on -2% Superelevation
0.3	15	5	6
0.3	20	10	11
0.3	25	15	18
0.3	30	21	25
0.3	35	29	34
0.3	40	38	45
0.3	45	48	57
0.3	50	60	70
0.3	55	72	85
0.3	60	86	101

Figure 4: Roundabout Speeds





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Based on the concept design provided by Main Roads WA, the circulating radius is 33m which corresponds to a travel speed of approximately 35km/h (assuming a -2% superelevation).

The required Stopping Sight Distance based on a 35km/h travel speed is calculated to be approximately 33m.

Main Roads practice is to use a design speed that is 10km/h above the operating speed. The required Stopping Sight Distance based on a 45km/h design speed is calculated to be approximately 47m.

For comparison, the available separation distance of 60m corresponds to a departure speed of about 53km/h.

The proposed left-in access is therefore located beyond of the downstream functional area of the proposed future roundabout and compliant with Main Roads WA guidelines regarding driveway location relative to future roundabouts.

Interim Scenario

The timing of implementing the roundabout is not known and so the interim scenario has also been checked. Under the current intersection layout, the fastest approaching vehicle is likely to be a vehicle turning left from the north along Bussell Highway. The radius of the left turn is approximately 30m which corresponds a travel speed of approximately 35km/h and a Stopping Sight Distance of 33m (or 47m based on a design speed of 45km/h).

As shown in Figure 5, the separation distance between the departure point of the existing intersection and the proposed left-in access is approximately 65m which exceeds the Stopping Sight Distance requirement and is therefore compliant with Main Roads WA guidelines regarding driveway location.

For comparison, the available separation distance of 65m corresponds to a departure speed of about 56km/h.

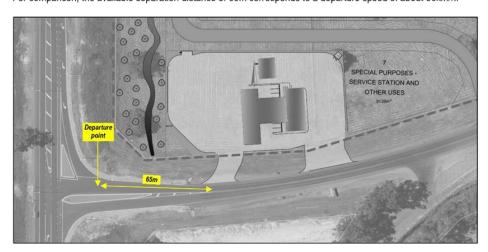


Figure 5: Separation Distance from Current Intersection

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3.3. Roundabout

The Main Roads WA concept design for the future roundabout includes a central island diameter of 30m which is the design standard for a Triple Road Train according to Main Roads WA Drawing Number 200331-119-4. According to the Heavy Vehicle Services Network Map, the largest permitted vehicles along the subject section Bussell Highway and Northerly Street is a RAV 2-4 vehicle (e.g. 27.5m B Double). On this basis, the central island could potentially be reduced to 24m which is the desirable central island radius for a two-lane roundabout based on a 90km/h speed according to Austroads Guide to Road Design Part 4B: Roundabouts.

57

As shown in Figure 6, a 24m central radius could potentially increase the separation distance from the roundabout to approximately 75m.

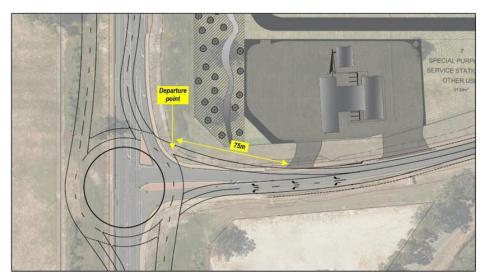


Figure 6: Reduced Roundabout Size

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4. Capacity Analysis

A high level SIDRA capacity analysis of the proposed entry point was undertaken based on the peak traffic generation of 125 vehicles and conservatively assuming that all movements entered via the left-in entry point. The results indicated no queuing even with the through traffic volumes scaled up 4 to 5 times the current peak hour volumes along Northerly Street. The results are shown in Figure 7.

58

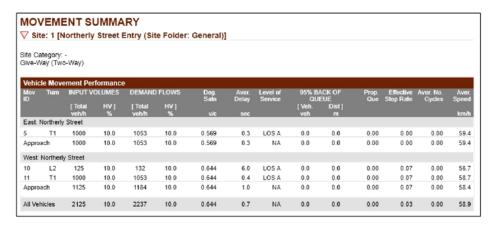


Figure 7: High Level SIDRA Analysis

Attachment B

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5. Similar Example

The client has advised that a similar application was recently accepted by Main Roads in Anketell. A proposed neighbourhood centre in Anketell South included a vehicle access located close to a major roundabout intersection.

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The layout of the neighbourhood centre and separation from the roundabout is shown in Figure 8.



Figure 8: Approved Access from Neighbourhood Centre in Anketell South

As shown, the crossover was approved with a 42m separation distance which is less 60m between the proposed service station and the future roundabout. It is also noted that the number of vehicles using the crossover at the approved development are higher than the expected volumes at the proposed service station entry.

By comparison, the proposed service station will have even less impact than the approved development but will achieve greater separation from the adjacent major roundabout.

60 Attachment B Traffic Technical Advice

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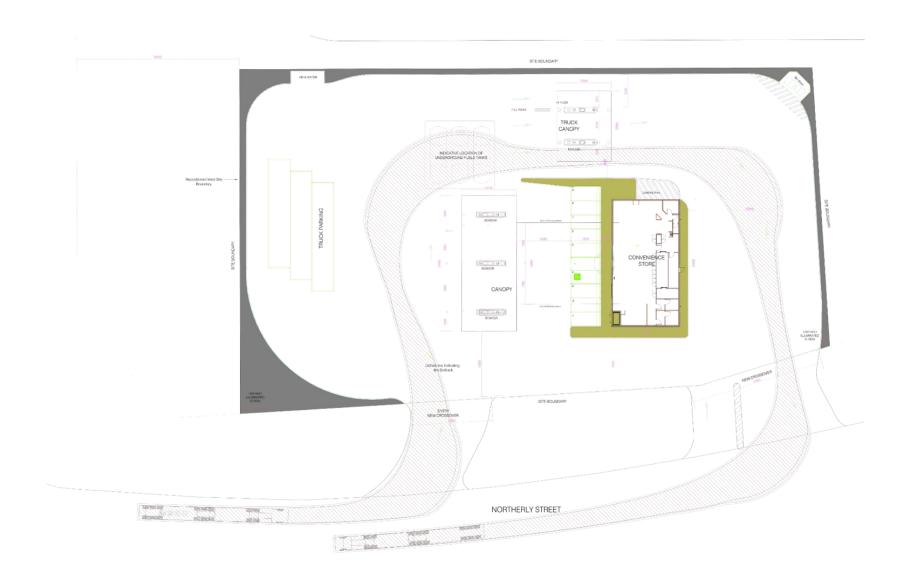


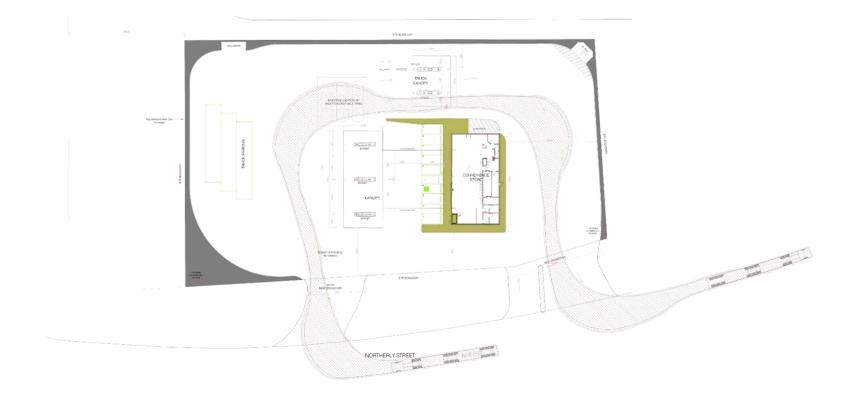
Consulting Civil and Traffic Engineers

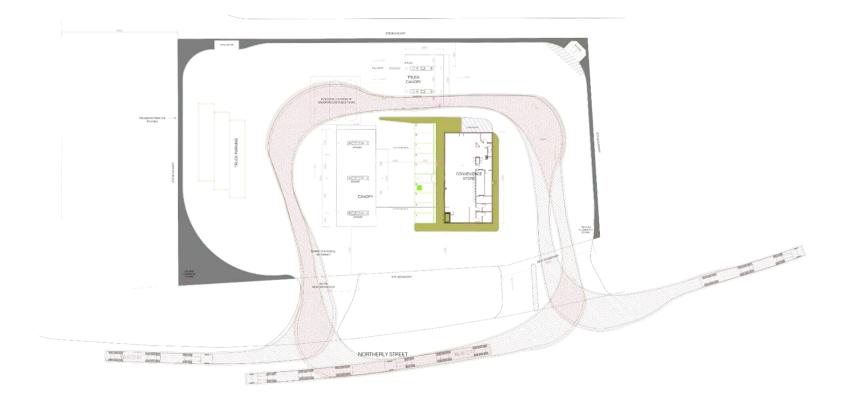
6. Conclusions

The proposed location of the left-in access to 210 Northerly Street in Vasse is considered to be adequate based on the following reasons:

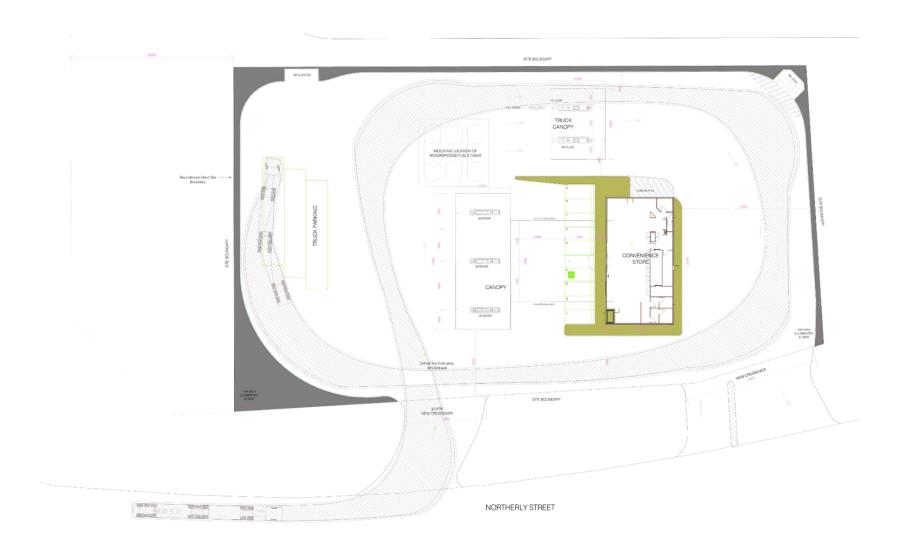
- There is adequate Stopping Sight Distance to the proposed left-in access and so the access is outside
 of the downstream functional area of the existing Bussell Highway / Northerly Street intersection and
 the future proposed roundabout intersection.
- The proposed access is a free flowing entry and there is more than adequate stacking capacity within
 the site. The likelihood of vehicles queuing back onto Northerly Street is considered to be negligible.
 A high level capacity analysis also confirms that queueing is unlikely to occur from the proposed leftin access.
- A similar access downstream from a proposed roundabout was recently approved by Main Roads WA.

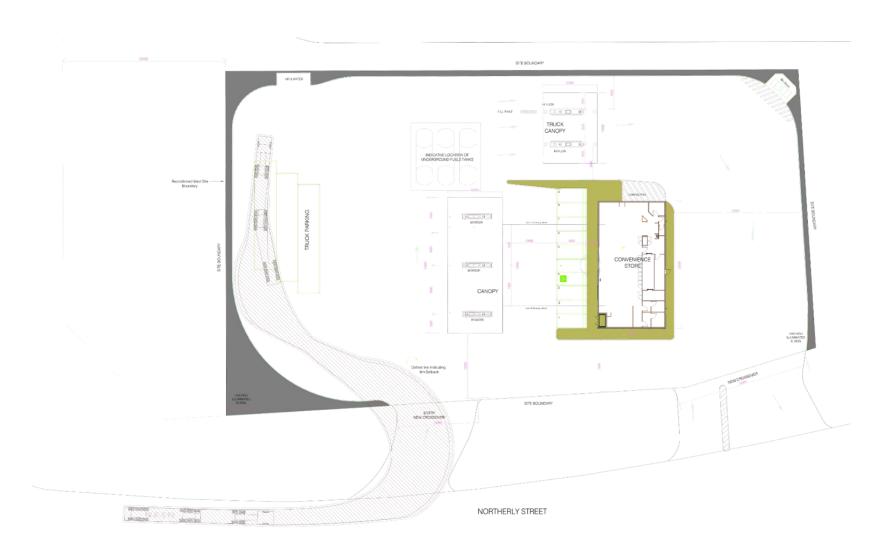






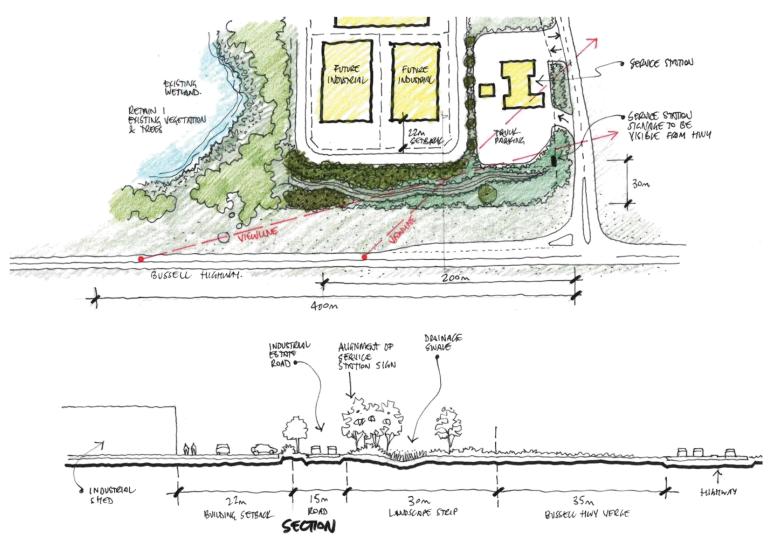
Attachment B Traffic Technical Advice





Landscape Strategy Plans and Viewpoint Perspectives

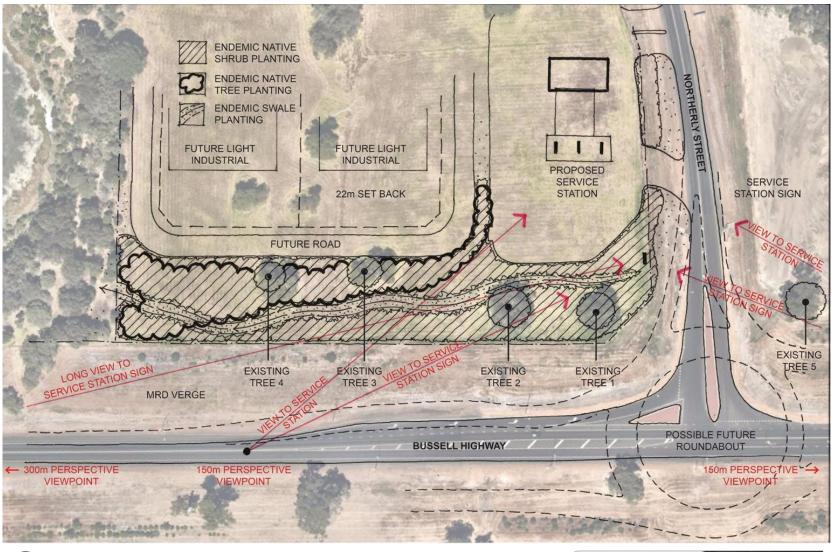
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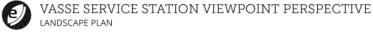




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Attachment C







Landscape Strategy Plans and Viewpoint Perspectives



EXISTING VIEW 1A - FROM 300m NORTH OF INTERSECTION

Attachment C



PROPOSED VIEW 1B - FROM 300m NORTH OF INTERSECTION



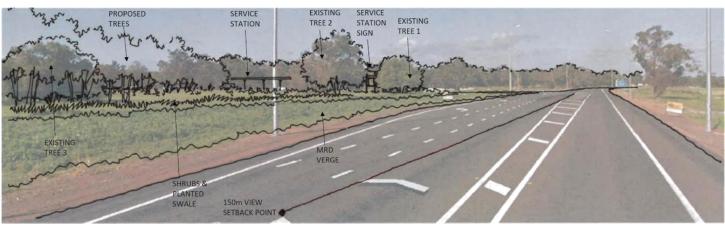


28 July 2021



EXISTING VIEW 2A - FROM 150m NORTH OF INTERSECTION

Attachment C



EXISTING VIEW 2B – FROM 150m NORTH OF INTERSECTION



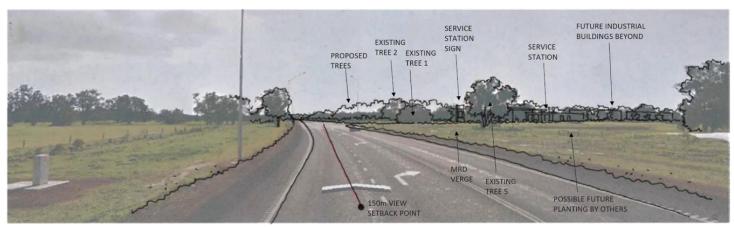


Landscape Strategy Plans and Viewpoint Perspectives

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EXISTING VIEW 3A - 150m SOUTH OF INTERSECTION



PROPOSED VIEW 3B - 150m SOUTH OF INTERSECTION





Bushfire Management Plan

	Protection	Criteria o	oversh	eer	
Site address: Lot 9052 Northerly S	treet, Vasse				
Site visit: Yes X No					
Date of site visit (if applicable): Day	15	Month Septer	nber	Year 2	020
Report author or reviewer: Mike Scott		Carlo algorithm American and a second	O THE STATE OF THE	SASSING SASSING AND	WAS A STATE OF THE
WA BPAD accreditation level (please circ	le):				
Not accredited Level 1 BAL asse	ssor Level 2	oractitioner L	evel 3 practition	ner X	
If accredited please provide the following	g.	- STATE OF THE PARTY OF THE PAR			
BPAD accreditation number: 27795	Accreditation ex	piry: Month Febru	ary	Year 2	2021
Bushfire management plan version numb	er: 200363 v1.0				
Bushfire management plan date: Day	16	Month Dece	mber	Year	2020
Client/business name: United Petro	leum				
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Bushfire Management Plan

Vasse United Service Centre

Lot 9052 Northerly Street, Vasse

City of Busselton

Planning Stage: Development Application (Standard BMP)

Planning Development Type: Construction of a Class 4 - 9 Building

Bushfire Policy - Specific
Development or Use Type:

High Risk Land Use

Job Number: 200636

Assessment Date: 15 September 2020

Report Date: 16 December 2020

Attachment D Bush

Bushfire Management Plan

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BPP Group Pty Ltd t/a Bushfire Prone Planning ACN: 39 166 551 784 | ABN: 39 166 551 784

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DOCUMENT CONTROL

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Co-Author:	Neil Stoney		Mtra			
Review/Authorise:	Greg Dunstan (BPAD Level 1 - No. 16382)		(Din	t		,
	VERSION HISTORY					
Version	Version Details					Date
1.0 Original				16	December 2020	
-						
BMP (Standard DA-Non-Touris	m) Template v8.5					
	DISTRIBUTION					
Destination				Hard Copy		Electronic Copy
Person/Business: Aaron Bell/Able Planning Email: aaron@ableplanning.com.au		1.0	1			\boxtimes
Person/Business: Email:						

Limitation of Liability: The measures contained in this Bushfire Management Plan, are considered to be minimum requirements and they do not guarantee that a building will not be damaged in a bushfire, persons injured, or fatalities occur either on the subject site or off the site while evacuating. This is substantially due to the unpredictable nature and behaviour of fire and fire weather conditions. Additionally, the correct implementation of the required bushfire protection measures will depend upon, among other things, the ongoing actions of the landowners and/or operators over which Bushfire Prone Planning has no control.

All surveys, forecasts, projections and recommendations made in this report associated with the proposed development are made in good faith based on information available to Bushfire Prone Planning at the time. All maps included herein are indicative in nature and are not to be used for accurate calculations.

Notwithstanding anything contained therein, Bushfire Prone Planning will not, except as the law may require, be liable for any loss or other consequences whether or not due to the negligence of their consultants, their servants or agents, arising out of the services provided by their consultants.

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13.1 Attachment D



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EXECUTIVE SUMMARY

This Bushfire Management Plan (the Plan) has been prepared to accompany the Development Application for Lot 9052 (future number 7) Northerly Street, Vasse in the City of Busselton. United Petroleum, through their proponents, propose the construction of a service station consisting of sealed driveways and parking bays covering the majority of the subject lot, refuelling stations, air pumps, ablutions and a convenience store building.

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The total area of the subject lot is 6480 m2. The entire subject lot is currently vegetated by grassland which will be cleared in the course of development and replaced with a sealed trafficable surface. Any undeveloped area will be maintained in a low threat state subject to Appendix 1 of this Plan and the City of Busselton Firebreak and Fuel Hazard Reduction Notice. A section of grassland following a watercourse adjoins the western boundary of the subject lot. This area is not intended for development and revegetation is expected. As a precautionary measure against future regeneration, this area has been classified as Class A Forest.

The site exists at the south-western corner of an undeveloped area which is zoned as residential for future development and occupancy. There are three areas of classified vegetation affecting the assessed BAL of the proposed development:

- Area 1 to adjoining the subject site to the west and across Northerly Street to the south has been assessed as Class A Forest. These are narrow (<80m) fragmented sections of vegetation which will not achieve full intensity in a bushfire event.
- Area 2 to the north of the subject site and within the undeveloped lots has been assessed as Class B Woodland.
 This vegetation will be removed/modified in the course of development on the adjacent lots but has been considered in its current state in this Plan.
- · Area 3 has been assessed as Class G Grassland and covers the majority of the greater landscape.

The grassland vegetation on the adjoining lots presents the primary bushfire hazard. The subject site and the adjoining lots are under the control of the same landowner and vegetation maintenance outside of the lot boundary is possible. The grassland hazard at the northern boundary impacting on the proposed Hi Flow Truck Bowsers is located on the future route of a road. This vegetation will be maintained in a low threat state to the extent of the Asset Protection Zone outlined in section 5.3 of this Plan until the installation of the future road. With the APZs installed all structures within the proposed development will be subject to a radiant heat flux not exceeding 29 kW/m² (BAL-29).

A service station with flammable goods stored on site is considered a High Risk land use under State Planning Policy 3.7. The proposed service station will store diesel (Class 1 Combustible liquid) and petroleum (Class 1 Combustible liquid) on site. Diesel and petroleum are both considered dangerous goods under the Dangerous Goods Safety Act 2004 and their storage must comply with the standards described in AS 1940:2017 The storage and handling of flammable and combustible liquids.

Fuel will be stored in below ground flammable liquid tanks built in compliance with UL142 S601 with a maximum capacity of 70,000 litres. In the event of a fire incident the tank is designed to vent the flame away. As there is no solid material available, any flame will not generate embers to pose a threat to classified vegetation or the surrounding area.

The requirements for location, siting and design, vehicular access and firefighting water supply will be met. The subject site is within a reticulated area and will require the installation of a firefighting water hydrant at a maximum of 200 metres from the lot boundary.

13.1 Attachment D



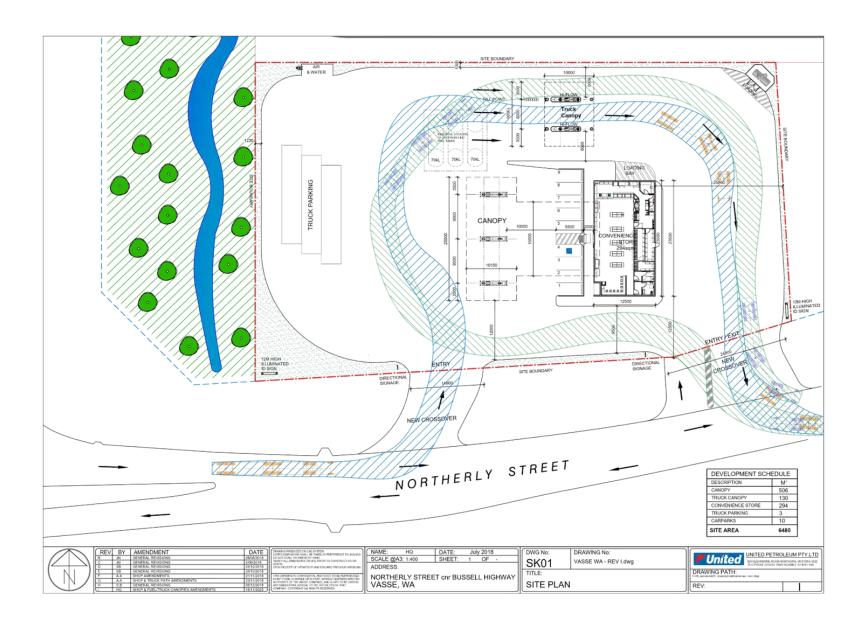
1 PROPOSAL DETAILS

1.1 Description and Associated Plans and Maps

Landowner / Proponent:	Aaron Bell
Bushfire Prone Planning Commissioned to Produce the Bushfire Management Plan (BMP) By:	Able Planning and Project Management
For Submission To:	City of Busselton
Purpose of the BMP:	To accompany a planning application
'Development' Site Total Area:	6480 square metres
No. of Existing/Proposed Lots:	N/A

Bushfire Management Plan

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Map Document Path / Name: K.\Projects\Jobs 2020\200636 - Lot 9052 Northerly Street Vasse (SV&A LDP)\200636 - BMP - Nov 2020\Mapping\MXD\200636_Figl - 3_BPA_LOT7_Lot 9052 Northerly St Vasse.n

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1.2 The Specific 'Land Use' and the Bushfire Planning Requirements

SPP 3.7, the associated Guidelines and Position Statements, define certain land uses that require additional and/or alternative bushfire related assessment and additional information to be provided. This is necessary to facilitate planning application assessment and for subsequent operational use.

When such a proposal is unable to fully achieve the implementation of all required bushfire protection measures - as established by the 'acceptable solutions' contained in the Guidelines and Position Statements – further assessments and the development of additional protection measures are required.

The land use classification that applies to the proposal is identified in Table 1.2, along with the required additional assessments and information and the form and location in which this is provided.

Table 1.2: The determined land use and assessment/information requirements.

THE PROPOSED LAND USE CLASSIFICATION AND BUSHFIRE PLANNING REQUIREMENTS					
	Assessment / Information / Documents Detail				
The proposed land use classification is determined to be:		High Risk			
Category, type and/or operations of the land use that have determined the classification:		Combustible (flammable) materials (including hazardous materials) stored onsite			
The Policies, Guidelines and	SPP 3.7	⊠			
Position Statements	Guidelines including the BPC	×			
against which the proposed land use will be	Guidelines excluding the BPC				
assessed, and which guide the	Position Statement - BPC Element 1 and 2				
information to be provided.1	Position Statement - Tourism	n/a			
	Bushfire Management Plan (BMP)	□ Separate Document			
	Risk Management Plan (RMP)	□ Separate Document			
The documents	Risk Assessment and Treatment Plan	n/a			
and the information developed and the format and location in which they are provided.	Vulnerability Assessment - Short Stay Accommodation/Visitation	n/a			
	Bushfire Emergency Plan (BEP)	☑ Content for operator's Emergency Plan			
	BEP Supporting Information	n/a			
	Additional bushfire protection measures	☑ In BMP s5.4			
	Owner/operator additional responsibilities associated with the land use.	☑ In BMP s6			

Note 1: State Planning Policy 3.7 Planning in Bushfire Prone Areas; Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3; Bushfire Protection Criteria (BPC) established in the Guidelines; Position Statement: Planning in bushfire prone areas – Demonstrating Element 1: Location and Element 2: Siting and design WAPC November 2019; Position Statement: Tourism land uses in bushfire prone areas WAPC October 2019.

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1.3 Existing Documentation Relevant to the Construction of this Plan

This section acknowledges any known reports or plans that have been prepared for previous planning stages, that refer to the subject area and that may or will impact upon the assessment of bushfire risk and/or the implementation of bushfire protection measures and will be referenced in this Bushfire Management Plan.

Table 2.1: Existing relevant documentation.

RELEVANT EXISTING DOCUMENTS			
Existing Document	Copy Provided by Client	Title	
Structure Plan	Yes	Site Plan (Revision I)	
Environmental Safety Plan	Yes	Environmental Safety Management Plan (United)	
Environmental Report	-		
Landscaping (Revegetation) Plan	-		
Bushfire Risk Assessments	-		



2 ENVIRONMENTAL CONSIDERATIONS

2.1 Native Vegetation - Restrictions to Modification and/or Clearing

Many bushfire prone areas also have high biodiversity values. SPP 3.7 policy objective 5.4 recognises the need to consider bushfire risk management measures alongside environmental, biodiversity and conservation values (Guidelines s2.3).

There is a requirement to identify any need for onsite modification and/or clearing of native vegetation and whether this may trigger potential environmental impact/referral requirements under State and Federal environmental legislation. Confirmation that any proposed native vegetation modification and/or clearing is acceptable, should be received from the relevant agencies by the proponent and provided to the bushfire consultant for inclusion in the Bushfire Management Plan if it will influence the required bushfire planning assessments and outcomes. The following table details any potential environmental restrictions of which the author of this report is aware.

Table 2.2: Native vegetation and potential environmental considerations and restrictions.

NATIVE VEGETATION MODIFICATION /	CLEARING - PC	OTENTIAL ENVIRO	ONMENTAL RESTRICTIO	NS IDENTIFIED
Environmental Considerations / Features	Potential Mapping Data Source (SLIP / Local Planning)	Relevant to Proposed Development	Data Applied	Action Required
Onsite clearing of native vegetation is requir	ed.	No		
Environmental impact/referral requirements and Federal environmental legislation may be		No		
National Park / Nature Reserve	DBCA-011	No- Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None
Conservation Covenant	DPIRD-023	No- Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None
Bush Forever Site	DPLH-019	No- Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None
RAMSAR Wetland	DBCA-010	Not Known	Data Not Readily Available to Bushfire Consultant	Proponent to Seek Advice
Geomorphic and Other Wetland	DBCA-011- 019, 040, 043, 044	Not Known	Data Not Readily Available to Bushfire Consultant	Proponent to Seek Advice
Threatened and Priority Ecological Communities (TECs or PECs)	DBCA-038	Unlikely	Data Not Readily Available to Bushfire Consultant	Proponent to Seek Advice
Threatened and Priority Flora including Declared Rare Flora (DRFs)	DBCA-036	Unlikely	Data Not Readily Available to Bushfire Consultant	Proponent to Seek Advice
Land Identified as significant through a Local Biodiversity Strategy	City of Busselton - Intramaps	No- Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None



Development Design Considerations

Establishing development in bushfire prone areas can adversely affect the retention of native vegetation through clearing associated with the creation of lots and/or asset protection zones. Where loss of vegetation is not acceptable or causes conflict with landscape or environmental objectives, it will be necessary to consider available design options to minimise the removal of native vegetation.

Table 2.3: Development design.

MINIMISE THE REMOVAL OF NATIVE VEGETATION				
Design Option	Assessment / Action			
Reduction of lot yield	N/A			
Cluster development	N/A			
Construct building to a standard corresponding to a higher BAL as per BCA (AS 3959:2018 and/or NASH Standard)	N/A			
Modify the development location	Considered and development location has been modified. See comments below.			
Native vegetation will not be removed as part of the proposed development. The proposed development structural design was modified to place all structures within BAL 29.				
IMPACT ON ADJOINING LAND				
Is this planning proposal able to implement the required bushfire protection measures within the boundaries of the land being developed so as not to impact on the bushfire and environmental management of neighbouring reserves, properties or conservation covenants?				

2.2 Retained Vegetation / Re-vegetation / Landscape Plans (including POS)

Riparian zones, wetland/foreshore buffers, road verges and public open space may have plans to re-vegetate or retain vegetation as part of the proposed development. Vegetation corridors may be created between offsite and onsite vegetation and provide a route for fire to enter a development area.

All retained/planned vegetation and its management will be considered in the development of this Bushfire Management Plan.

Is re-vegetation of riparian zones and/or wetland or foreshore buffers and/or public open space a part of this Proposal?	No
Is the requirement for ongoing maintenance of existing vegetation in riparian zones and/or wetland or foreshore buffers and/or public open space a part of this Proposal?	No
Has a landscape plan been developed for the proposed development?	No

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3 POTENTIAL BUSHFIRE IMPACT ASSESSMENT

3.1 Assessment Input

3.1.1 Fire Danger Index (FDI) Applied

AS 3959:2018 Table 2.1 specifies the fire danger index values to apply for different regions. The values used in the model calculations are for the Forest Fire Danger Index (FFDI) and for which equivalent representative values of the Grassland Fire Danger Index (GFDI) are applied as per Appendix B. The values can be modified if appropriately justified.

Table 3.1: Applied FDI Value

	FDI VALUE				
Vegetation Areas	As per AS 3959:2018 Table 2.1	As per DFES for the Location	Value Applied		
1-3	80	N/A	80		

3.1.2 Vegetation Classification and Effective Slope

Classification: Bushfire prone vegetation identification and classification has been conducted in accordance with AS 3959:2018 s2.2.3 and the Visual Guide for Bushfire Risk Assessment in WA (DoP February 2016).

When more than one vegetation type is present, each type is identified separately, and the applied classification considers the potential bushfire intensity and behaviour from the vegetation types present and ensures the worst case scenario is accounted for – this may not be from the predominant vegetation type.

The vegetation structure has been assessed as it will be in its mature state (rather than what might be observed on the day). Areas of modified vegetation are assessed as they will be in their natural unmodified state (unless maintained in a permanently low threat, minimal fuel condition, satisfying AS 3959:2018 s2.2.3.2(f) and asset protection zone standards). Vegetation destroyed or damaged by a bushfire or other natural disaster has been assessed on its revegetated mature state.

Effective Slope: Refers to the ground slope under each area of classified vegetation and is described in the direction relative to the view from the building or proposed development site. Effective slope is not the same as 'average slope', rather it is the slope which most significantly influences fire behaviour. This slope has a direct and significant influence on a bushfire's rate of spread and intensity.

Where there is a significant change in effective slope under an area of classified vegetation, that will cause a change in fire behaviour, separate vegetation areas will be identified to enable the correct assessment.

When the effective slope, under a given area of bushfire prone vegetation, will be different relative to multiple proposed development sites, then the effective slopes corresponding to the different locations, are separately identified.

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Table 3.2: Vegetation classification and effective slope.

Vegetation Area	Identified Vegetation Types ¹ or Description if 'Excluded'	Applied Vegetation Classification 1	Effective Slope (degrees) ² (AS 3959:2018 Method 1)	
Aica	or bescription in Excluded	Classification	Assessed	Applied Range
1	Open forest A-03 , Tussock grassland G-22 , Woodland B-05	Class A Forest	0	upslope or flat
2	Woodland B-05	Class B Woodland	0	upslope or flat
3	Tussock grassland G-22	Class G Grassland	0	upslope or flat
-	Non vegetated areas, waterways, roads.	Excluded as per Section 2.2.3.2 (e) Non Vegetated Areas	N/A	N/A

Representative photos of each vegetation area, descriptions and classification justification, are presented on the following pages. The areas of classified vegetation are defined, and the photo locations identified on Figure 3.1, the vegetation and topography map.

Note1: Described and classified as per AS 3959:2018 Table 2.3 and Figures 2.3 and 2.4 (A)-(H)

Note²: Effective slope measured as per AS 3959:2018 Section 2.2.5 and Appendix B Part B4

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VEGETATION AREA 1				
AS 3959:2018 Vegetation Classification Applied:		Class A Forest		
Vegetation Types Present:	Open forest A-0	3 Tussock grassland G-22		
Description/Justification:	Paperbark and jarrah forest up to 15m high with 20-60% canopy cover and wattle and grass understory. Fractured sections of vegetation linked by grassland have been considered the same area.			



Photo ID: 1

VEGETATION AREA 2			
AS 3959:2018 Vegetation Classification Applied:		Class B Woodland	
Vegetation Types Present:	Woodland B-05	Tussock grassland G-22	
Description/Justification:	Swamp Paperbark up to 6m high with 30% canopy cover and grass understory.		
Post Dev. Assumptions:	Vegetation will be cleared or modified in the course of development of vacant lots. It ha been considered in its current state in this plan.		



Photo ID: 2



VEGETATION AREA 3			
AS 3959:2018 Vegetation Classification Applied:		Class G Grassland	
Vegetation Types Present:	Sown pasture G	-26 Tussock grassland G-22	
Description/Justification:	Mixture of wild winter grass growth and irrigated/non-irrigated sown pasture throughout the greater landscape.		
Post Dev. Assumptions:	degetation on site will be cleared in the course of development. Vegetation in the vacant ots will likely be cleared but has been considered in its current, mature state in this Plan.		





Photo ID: 3

Photo ID: 4





Photo ID: 5

Photo ID: 6

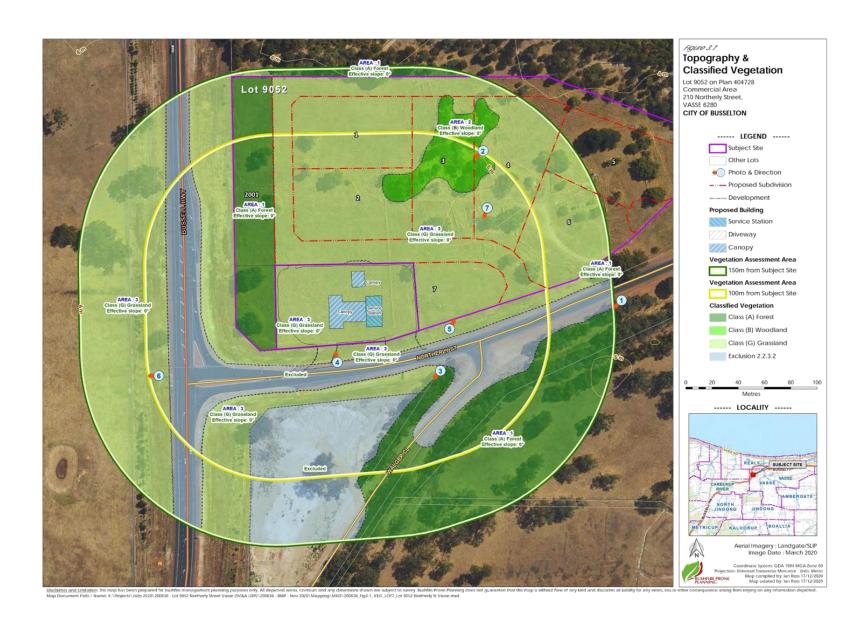


Photo ID: 7

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3.1.3 Vegetation Separation Distance

The vegetation separation distance is the horizontal distance measured from the relevant parts of an existing building or a future building's planned location (within a lot), to the determined edge of an area of classified vegetation.

This separation distance applied to determining a Bushfire Attack Level (BAL) can be either:

- The <u>measured distance</u> for which the location of the building relative to the edge of classified vegetation
 must be known. This will result in single determined BAL that will apply to a building. (The measured distance
 is a required calculation input); or
- A <u>calculated minimum and maximum distance (range)</u> that will correspond to each individual BAL. The
 calculated distances provide an indicative (or achievable) BAL for which the determined BAL will be
 dependent on the known location of the building relative to the edge of classified vegetation.

The calculated range of distances corresponding to each BAL can be presented in different formats (tables or a BAL contour map), dependent on the form of information that is most appropriate for the proposed development/use. These distance ranges corresponding to BAL(s) will be presented in Section 3.2: 'Assessment Output".

For the proposed development/use, the applicable vegetation separation distances will be presented within the Bushfire Management Plan in this location:

In Section 3.2 'Assessment Output' as a table containing the calculated ranges of distance corresponding to each BAL and illustrated as a BAL Contour Map.



3.2 Assessment Output

UNDERSTANDING THE RESULTS OF THE BUSHFIRE IMPACT ASSESSMENT

Bushfire Attack Levels (BALs) - Their Application in the Building Environment is Different to the Planning Environment

In the building environment, a **determined BAL** is required for the proposed construction at the building application stage. This is to inform approval considerations and establish the bushfire construction standards that are to apply. An indicative BAL is not acceptable for a building application.

In the planning environment, through the application of SPP 3.7 and associated Guidelines, the deemed to satisfy requirement for a proposed 'development site' or sites (defined by the LPS Amendment Regulations 2015 as "that part of a lot on which a building that is the subject of development stands or is to be constructed"), is that a BAL-29 or lower rating can be achieved once all works associated with the proposal are completed. For planning approval purposes, an *indicative BAL* can provide the required information.

Determined Bushfire Attack Level

A determined BAL is to apply to an existing building or the 'development site' on which the building is to be constructed and not to a lot or building envelope. Its purpose is to state the potential radiant heat flux to which the building will be exposed, thereby determining the construction standard to be applied.

A determined BAL cannot be given for a future building whose design and position on the lot are unknown or the vegetation separation distance has not been established. It is not until these variables have been fixed that a determined BAL can be stated, and a BAL Certificate can be issued.

The one exception is when a building of any dimension can be positioned anywhere on a proposed lot (within R-Code building setbacks) or within a defined building envelope, and always remain subject to the same BAL, regardless of the retention of any existing classified vegetation either onsite or offsite.

Indicative Bushfire Attack Level

If a BAL is not able to achieve 'defermined' status it will be an indicative BAL. It indicates the BAL that can be achieved by the proposed development/use. However, it is conditional upon an assessment variable(s) being confirmed at a later stage (e.g. the building location is established/changed, or vegetation is modified/removed to establish the vegetation separation distance).

A BAL cartificate cannot be issued for an indicative BAL – unless that BAL cannot vary (refer to 'Defermined BAL' above).

In table form, a single or a range of indicative BAL(s) may be presented. If a single indicative BAL is stated for a defined area (i.e. the lot or building envelope), this will be the highest indicative BAL impacting the defined area.

In BAL contour map form (refer to Section 3.2.2), the illustrated BAL contours visually identify areas of land for which if any part of an existing or proposed building is located on that land and within the BAL contours, then the highest BAL affecting that building (or part of the land on which the building will be constructed), will be the indicative BAL that is to apply.

The BAL can only become a determined BAL once the actual location of that building on the land is known and/or the required minimum vegetation separation distance corresponding to the relevant BAL contour is established (refer to Table 3.x).



3.2.1 Bushfire Attack Level Results - BAL Contour Map Format

INTERPRETATION OF THE BUSHFIRE ATTACK LEVEL (BAL) CONTOUR MAP

The contour map will present different coloured contour intervals extending from the areas of classified bushfire prone vegetation. These represent the different bushfire attack levels that will exist at varying distances away from the classified vegetation in the event of a bushfire in that vegetation.

The areas of classified vegetation to be considered in developing the BAL contours, are those that will remain as the intended end state of the subject development once earthworks, clearing and/or landscaping and re-vegetation have been completed (or each stage completed).

Each bushfire attack level corresponds to a set range of radiant heat flux that is generated by a bushfire. That range is defined by the AS 3959:2018 BAL determination methodology.

The width of each shaded BAL contour is a diagrammatic representation of the separation distances from the classified vegetation that correspond to each BAL for each separately identified area of classified vegetation. They have been calculated by the application of the unique site variables including vegetation types and structure, ground slope and applied fire weather.

(Refer to Section 3.2 'Understanding the Results of the Bushfire Impact Assessment' for the explanation of how BAL(s) for buildings will be assessed from the BAL Contour Map).

Construction of the BAL Contours

VEGETATION AREAS APPLIED TO THE DEVELOPMENT OF THE BAL CONTOUR MAP

All identified areas of classified vegetation have been applied with the following exception: for Figure 3.2, all classified vegetation within the subject lot is excluded and the BAL contours are constructed into the lot from any classified vegetation outside the boundaries of the subject lot.

This approach is applied to indicate the achievable bushfire attack levels within the specified lot and the resultant area of developable land (i.e. subject to BAL-29 or less). Any classified vegetation within each lot can potentially be managed by the landowner to meet asset protection zone standards and dimensions corresponding to an indicated BAL.

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VEGETATION SEPARATION DISTANCES APPLIED

The distances that have been applied to illustrating the width of each BAL contour shown in Figures 3.2 and 3.3 are stated in Table 3.1. These correspond to each Bushfire Attack Level and are specific to the proposed development site.

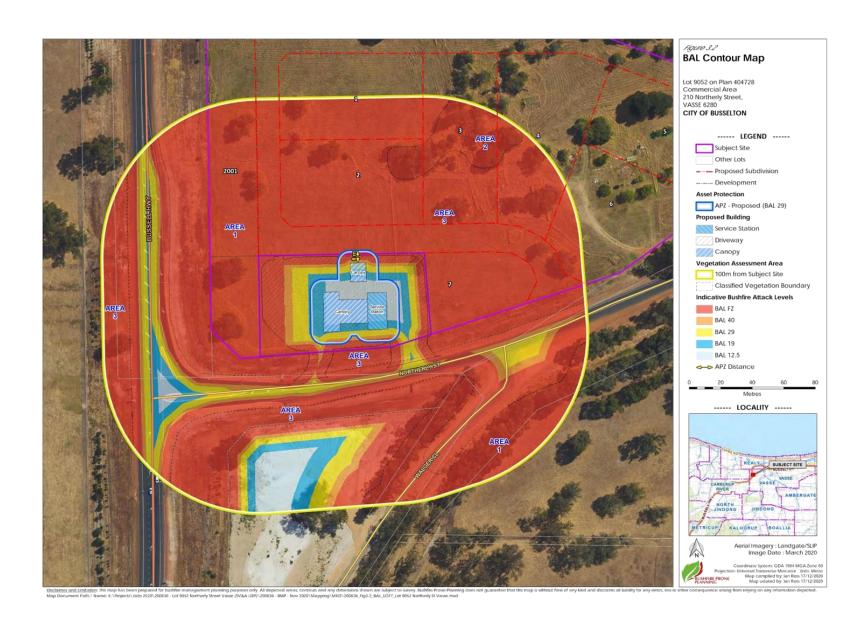
Table 3.1: Vegetation separation distances applied to construct the BAL contours.

	BAL CONTOUR MAP – APPLIED VEGETATION SEPARATION DISTANCES							
Dei	Derived from the Application of Method 1 BAL Determination Methodology (AS 3959:2018 Section 2, Table 2.5)1							
tation	Vegetation	Effective Slope	BAL and Corresponding Separation Distance (m)				(m)	
Vegetation Area	Classification	(degree range)	BAL-FZ	BAL-40	BAL-29	BAL-19	BAL12.5	BAL- LOW
1	Class A Forest	upslope or flat	<16	16-<21	21-<31	31-<42	42-<100	>100
2	Class B Woodland	upslope or flat	<10	10-<14	14-<20	20-<29	29-<100	>100
3	Class G Grassland	upslope or flat	<6	6-<8	8-<12	12-<17	17-<50	>50

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3.2.2 Bushfire Attack Level Results - Derived from The BAL Contour Map

Table 3.2: Indicative and determined BAL(s) for existing and/or proposed building works.

BUSHFIRE ATTACK LEVEL FOR EXISTING/PLANNED BUILDINGS/STRUCTURE			
BAL Determination Methodology Applied ¹	Method 1 as per AS 3959:2018 s2.2.6 and Table 2.5.		
Building/Structure Description	Indicative BAL		
(planned/existing)	(refer to start of s3.2)		
Proposed Convenience Store	BAL-29		
Proposed Truck Bowsers	BAL-29		
Proposed Standard Bowsers	BAL-29		
Note ¹ Assessment inputs applied are presented in Section 3.1.			



4 IDENTIFICATION OF BUSHFIRE HAZARD ISSUES

In response to the Bushfire Management Plan requirements established by Appendix 5 of the Guidelines for Planning in Bushfire Prone Areas (WAPC 2017 v1.3), the following statements are made to assist in the understanding of whether the proposal is likely to be able to comply with the bushfire protection criteria now or in subsequent planning stages.

the proposaris likely to be ab	special Context. Preside Landscape Considerations		
	Spatial Context - Broader Landscape Considerations		
Wider road network and access constraints	The subject site is located at the intersection of Vasse Bypass and Northerly Street, which are major arterial roads with two directions of travel. The surrounding area has an extensive public road network as it is on the boundary of a residential built up area.		
Proximity of settlements and emergency services	The subject site is located at the south-western corner of a residential zoning and development region. To the west is rural zoning. Vasse town centre is 2km (3 minutes) travel time. Emergency Services are located 10.2km (10 minutes) away in Vasse and Busselton town site (10 minutes).		
Bushfire prone vegetation types and extent (including conserved vegetation)	The broader landscape hosts pasture grassland vegetation with heavily fragmented woodland and forest vegetation. To the north of the subject site is a section of native forest vegetation within a conservation wetland system. This forest vegetation is expected to expand along the watercourse to the west of the subject site, thus the combined area has been classified as forest. Sections of non-grassland vegetation to the south and within the greater landscape are mostly thin rows of trees acting as windbreaks.		
Topography and fire behaviour interactions.	The topography is almost entirely flat within the greater landscape.		
Potential for extreme fire behaviour and pyro convective events.	Extremely unlikely due to the fragmentation and limited scale of areas of bushfire prone vegetation due to cleared areas, pastured areas, moisture content, fuel load management by landowners (eaten out pasture & firebreak notice) and the availability of emergency services suppressing flank fire.		
	Environmental Considerations		
Constraints to implementing required and/or additional bushfire protection measures	The environment considerations have not identified any issues.		
	Provision of Access Within the Subject Site		
Potential constraints No constraints to establishing the required access will exist.			
	Potential Bushfire Impacts		
Flame and radiant heat and ability to establish an APZ	The siting of the proposed development will allow a BAL-29 dimensioned APZ to be established. This will prevent flame contact from the classified vegetation. Application of the BAL-29 bushfire construction standard will mitigate the risks from radiant heat impact to what is considered an acceptable level. Future development of the adjoining lots and infrastructure will further reduce the potential for flame contact and radiant heat.		
Embers/firebrands, smoke and fire-driven wind	Due to the primarily grassland vegetation types, fragmented forest vegetation and future development, smoke density is likely to be low. Ember attack from the forest vegetation to the north of the site is likely due to the coarse bark type of the swamp paperbark and the available understory. The appropriate protection measures of building construction and strict management of the APZ will mitigate the risk to what is considered an acceptable level.		
Issues to be Considered at Subsequent Planning Stages (additional assessments/documents)			
Issues to be Cons	sidered at Subsequent Planning Stages (additional assessments/documents)		
Issues to be Cons Specific land uses to be addressed	N/A		
Specific land uses to be			

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ASSESSMENT AGAINST THE BUSHFIRE PROTECTION CRITERIA ESTABLISHED BY THE GUIDELINES

For a development application that is not a 'Tourism Land Use' to be considered compliant with SPP 3.7, it must satisfy (achieve) the intent of each of the four elements of the bushfire protection criteria. These criteria are established by the Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3). Compliance can be achieved by either:

- Meeting all applicable acceptable solutions corresponding to each element (i.e. the minimum bushfire
 protection measures that are deemed to satisfy planning requirements); or
- Where an acceptable solution cannot be met, by developing a performance solution that satisfies the established requirements.

5.1 Local Government Variations to Apply

Local governments may add to or modify the acceptable solutions of the Bushfire Protection Criteria (BPC) and/or apply technical requirements that vary from those specified in the Guidelines for Planning in Bushfire Prone Areas (WAPC). In such instances, this Proposal will be assessed against these variations and/or any specific local government technical requirements for emergency access and water. Refer to Appendices 2 and 3 for relevant technical requirements.

Will local or regional variations (endorsed by WAPC / DFES) to the applicable acceptable solutions established by the *Guidelines* or the *Position Statement: Tourism land uses in bushfire prone areas WAPC October 2019,* apply to this Proposal?

No



5.2 Summary of Assessment Against the Bushfire Protection Criteria

SUMMARISED OUTCOME OF THE ASSESSMENT AGAINST THE BUSHFIRE PROTECTION CRITERIA						
	Basis for the Proposal Achieving Full Compliance with SPP 3.7				The Proposal Cannot Achieve	
	Acceptable So	olutions Met		ne Intent of the ement	Full Compliance with SPP 3.7	
Element of the Bushfire Protection Criteria	All applicable solutions are fully met	A merit base and/or performanc of the prop risk with the residual acceptabase	All applicable solutions are not fully met. A merit based assessment and/or a bushfire performance comparison of the proposals residual risk with that of the residual risk of the acceptable solution is conducted (refer Note 4)		Bushfire planning development type that may not require full compliance is applied	An improvement in bushfire performance compared to the existing development is detailed (refer Note 4)
1. Location	✓					
2. Siting and Design of Development	✓				N/A	
3. Vehicular Access	✓				IV/A	
4. Water	✓					

Note: The development proposal has been assessed:

- Against the requirements established in Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas, WAPC 2017 v1.3 (Guidelines). The Guidelines are found at https://www.planning.wa.gov.au/8194.aspx; and
- Applying the interpretation guidance provided in Position Statement: Planning in bushfire prone areas Demonstrating Element 1: Location and Element 2: Siting and design (WAPC Nov 2019).
- 3. Applying any endorsed variations to the Guideline's acceptable solutions and associated technical requirements that have been established by the local government. If known and applicable these have been stated in Section 5.1 with the detail included as an appendix if required by the local government.
- 4. When non-compliant with SPP 3.7 and when appropriate, by utilising additional compliance pathways that include the application of merit based assessment and comparative bushfire performance. The validity of this approach is derived from relevant decisions made by the responsible authorities (refer Appendix 2).



5.3 Assessment Detail

osals,	subdivision	and developr	ment applications	are located	in area

Intent: To ensure that strategic planning proposals, subdivision and development applications are located in areas with the least possible risk of bushfire to facilitate the protection of people, property and infrastructure.

Element 1: Location

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Compliance: How the proposed development achieves the intent of Element 1:

By fully meeting all applicable acceptable solutions established by the bushfire protection criteria (Guidelines v1.3 WAPC 2017)

ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the Guidelines (WAPC 2017 v1.3) and apply the interpretation guidance established by the Position Statement: Planning in bushfire prone areas – Demonstrating Element 1: Location and Element 2: Siting and design (WAPC Nov 2019).

Acceptable Solution: A1.1: Development Location

ASSESSMENT AGAINST THE REQUIREMENTS ESTABLISHED BY THE GUIDELINES

The subject lot can be considered suitable for development as BAL-40 or BAL-FZ construction standards will not be required to be applied. This meets the requirements established by Acceptable Solution A1.1 and its associated explanatory note.

ASSESSMENT AGAINST THE REQUIREMENTS ESTABLISHED BY THE POSITION STATEMENT

The position statement establishes that:

- The source of risk (the hazard) to be considered in Element 1 is the "level of bushfire exposure" from the type and extent of bushfire prone vegetation and the topography of the land on which it exists; and
- "Consideration should be given to the site context" which includes the land both "within and adjoining
 the subject site". The "hazards remaining within the site should not be considered in isolation of the hazards
 adjoining the site, as the potential impact of a bushfire will be dependent on the wider risk context."

The position statement also recognises:

- That the proposed development site and its surrounding land may be part of an area "identified for development or intensification of land use prior to the release of SPP 3.7"; consequently
- Consideration by decision-makers "should also be given to improving bushfire management of the site
 and surrounding area, thereby reducing the vulnerability of people property and infrastructure to bushfire";
 and
- The application of mitigation measures to lessen the risk to the broader area would include improvements
 to the local road network (including emergency access ways), improvements/additions to firefighting
 water supply and increasing separation distance from the hazard.

The Hazard Within the Subject Site

A service station is considered a High Risk land use due to hazards on site, primarily storage of petroleum fuels. The Risk Assessment and Treatment Plan associated with this Bushfire Management Plan addresses the nature of the onsite hazards.

The entirety of the subject lot is currently classified as Class G Grassland vegetation with a flat effective slope. Native bushfire prone vegetation is not present within the subject lot and the majority of the site will be cleared in the process of development and replaced with sealed hardstand or structures. Remaining undeveloped area around the perimeter of the site will be at a sufficient separation distance from structures to ensure a radiant heat flux not



Element 1: Location

exceeding 29kW/m² (BAL-29). A portion of the APZ for the proposed truck bowsers will extend outside of the lot boundary. The management of the offsite APZ is possible as the adjoining lots are under the control of the same landowner. A future road is planned for construction in the location of the offsite portion of the APZ and maintenance will only be required until the road is installed.

Significantly intense bushfire behaviour is possible, particularly if vegetation within the lot is ignited by bushfire in the adjoining hazard and they are involved together.

However, the ability to establish a BAL-29 dimensioned APZs removes the threat of greater levels of radiant heat or flame contact upon future structures.

The primary bushfire threat from bushfire prone vegetation remaining within the subject lot will be embers. This threat will be mitigated by the application of appropriate building design, bushfire construction standards and the ongoing maintenance of the APZ to ensure the buildings will not be impacted by consequential fire within combustible materials used, stored or accumulated within the APZ.

The subject site will be managed to low threat.

The Hazard Adjoining the Subject Site

The landscape beyond the subject site almost entirely flat and topography is not considered to have a significant role in fire behaviour.

Bushfire prone vegetation within adjoining lots exists as primarily Class G Grassland. The area bounded by Vasse Bypass, Northerly Street and Lynwood Street (the former Lot 9052) is subdivided and intended for development, including the proposed service station supported by this Plan. This area contains Class G Grassland with a smaller area of Class B Woodland north of the development site. The classified vegetation on former lot 9052 is expected to be removed in the course of future development. Where the classified vegetation remains in its current state the impact on the proposed development will subject it to a radiant heat flux not exceeding 29kW/m² (BAL-29).

The landscape beyond the subject site hosts Class G Grassland vegetation as well as residential and commercial developments and infrastructure. Immediately south of the development site across Northerly Street is a narrow (<80m) and fragmented area of Class A Forest which poses a bushfire hazard, however would be unable to reach full intensity in a bushfire event.

To the north of the subject site is a wetland system which supports Class A Forest vegetation. This area is fragmented with the lakebed, road network and the Glass G Grassland which dominates the landscape. The high moisture content associated with the wetland will suppress ignition and reduce the intensity of fire behaviour in this area. The coarse fuel and bark types in this area will pose an ember attack hazard.



Element 2: Siting and Design of Development

99

Intent: To ensure that the siting and design of development (note: not building/construction design) minimises the level of bushfire impact.

Compliance: How the proposed development achieves the intent of Element 2:

By fully meeting all applicable acceptable solutions established by the bushfire protection criteria (Guidelines v1.3 WAPC 2017)

ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the Guidelines (WAPC 2017 v1.3) and apply the interpretation guidance established by the Position Statement: Planning in bushfire prone areas – Demonstrating Element 1: Location and Element 2: Siting and design (WAPC Nov 2019).

Acceptable Solution: A2.1: Asset Protection Zone

THE APZ - DEVELOPMENT SITING AND DESIGN PLANNING REQUIREMENTS

The necessary outcome of bushfire planning for development siting and design, is to ensure that a building can be located within the developable portion of any lot (i.e. outside those parts of the lot that form the required R-Code building setbacks, or any other excluded area), and be subject to potential radiant heat from a bushfire not exceeding 29 kW/m² (i.e. a maximum BAL of BAL-29).

This will be achieved when the size of the "low fuel area immediately surrounding a building", the asset protection zone (APZ), is large enough. This requires a certain separation distance to exist between the building and areas of classified vegetation. These are the BAL-29 APZ dimensions and they will vary dependent on site specific parameters.

The APZ should be contained solely within the boundaries of each lot, except in instances where the neighbouring lot(s) or adjacent public land will be managed in a low-fuel state on an ongoing basis, in perpetuity.

Where possible, planning for siting and design should incorporate elements that include non-vegetated areas (e.g. roads/parking/drainage) and/or formally managed areas of vegetation (public open space/recreation areas/services installed in a common section of land), as either part of the required APZ dimensions or to additionally increase separation distances to provide greater protection. These elements create robust and easier managed asset protection zones.

THE ASSESSMENT

Proposed structures on the subject lot can be surrounded by an APZ that will ensure the potential radiant heat impact of a bushfire does not exceed 29 kW/m² (BAL-29). The required APZ specifications of width, location and management can be achieved

APZ Width: The required APZ dimensions to ensure buildings are subject to a maximum BAL of BAL-29 (measured from any external wall or supporting post or column to the edge of the classified vegetation), has been determined in Section 3.2 of this BMP and are:

BAL-29 APZ Dimensions		
Proposed Service Station	Structure to Vegetation Area 1	Minimum 21 metres
	Structure to Vegetation Area 2	Minimum 14 metres
	Structure to Vegetation Area 3	Minimum 8 metres

APZ Location: Asset protection zones of the widths stated above will primarily be contained within the boundaries of the lot (refer to Figure 3.2). A portion of the APZ will extend into the adjacent area to the north which is the route of a future road. This is under the control of the same landowner and will be maintained in the same manner until the construction of the road. Onsite vegetation will be required to be modified/removed.

APZ Management: Vegetation that will require modification/removal and future management is both onsite and offsite, but under the control of the landowner.



Element 2: Siting and Design of Development

Retained vegetation will be managed in accordance with the technical requirements established by the Schedule 1: 'Standards for Asset Protection Zones (Guidelines). The APZ specifications are also detailed in Appendix 1.

THE APZ - REQUIRED DIMENSIONS TO SATISFY FUTURE BUILDING (AND ONGOING MANAGEMENT)

It is important for the landowner to be aware that the APZ dimensions that will be required to be physically established and maintained on each lot surrounding relevant future buildings, may be different to those stated above for the BAL-29 APZ - which is the minimum dimension a planning proposal needs to show can be established to comply with SPP 3.7.

The actual APZ dimensions to be physically established and maintained, will be based on which of the following establishes the larger APZ dimension:

- The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 for explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL); or
- The APZ dimensions established by the local government's Firebreak Notice.

If the dimensions of the APZ that are to be established are known at this time, they will be stated below.

The proposed service station is sited in an area which is expected to have ongoing development. There is no potential to reduce future construction BAL's for future buildings below BAL-29 unless there are significant changes made to offsite classified vegetation as the result of future management on those lands.

The Determined BAL using current conditions for the proposed structures has been calculated in Section 3.2 of this BMP and is show below:

The APZ Dimensions to be Established and Maintained				
Achievable BAL for the Proposed Development/Use is BAL-29				
Proposed Service Station	Structure to Vegetation Area 1	Minimum 21 metres		
	Structure to Vegetation Area 2	Minimum 14 metres		
	Structure to Vegetation Area 3	Minimum 8 metres		

13.1 Attachment D



Element 3: Vehicular Access

101

Intent: To ensure that the vehicular access serving a subdivision/development is available and safe during a bushfire event.

achieves the intent of Element 3:

Compliance: How the proposed development | By fully meeting all applicable acceptable solutions established by the bushfire protection criteria (Guidelines v1.3 WAPC 2017)

ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the Guidelines (WAPC 2017 v1.3).

Acceptable Solution: A3.1: Two Access Routes

The proposed service station has two points of access to Northerly Street. Both access routes can be reached by vehicle from any point on site.

Acceptable Solution: A3.2: Public Road

Northerly Street is a sealed public road and is available at all times and under all weather conditions.

Acceptable Solution: A3.3: Cul-de-sacs (including a dead-end road)

Acceptable Solution: A3.4: Battle-axe

N/A

Acceptable Solution: A3.5: Private Driveways

The construction technical requirements established by the Guidelines and/or the local government can and will be complied with. These requirements are set out in Appendix 2. The development will provide public road standards accessed by customers (through traffic).

Acceptable Solution: A3.6: Emergency Access Way

Acceptable Solution: A3.7: Fire Service Access Routes

N/A

Acceptable Solution: A3.8: Firebreak Width

The proposed development will comply with the requirements of the City of Busselton Firebreak and Fuel Hazard Reduction Notice issued under s33 of the Bush Fires Act 1954. Firebreaks to be installed prior to construction.

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Element 4: Water

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Intent: To ensure water is available to the subdivision, development or land use to enable people, property and infrastructure to be defended from bushfire.

Compliance: How the proposed development achieves the intent of Element 4:

By fully meeting all applicable acceptable solutions established by the bushfire protection criteria (Guidelines v1.3 WAPC 2017)

ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the *Guidelines (WAPC 2017 v1.3)*.

Acceptable Solution: A4.1: Reticulated Areas

A reticulated water supply via an extension of Busselton Water's scheme in the Vasse light industrial park to the north is available to the subject site and hydrants will be located at the required 100 metre intervals for commercial zoning.

The construction technical requirements established by the Guidelines and/or the local government can and will be complied with.

Acceptable Solution: A4.2: Non-Reticulated Areas

N/A

Acceptable Solution: A4.3: Non-Reticulated Areas - Individual Lots

N/A

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5.4 Additional Bushfire Protection Measures Established by the Risk Management Plan ('High Risk' Land Use)

The following bushfire protection measures are to be implemented and maintained. They are additional to those established by the relevant acceptable solutions applied to the proposed subdivision, development or use.

The relevant acceptable solutions are those against which this planning proposal has been assessed in Section 5.3 of this Bushfire Management Plan.

Risk T	isk Treatment - Identification and Evaluation of Options				
RISK NO.	BRIEF RISK DESCRIPTION	IDENTIFIED OPTION/S	MECHANISM OF PROPOSED RISK TREATMENT	EVALUATION OF TREATMENT (satisfies the objective-effective- practical-feasible-acceptable- affordable-sustainable-safe)	
1	Stored Materials	Non-essential flammable items will not be stored on site All flammable items required to be stored on site must be located at a distance greater than 6 metres from any structures. No flammable items are to be stored between the convenience store and fuel dispensers	change likelihood of event impact	Guidance notes are to be included in the Environmental Safety Management Plan.	
2	Operations as Ignition Source	Monitor and review existing controls (risk treatment measures). No additional treatments required.	N/A		
3	Offsite vegetation	Risk treatment to be included in the Facility Environmental Safety Management Plan. Risk Treatment: 1. Fuel vehicle to avoid the facility site until advised by the emergency services it is safe to drive to the facility and transfer fuel. 2. Fuel vehicle to remain as a minimum 1 kilometre distance from the bushfire event or as directed by the emergency services. 3. Public to remain away from the site until emergency service deem it safe to operate	change likelihood of event impact	Removing vehicles and fuel load from the threat of ignition satisfies the objective and is a practical and safe option.	
4	Onsite vegetation	Monitor and review existing controls (risk treatment measures). No additional treatments required.	change likelihood of event impact	Maintain onsite vegetation	
5	Emergency Management	Identify and include addition procedures or procedural flow charts	change potential consequences	Update the facilities Environmental Safety Management Plan.	
6	Firefighter capacity	Identify and include addition procedures or procedural flow charts	change potential consequences	Update the facilities Environmental Safety Management Plan.	



6 RESPONSIBILITIES FOR IMPLEMENTATION AND MANAGEMENT OF THE BUSHFIRE PROTECTION MEASURES

Table 6.1: BMP Implementation responsibilities prior to occupancy or building.

	Landowner (Developer) - Prior to Occupancy				
No.	Implementation Actions				
	The local government may condition a development application approval with a requirement for the landowner/proponent to register a notification onto the certificate of title and deposited plan.				
	This will be done pursuant to Section 70A <i>Transfer of Land Act 1893</i> as amended ('Factors affecting use and enjoyment of land, notification on title'). This is to give notice of the bushfire hazard and any restrictions and/or protective measures required to be maintained at the owner's cost.				
1	This condition ensures that:				
	 Landowners/proponents are aware their lot is in a designated bushfire prone area and of their obligations to apply the stated bushfire risk management measures; and 				
	Potential purchasers are alerted to the Bushfire Management Plan so that future landowners/proponents can continue to apply the bushfire risk management measures that have been established in the Plan.				
	Establish the Asset Protection Zone (APZ) surrounding the service station structures to the largest dimension as determined by either:				
	 The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 for explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL); or 				
	The dimensions corresponding to the local government's Firebreak Notice.				
	BAL-29 APZ Dimensions				
2	Proposed Service Station Structure to Vegetation Area 1 Minimum 21 metres				
	Structure to Vegetation Area 2 Minimum 14 metres				
	Structure to Vegetation Area 3 Minimum 8 metres				
	Establish the APZ to the above dimensions and to the standards established by the Guidelines (refer to Appendix 1) or as varied by the local government through their Firebreak Notice (refer to the following responsibility). This is the responsibility of the developer prior to occupancy.				
	Prior to sale of the construction, the subject lot is to be compliant with the City of Busselton Firebreak and Fuel Hazard Reduction Notice issued under s33 of the Bushfires Act 1954.				
3	This may include specifications for asset protection zones that differ from the Guideline's APZ Standards, with the intent to better satisfy local conditions. When these are more stringent than those created by the Guidelines, or less stringent and endorsed by the WAPC and DFES, they must be complied with. Refer to Appendix 1.				
4	There is an obligation, created by this Bushfire Management Plan, for a Risk Management Plan to be developed and approved for the 'high risk' land use (refer to Section 1.2). BMP Section 5.4, Additional Measures Established by the Risk Management Plan ('High Risk' Land Use) must be complied with prior and during occupancy.				
5	Prior to any building work, inform the builder of the existence of this Bushfire Management Plan and the responsibilities it contains, regarding the required construction standards. This will be:				

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- The standard corresponding to the determined BAL, as per the bushfire provisions of the Building Code of Australia (BCA); and/or
- A higher standard because the BMP establishes that the construction standard is to correspond to a higher BAL as an additional bushfire protection measure.

13.1 Attachment [



Table 6.3: Ongoing management responsibilities for the Landowner/Occupier.

	8.2 Landowner/Occupier - Ongoing				
No.	Ongoing Management Actions				
	Maintain the Asset Protection Zone (APZ) surrounding service station to the largest dimension as determined by either: • The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 for explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL); or				
	The dimensions corresponding to the local government's Firebreak Notice.				
,	BAL-29 APZ Dimensions				
1	Proposed Service Station Structure to Vegetation Area 1 Minimum 21 metres				
	Structure to Vegetation Area 2 Minimum 14 metres				
	Structure to Vegetation Area 3 Minimum 8 metres				
	Maintain the APZ to the above dimensions and to the standards established by the Guidelines (refer to Appendix 1) or as varied by the local government through their Firebreak Notice (refer to the following responsibility).				
2	Comply with the City of Busselton Firebreak and Fuel Hazard Reduction Notice issued under s33 of the Bush Fires Act 1954. This may include specifications for asset protection zones that differ from the Guideline's APZ Standards, with the intent to better satisfy local conditions. When these are more stringent than those created by the Guidelines, or less stringent and endorsed by the WAPC and DFES, they must be complied with. Refer to Appendix 1.				
3	Maintain vehicular access routes within the lot to the required surface condition and clearances as stated in the BMP.				
4	Ensure that any builders (of future structures on the lot) are aware of the existence of this Bushfire Management Plan and the responsibilities it contains regarding the application of construction standards corresponding to a determined BAL.				
5	Ensure all future buildings the landowner has responsibility for, are designed and constructed in full compliance with: 1. the requirements of the WA Building Act 2011 and the bushfire provisions of the Building Code of Australia (BCA); and 2. with any identified additional requirements established by this BMP or the local government.				
6	To implement and maintain, the additional bushfire protection measures contained in Section 5.4 of this Bushfire Management Plan, in addition to the measures that are established by the acceptable solutions.				
7	The Risk Management Plan containing bushfire risk management measures for flammable onsite hazards and operations with the potential to ignite a bushfire, must be reviewed each year and relevant information updated. All required measures must continue to be complied with.				

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Bushfire Management Plan



Table 6.4: Ongoing management responsibilities for the Local Government.

	် a Local Government - Ongoing
No.	Ongoing Management Actions
1	Monitor landowner compliance with the Bushfire Management Plan and the annual City of Busselton Firebreak and Fuel Hazard Reduction Notice.
2	Where control of an area of vegetated land is vested in the control of the local government and that area of land has influenced the assessed BAL(s) of the subject site(s) – and the BAL has been correctly assessed and considered all reasonable and likely future expectations for changes in vegetation classification - there is an obligation to consider the impact of any changes to future vegetation management and/or revegetation plans with respect to that area.



APPENDIX 1: TECHNICAL REQUIREMENTS FOR ONSITE VEGETATION MANAGEMENT

A1.1 Requirements Established by the Guidelines – Standards for Asset Protection Zones

(Source: Guidelines for Planning in Bushfire Prone Areas - WAPC 2017 v1.3 Appendix 4, Element 2, Schedule 1 and Explanatory Note E2.1)

DEFINING THE ASSET PROTECTION ZONE (APZ)

Description: An APZ is an area surrounding a building that is managed to reduce the bushfire hazard to an acceptable level (by reducing fuel loads). The width of the required APZ varies with slope and vegetation and varies corresponding to the BAL rating determined for a building (lower BAL = greater dimensioned APZ).

For planning applications, the minimum sized acceptable APZ is that which is of sufficient size to ensure the potential radiant heat impact of a fire does not exceed 29kW/m² (BAL-29). It will be site specific.

For subdivision planning, design elements and excluded/low threat vegetation adjacent to the lot(s) can be utilised to achieve the required vegetation separation distances and therefore reduce the required dimensions of the APZ within the lot(s).

Defendable Space: The APZ includes a defendable space which is an area adjoining the asset within which firefighting operations can be undertaken to defend the structure. Vegetation within the defendable space should be kept at an absolute minimum and the area should be free from combustible items and obstructions. The width of the defendable space is dependent on the space, which is available on the property, but as a minimum should be 3 metres.

Establishment: The APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity.

The APZ may include public roads, waterways, footpaths, buildings, rocky outcrops, golf courses, maintained parkland as well as cultivated gardens in an urban context, but does not include grassland or vegetation on a neighbouring rural lot, farmland, wetland reserves and unmanaged public reserves.

[Note: Regardless of whether an Asset Protection Zone exists in accordance with the acceptable solutions and is appropriately maintained, fire fighters are not obliged to protect an asset if they think the separation distance between the dwelling and vegetation that can be involved in a bushfire, is unsafe.]

Schedule 1: Standards for APZ

Fences: within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.

Objects: within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.

Fine Fuel Load: combustible dead vegetation matter less than 6 mm in thickness reduced to and maintained at an average of two tonnes per hectare (example below).



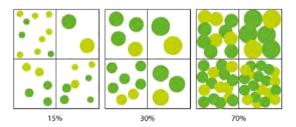
Example: Fine fuel load of 2 t/ha (Image source: Shire of Augusta Margaret River's Firebreak and Fuel Reduction Hazard Notice)



Trees (> 5 metres in height): trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy. Diagram below represents tree canopy cover at maturity.

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Tree canopy cover - ranging from 15 to 70 per cent at maturity



(Source: Guidelines for Planning in Bushfire Prone Areas 2017, Appendix 4)

Shrubs (0.5 metres to 5 metres in height): should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m2 in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.

Ground covers (<0.5 metres in height): can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 mm in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.

Grass: should be managed to maintain a height of 100 mm or less.

The following example diagrams illustrate how the required dimensions of the APZ will be determined by the type and location of the vegetation.





Hazard on three sides





A1.2 Requirements Established by the Local Government - the Firebreak Notice

The local government's current Firebreak Notice is available on their website, at their offices and is distributed as ratepayer's information. It must be complied with.

These requirements are established by the local government's Firebreak Notice created under s33 of the Bushfires Act 1954 and issued annually (potentially with revisions). The Firebreak Notice may include additional components directed at managing fuel loads, accessibility and general property management with respect to limiting potential bushfire impact.

If Asset Protection Zone (APZ) specifications are defined in the Firebreak Notice, these may differ from the Standards established by the Guideline's, with the intent to better satisfy local conditions. When these are more stringent than those created by the Guidelines, or less stringent and endorsed by the WAPC and DFES, they must be complied with.

The APZ dimensions to be physically established and maintained, will be based on which of the following establishes the larger APZ dimension:

- The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL(s)); or
- The APZ dimensions established by the local government's Firebreak Notice.

A1.3 Requirements Recommended by DFES - Property Protection Checklists

Further guidance regarding ongoing/lasting property protection (from potential bushfire impact) is presented in the publication 'DFES – Fire Chat – Your Bushfire Protection Toolkit'. It is available from the Department of Fire and Emergency Services (DFES) website.

A1.4 Requirements Established by AS 3959:2018 – 'Minimal Fuel Condition'

This information is provided for reference purposes. This knowledge will assist the landowner to comply with Management Requirement No. 3 set out in the Guidance Panel at the start of this Appendix. It identifies what is required for an area of land to be excluded from classification as a potential bushfire threat.

"Australian Standard - AS 3959:2018 Section 2.2.3.2: Exclusions - Low threat vegetation and non-vegetated areas:

The Bushfire Attack Level shall be classified BAL-LOW where the vegetation is one or a combination of the following:

- a) Vegetation of any type that is more than 100m from the site.
- b) Single areas of vegetation less than 1ha in area and not within 100m of other areas of vegetation being classified vegetation.
- c) Multiple area of vegetation less than 0.25ha in area and not within 20m of the site or each other or other areas of vegetation being classified vegetation.
- d) Strips of vegetation less than 20m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20m of the site or each other, or other areas of vegetation being classified vegetation.
- Non-vegetated areas, that is, areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.
- f) Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a **minimal fuel condition**, (means insufficient fuel available to significantly increase the severity of a bushfire attack for example, recognisable as short cropped grass to a nominal height of 100mm), mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks (single row of trees)."

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APPENDIX 2: TECHNICAL REQUIREMENTS FOR VEHICULAR ACCESS

Each local government may have their own standard technical requirements for emergency vehicular access, and they may vary from those stated in the Guidelines.

When required, these are stated in Section 5.1 of this bushfire management plan.

Requirements Established by the Guidelines - The Acceptable Solutions

(Source: Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3, Appendix 4)

VEHICULAR ACCESS TECHNICAL REQUIREMENTS - PART 1

Acceptable Solution 3.8: Firebreak Width

Lots greater than 0.5 hectares must have an internal perimeter firebreak of a minimum width of three meters or to the level as prescribed in the local firebreak notice issued by the local government.

VEHIC	VEHICULAR ACCESS TECHNICAL REQUIREMENTS - PART 2						
		Vehicular Access Types					
Technical Component	Public Roads	Cul-de-sacs	Private Driveways	Emergency Access Ways	Fire Service Access Routes		
Minimum trafficable surface (m)	6*	6	4	6*	6*		
Horizontal clearance (m)	6	6	6	6	6		
Vertical clearance (m)	4.5	4.5	4.5	4.5	4.5		
Maximum grade <50 metres	1 in 10	1 in 10	1 in 10	1 in 10	1 in 10		
Minimum weight capacity (t)	15	15	15	15	15		
Maximum cross-fall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33		
Curves minimum inner radius (m)	8.5	8.5	8.5	8.5	8.5		

^{*} A six metre trafficable surface does not necessarily mean paving width. It could, for example, include four metres of paving and one metre of constructed road shoulders. In special circumstances, where 8 lots or less are being serviced, a public road with a minimum trafficable surface of four metres for a maximum distance of ninety metres may be provided subject to the approval of both the local government and DFES.



APPENDIX 3: TECHNICAL REQUIREMENTS FOR FIREFIGHTING WATER

Reticulated Areas

[Source: Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3, Appendix 4, Element 4]

The Water Corporation's 'No 63 Water Reticulation Standard' is deemed to be the baseline criteria for developments and should be applied unless local water supply authority's conditions apply.

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The requirement is to supply a reticulated water supply and fire hydrants, in accordance with the technical requirements of the relevant water supply authority and DFES.

Key specifications in the most recent version/revision of the design standard include:

- Residential Standard hydrants are to be located so that the maximum distance between the hydrants shall be no more than 200 metres.
- Commercial Standard hydrants are to be located with a maximum of 100 metre spacing in Industrial and Commercial areas.
- Rural Residential Standard where minimum site areas per dwelling is 10,000 m² (1ha), hydrants are to be located with a maximum 400m spacing. If the area is further subdivided to land parcels less than 1ha, then the residential standard (200m) is to be applied.

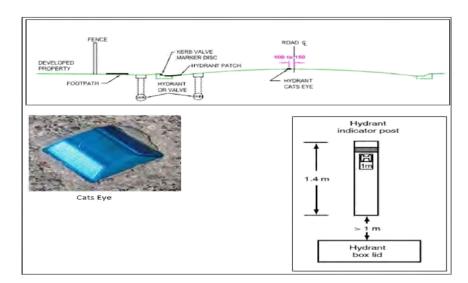


Figure A4.1: Hydrant Location and Identification Specifications



ADDENDUM NO.1: RISK ASSESSMENT AND TREATMENT PLAN

Attachment D



'High Risk' Land Use in a Bushfire Prone Area

Risk Management Plan

for

Flammable Onsite Hazards and Operations with Potential to Ignite a Bushfire

United Petroleum PTY LTD

Lot 9052 Northerly Street, Vasse

City of Busselton

Job Reference No: 200636

Job Reference No: Associated Bushfire Management Plan (BMP): 200636 v1.0

Date: 17 December 2020

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Limitations: The measures contained in this Bushfire Risk Management Plan document, are considered to be minimum requirements and they do not guarantee that a building will not be damaged in a bushfire, persons injured, or fatalities occur either on the subject site or off the site while evacuating. This is substantially due to the unpredictable nature and behaviour of fire and fire weather conditions. Additionally, the correct implementation of the required bushfire protection measures established by the associated Bushfire Management Plan (BMP) and the required risk treatment measures set out in this Risk Treatment Plan, will depend upon, among other things, the ongoing actions of the landowners and/or operators over which Bushfire Prone Planning has no control.

All surveys, forecasts, projections and recommendations made in this report associated with the proposed development are made in good faith based on information available to Bushfire Prone Planning at the time. All maps included herein are indicative in nature and are not to be used for accurate calculations.

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1 THE PROPOSED DEVELOPMENT

1.1 Introduction

The proposed fuel station will be located at the corner of Northerly Street and Bussell Highway, Vasse, WA within the City of Busselton. The site is neighboured by rural farm land (pasture) to the west, south and east and to the north is a POS wetland (forest). The area between the proposed service station and the wetland will be subdivided for industrial land use. Further to the north, approximately 350m is the Vasse industrial area.

The fuel station will be providing fuel from underground tanks with numerous fuel dispensers located on the forecourt for public dispensing of fuel. A convenience store forms part of the proposal.

1.2 Designation as a High Risk Land Use

State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) defines development, within designated bushfire prone areas, that is to be considered a high risk land use as:

A land use which may lead to the ignition, prolonged duration, and/or increased intensity of a bushfire. Such uses may also expose the community, fire fighters and the surrounding environment to dangerous and uncontrolled substances during a bushfire event.

The Guidelines for Planning in Bushfire Prone Areas (WAPC 2017 v1.3) provide examples of what constitutes a high risk land use, and these can be considered to have one or all of the attributes identified in the table below.

(list	of relevant items on the development s	Operations that are a Potential
(health effects and higher flashpoints)	(physical/chemical effects and lower flash points)	Source of Ignition to Bushfire Prone Vegetation
	⊠	
The site will store diesel fuels	The site will store petroleum	



2 ESTABLISHING THE RISK ASSESSMENT CONTEXT

2.1 Objectives

2.1.1 Emergency Management

The overarching objective of this Risk Management Plan (Plan) is to consider the risk exposure of the proposed facility/premises to an emergency event related to bushfire and specifically to those risks caused by the storage of flammable hazards or the potential for operations to generate a means of ignition of combustible materials both onsite and offsite (e.g. bushfire prone vegetation).

The Plan is concerned with the societal objectives of:

- · Protecting life, property, economic activity, and the environment; and
- Ensuring the continued functioning of essential services and systems that support these.

2.1.2 Meet the Requirements of State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)

SPP 3.7 is framed with the intent of implementing effective risk based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. The preservation of human life is considered paramount.

SPP 3.7 establishes the requirement for development within designated bushfire prone areas, that will be subject to a Bushfire Attack Level (BAL) rating above BAL-LOW, to comply with the relevant policy measures. The policy measures applicable to the proposed development are summarised below.

SPP 3.7 Policy Measure 6.5: Information to accompany development applications

SPP 3.7 Policy measure 6.5 establishes the requirement to develop a Bushfire Management Plan (BMP) that:

- Determines the extent to which Bushfire Attack Levels (as defined by AS 3959:2018 BAL determination methodology) will impact the development site;
- 2. Identifies any bushfire hazard issues arising from the BAL assessment; and
- 3. Conducts an assessment against the bushfire protection criteria to determine compliance.

These assessments have been conducted and the BMP has been developed as a separate document to be submitted with the development application.

SPP 3.7 Policy Measure 6.6: Vulnerable or high-risk land uses

SPP 3.7 Policy measure 6.6 establishes the requirement for a proposed high risk land use to develop a risk management plan (to be submitted with the development application), that addresses bushfire risk management measures for the specific source of risk described as "any flammable onsite hazards".

This requirement will be met by the preparation of a site and use specific risk management plan that establishes the outcomes of conducting a risk assessment process and presents a risk treatment plan.

2.1.3 Develop a Site and Source of Risk Specific, Risk Management Plan

Bushfire Prone Planning (BPP) satisfies the requirement for a risk management plan (the Plan) by producing a document that satisfies the requirements established by the Guidelines and is focussed on identifying and addressing the site specific sources of risk applicable to the proposed 'high risk' development/use and associated with bushfire.

Subsequently, a risk treatment plan will be developed that applies selected treatments to improve any existing controls (risk treatment measures) and/or establish new controls in order to reduce identified potential risks.

Risk treatments that are selected to be applied, will be required to be incorporated into the planning and operations of the proposed land use by the following means:

- Be included in the landowner/operator responsibilities established in the associated Bushfire Management Plan; and
- Being required to be incorporated into an existing (if applicable) or a new Emergency Management Plan
 for the site and its operations.

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2.2 Scope of the Risk Assessment

2.2.1 Bushfire Specific

The Guidelines for Planning in Bushfire Prone Areas (WAPC 2017 v1.3) (Guidelines), support the application of SPP 3.7.

SPP 3.7 establishes the single source of risk to be considered (i.e. 'any flammable onsite hazards') while Section 5.6 of the Guidelines effectively expands on the sources of risk to be considered by establishing the consequences that are to be considered. The consequences established are:

- Ignition of a <u>bushfire</u>;
- Prolonging a <u>bushfire's</u> duration;
- · Increasing the intensity of a bushfire; and
- Exposing persons and the environment to dangerous and uncontrolled substances during a <u>bushfire event</u>.

From this guidance, it is determined that the risk management plan required by SPP 3.7 for a high risk land use, is not required to consider sources of risk that are either not associated with bushfire or are planning assessments required to be dealt with by in the Bushfire Management Plan. Therefore, these are excluded from the scope of this risk management plan. This includes any risk management requirements for planning and operational purposes that are established by other legislation and/or regulations (e.g. Dangerous Goods Safety Act 2004).

Consequently, the sources of risk to be identified in conducting of this risk assessment process, are bushfire specific and limited to:

- Identifying direct potential sources of risk that could ignite adjacent bushfire prone vegetation and/or increase
 the intensity or duration of a bushfire and are associated with the proposed land use operations and/or
 storage of hazardous and/or flammable materials onsite; and
- Identifying potential sources of risk that exist when combined with a bushfire event in adjacent bushfire prone vegetation. These are sources of risk that could ignite onsite stored hazardous and/or flammable materials and present consequential threats to persons, structures and the environment onsite and offsite.

2.2.2 The Level at Which the Risk Assessment Process is to be Conducted

Higher Level / Strategic	Operational Level	Project / Activity / Event Level	
potential broad mitigation measures	ongoing specific mitigation measures	shorter term specific mitigation measures	

2.2.3 The Risk Assessment Process to be Applied

Bushfire Prone Planning's approach is to ensure that the process to identify and analyse risks is conducted via a structured process that is compliant with an international risk management standard - ISO 31000.

The format and content of this risk management plan is structured as an adaptation of the emergency risk management process established by the Australian Disaster Resilience Handbook 10: National Emergency Risk Assessment Guidelines (NERAG) (AIDR 2020) and illustrated in Figure 1.

NERAG provides a method for undertaking emergency risk assessments and is structured to align broadly with relevant sections of ISO 31000:2018 Risk management – Guidelines (see Figure 1).

Additional guidance, where relevant, is taken from:

- National Land Use Planning Guidelines for Resilient Communities (Planning Institute Australia 2015).
- Land Use Planning for Disaster Resilient Communities (AIDR, 2020).
- Guidelines for Preparing a Bushfire Risk Management Plan (DFES 2015 Office of Bushfire Risk Management)
 that have been developed to assist local governments fulfil their obligations under the State Emergency
 Management Plan for Fire (Westplan Fire).



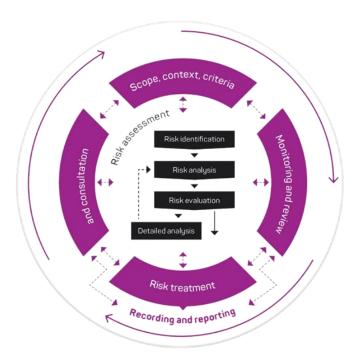


Figure 1: The iterative emergency risk management process (adapted from ISO 31000:2018) - NERAG 2020

2.2.4 The Concept of Risk to be Applied

Risk:

In this context, risk is being used to describe the likelihood of harmful consequences arising from the interaction of hazards, communities and the environment. The degree of risk presented by that interaction will depend on the likelihood and consequence of the hazard occurring (PIA 2015).

Residual Risk:

Is the risk remaining after any risk treatment (by elimination, avoidance, reduction/mitigation or transfer) has been applied to reduce its potential likelihood and/or its potential consequences. Residual risk can also be any risk that is chosen to be retained rather than treated (NERAG AIDR 2020; PIA 2015)

Universally Acknowledged Concept of Acceptable Risk:

Nothing can be absolutely free of risk, everything under some circumstance can cause harm. There are degrees of risk and consequently degrees of safety. In the real world, attaining zero risk is not possible. Nevertheless, after risk avoidance, elimination or control measures are taken, the residual risk should be acceptable, as judged by the decision makers. For some situations, the residual risk may be high and still be judged by the participants in an activity to be acceptable.

Definition of Acceptable Risk:

Developing a single, distinct and commonly accepted definition of an acceptable (or tolerable) risk level that is universally applicable is not possible. In general terms, all that can be said is that the residual risk, after determining the severity of outcome of an event and the event probability, and the taking of preventative action, <u>must be acceptable in the particular setting being considered</u>.

Applicable 'Acceptable Risk' Statements Include:

Acceptable risk is the level of risk which is tolerated in a given context based on current values of society.

13.1 Attachment D



Acceptable risk is considered as "that level of risk that is sufficiently low that society is comfortable with it.
 Society does not generally consider expenditure in further reducing such risks justifiable (Land Use Planning for Disaster Resilient Communities (AIDR, 2020)).

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. A level that is sufficiently low to require no new treatments or actions to allow communities to live with the risk.

Relevant 'Risk Tolerance' Statements Include:

- Tolerable risk is risk that is accepted in a given context based on the current values of society.
- Risk tolerance is defined as the organisation's or stakeholder's readiness to bear the risk, after risk treatment, in
 order to achieve its objectives. Risk tolerance can be influenced by legal or regulatory requirements (ISO
 Guide 73:2009 Risk management vocabulary).
- Tolerating risk is the willingness to live with a risk, on the understanding that it is being properly controlled and
 managed. Tolerable does not mean that it is regarded as negligible, or something we may ignore, but rather
 as something that needs to be kept under review and reduced further, if deemed necessary.

What constitutes an acceptable or tolerable level of risk will vary among local government areas, community context and the considered activity context.

2.2.5 Sources of Risk (Hazard) to be Considered

The definition of sources of risk that will be applied is: "An element which, alone or in combination, has the intrinsic potential to give rise to risk" (source: ISO Guide 73:2009 Risk management – vocabulary).

	Standalone Sources of Risk (Direct				
Combustible (Flammable) Materials (Including Hazardous Materials) Stored Onsite		· ·			
۵	₫	×		С	-
Sources of Risk		hat will Exist When Combined with a Fire I		Event (Indirect)	
Bushfire Prone Vegetation Within the Broader Landscape Adjacent to the Area Proposed for Development (i.e. Offsite).	Bushfire Prone Vegetation Within the Area Proposed for Development (i.e. Onsite)	The Availability Onsite of Relevant Emergency Management Information and Responsible Persons for Emergency Management	The Availability of Adequate Firefighting Water Supplies, Equipment and Emergency Services to Respond		
×		×	×		

2.2.6 The Emergency Events to be Considered

The definition of emergency event that will be applied is: "An event, actual or imminent, which endangers or threatens to endanger life, property or the environment, and which requires a significant and coordinated response" (source: AIDR Glossary 2019).

Bushfire	Grassfire	fire Residential Structure Industri		Stored Materials Fire
⊠	⊠		\boxtimes	⊠

13.1 Attachment D



2.2.7 The Consequence Categories to be Considered

People health, safety, support required, death, injury	Economic Property/infrastructure damage, production loss, financial loss	Environmental loss of species, landscape, values	Social community and cultural/heritage impact	Public Administration impact on governing	Legal and Reputation regulatory and image impact
	⊠				

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The consequence categories to be considered will be limited to those selected above. This approach is based on aligning the of the risk assessment component of the risk management plan to the intent of *State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)* which is to preserve life and reduce the impact of bushfire on property and infrastructure.

2.3 Determination of the Risk Assessment Criteria to be Applied

The qualitative and quantitative risk assessment criteria that have been applied, in conducting the risk analysis and evaluation, have been established as being applicable to the circumstances and scale of the development being assessed and in consultation with stakeholders as necessary. These are presented in Appendix 1.

2.4 Stakeholder Engagement

The following stakeholders have been consulted with and have contributed to establishing the context and scope of the risk assessment process.

Date	Name	Relevant Detail
	United Petroleum	



3 RISK IDENTIFICATION FOR THE PROPOSED DEVELOPMENT/USE

Intent: To consider risk in this context as being the potential negative effect of uncertainties on the objectives of the proposed development and its operations by consideration of the likelihood of harmful consequences.

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To do this a key step is to identify a comprehensive list of risks based on the sources of risk, the emergency events and the consequence categories to be considered. These are established through the defining of the objectives, scope and risk assessment criteria for the proposed development/use and are set out in Section 2 'Establishing the Risk Assessment Context'.

Summary Process:

- Identify all potential sources of risk (the hazards) and describe their characteristics, including the threats they
 present. Consideration is given to those risks that currently exist (for an existing development/use) and to those
 that that will exist post the implementation of the planned development/use;
- Describe the potential consequences for each relevant category of consequence (established in s2.2.7).
 These are described as worst case and unmitigated consequences. Any causal link between risk source, event and consequence is noted along with stating if the emergency event and consequences are a current or future possibility; and
- Describe any risk treatments (controls/risk management measures) that currently exist and/or form part of the proposed development/use, which reduce the severity or likelihood of the defined consequences.



3.1 The Risk Identification Register Part 1: Risk Description

	RISK DESCRIPTION (STATEMENT)	
Risk No.	Identified Source of Risk (the hazard - its threats and characteristics)	Consequence Category	Potential Consequences (worst case and unmitigated)
1	STORED MATERIALS General Description: Combustible and flammable materials (including hazardous materials) stored onsite. These may have the potential to either ignite a bushfire or be a consequential source of risk if ignited by a bushfire. Potential consequential threats include exposing the site and its use to the threats of local fire, potentially prolonging the duration and/or intensity of a bushfire and exposing persons and the surrounding environment to dangerous and uncontrolled substances. Site Specific Description: Underground tanks containing diesel and petroleum, when venting or decanting may have the potential to either ignite a bushfire or be a consequential source of risk if ignited by a bushfire • Heat radiation, and/or • Direct flame contact from a jet fire, pool fire or flash fire.	People	Death or injury of persons from exposure to the potential threats of bushfire and/or accidents while making efforts to avoid these threats. Exacerbation of existing medical conditions (e.g. asthma). Ongoing stress related illness attributed to the emergency event. Site Specific: Staff or public initial exposure to venting fuel (jet fire) or pool fire. Potential damage or loss of buildings, plant, equipment and operational infrastructure. Disruption of business with loss of income, employment and future operational capacity. Possible business failure Local or regional economy may be impacted. Site Specific: Disruption to local business and possible loss of local employment
2	OPERATIONS AS AN IGNITION SOURCE General Description: Business operations and procedures that have the potential to ignite adjacent bushfire prone vegetation. Site Specific Description: Decanting fuel by public (static ignition) Decanting fuel by fuel distributor.	People	Death or injury of persons from exposure to the potentia threats of bushfire and/or accidents while making effort to avoid these threats. Exacerbation of existing medical conditions (e.g. asthma). Ongoing stress related illness attributed to the emergency event.



	RISK DESCRIPTION (STATEMENT)	
Risk No.	Identified Source of Risk (the hazard - its threats and characteristics)	Consequence Category	Potential Consequences (worst case and unmitigated)
	Unauthorised smoking.		Site Specific:
	 A vehicle may ignite if exposed to ember attack during transport or in the process of transferring fuel. 		Injury and death may occur.
			Potential damage or loss of buildings, plant, equipment and operational infrastructure.
		Economic L	Disruption of business with loss of income, employment and future operational capacity. Possible business failur
			Local or regional economy may be impacted.
			Site Specific:
			Potential loss of infrastructure and vehicle.
			Loss of local employment.
			Loss of business revenue.
			Death or injury of persons from exposure to the potentic
	OFFSITE VEGETATION		threats of bushfire and/or accidents while making effor
	General Description: Bushfire prone vegetation within the broader landscape adjacent to the area proposed for development.		to avoid these threats.
	The potential threats from the burning of these fuels are flame contact, radiant heat, embers,		Exacerbation of existing medical conditions (e.g. asthma).
3	smoke, and high winds impacting buildings and persons.		Ongoing stress related illness attributed to the emergency event.
	The severity of these threats is determined by fire weather conditions, the type / structure / quantity / location and extent of the of fuels and the topography of the land on which the fuels		Site Specific:
	exist. Bushfire spreading upslope has increased intensity and rate of spread.		Embers may cause a local fire resulting in death or inju
			There may be accidents as a result of people trying to avoid the threat of local fire.



	RISK DESCRIPTION (STATEMEN	r)	
Risk No.	Identified Source of Risk (the hazard - its threats and characteristics)	Consequence Category	Potential Consequences (worst case and unmitigated)
	Site Specific Description: The proposed Service Station exposure to the threat of bushfire, specifically ember attack from any direction. Pasture fire from the west, south and east will produce low level ember attack and very little to no residual heat after the fire front has passed. A forest fire from the north, although approximately 300m from the subject site, presents the greatest threat. The forest fuel will produce long distance and prolonged ember attack. The proposed service station.	Economic	Potential damage or loss of buildings, plant, equipment and operational infrastructure. Disruption of business with loss of income, employment and future operational capacity. Possible business failur Local or regional economy may be impacted. Site Specific: Partial loss or damage of the building, structures and fue dispensers. Disruption of business with loss of income, employment
	ONSITE VEGETATION General Description: Bushfire prone vegetation within the area proposed for development.	Pagelo	Death or injury of persons from exposure to the potential threats of bushfire and/or accidents while making effort to avoid these threats. Exacerbation of existing medical conditions (e.g. asthma).
4	The potential threats from the burning of these fuels are flame contact, radiant heat, embers, smoke, and high winds impacting buildings and persons. The severity of these threats is determined by fire weather conditions, the type / structure / quantity / location and extent of the of fuels, landscaping, constructed or natural barriers and the topography of the land on which the fuels exist. Bushfire spreading upslope has increased	People	Ongoing stress related illness attributed to the emergency event. Site Specific: Any vegetation on site will be managed (will not supportuning fire), therefore there the onsite vegetation will not contribute to death or injury.
	intensity and rate of spread. Site Specific Description: All on site vegetation will be managed.	Economic	Potential damage or loss of buildings, plant, equipment and operational infrastructure. Disruption of business with loss of income, employment and future operational capacity. Possible business failure Local or regional economy may be impacted. Site Specific: Onsite vegetation will not contribute to economic loss.



	RISK DESCRIPTION (STATEMENT)	
Risk No.	Identified Source of Risk (the hazard - its threats and characteristics)	Consequence Category	Potential Consequences (worst case and unmitigated)
5	EMERGENCY MANAGEMENT General Description: The unavailability of persons onsite who have some understanding of bushfire behaviour and/or have been trained to manage a bushfire emergency through the application of a bushfire emergency plan developed for the use of a site. The unavailability of appropriate emergency management information that will assist persons to make an informed analysis regarding initiating and/or continuing the most appropriate emergency procedures for the site and its use. Persons without the necessary emergency management information, relevant experience, knowledge and training, may make poor decisions during an emergency event. There is likely no or limited capacity to appreciate the context of the site and its surrounds with respect to its influence on bushfire behaviour. This includes not being aware of any potentially significant limitations to the window of time available to conduct a planned evacuation procedure. These limitations are related to the potential bushfire behaviour of fire impacting the specific site and evacuation routes and the knowledge of what safer locations exist onsite. The risk is increased if specific on-site advice from attending emergency services personnel is unlikely to or cannot be provided. Site Specific Description: Site personnel require site specific safety management knowledge including bushfire awareness (Lack of environmental safety management knowledge).	People	Death or injury of persons from exposure to the potential threats of bushfire and/or accidents while making effort to avoid these threats. Exacerbation of existing medical conditions (e.g. asthma). Ongoing stress related illness attributed to the emergency event. Site Specific: Death or injury and stress related illnesses from poor decision making due to lack of knowledge in managing emergencies including threat of bushfire Potential damage or loss of buildings, plant, equipment and operational infrastructure. Disruption of business with loss of income, employment and future operational capacity. Possible business failur Local or regional economy may be impacted. Site Specific: Loss of infrastructure and illness related time away from work due to poor decision making during an emergence
6	FIREFIGHTING CAPABILITY General Description: No or limited availability onsite of bushfire/structure firefighting equipment, water and/or persons with appropriate training and expertise. The potential for attendance of emergency services of emergency services is non-existent, impractical or unlikely. This will vary dependent on location (urban / rural / remote). Risks to persons can be considered as greater if assistance to manage a bushfire and protect persons and dwellings, is not available or will take considerable time to arrive and limited firefighting capability exists onsite.		Death or injury of persons from exposure to the potentic threats of bushfire and/or accidents while making effor to avoid these threats. Exacerbation of existing medical conditions (e.g. asthma). Ongoing stress related illness attributed to the emergency event.



	RISK DESCRIPTION (STATEMENT)							
Risk No.	Identified Source of Risk (the hazard - its threats and characteristics)	Consequence Category	Potential Consequences (worst case and unmitigated)					
	Site Specific Description:		Site Specific:					
	III informed personnel unable to provide emergency services critical information.		Death or injury to themselves and others					
	Taking inappropriate action putting themselves and other at risk.							
		Economic	Potential damage or loss of buildings, plant, equipment and operational infrastructure. Disruption of business with loss of income, employment and future operational capacity. Possible business failutecal or regional economy may be impacted. Site Specific: Loss of infrastructure and employment.					



3.2 The Risk Identification Register Part 2: Existing/Planned Controls (Risk Treatments)

	ITIFIED SOURCE	EGISTER PART 2: E)	(ISTING/PLANNED CONTROLS (that reduce the severity or likelihood of the potential consequences)				
No.	No. Title CONSEQUENCE CATEGORY		EXISTING/PLANNED PREVENTION AND PREPAREDNESS CONTROLS				
		People	To reduce the potential for fire spread from consequential fires in the open air.				
la	Stored Materials	Economic	Storage of flammable items in the open air may become consequential fires. To reduce the likelihood of onsite fires spreading to structures, the following applies: a. Non-essential flammable items are not be stored on site b. All flammable items required to be stored on site must be located at a distance greater than 6 metres from any structures. c. No flammable items are to be stored between the convenience store and the fuel dispensers.				
2	Operations as	People	To reduce the exposure of fuel transport and transfer of fuel during a bushfire event. Vehicle, guidance for transport operators to be				
2	Ignition Source	Economic	ncluded in the Facility Emergency Plan.				
		People	To reduce the risk of the facility igniting offsite vegetation, risk management plans, operating procedures, and safety data information will				
3	Offsite Vegetation	Economic	be available and current. This includes: a. Environmental Safety Management Plan b. Evacuation Plan c. Risk and Hazard Management Procedure d. Storage of hazardous substances e. Bushfire Management Plan f. High Risk Land Use – Risk Assessment and Treatment Plan				
4	Onsite	People	All onsite vegetation will be managed prior bushfire season				
-	Vegetation	Economic	All orbite vegeration will be managed prior businite season				
5	Emergency	People	Staff will be trained, and Environmental Safety Management Plan will be provided				
3	Management	Economic	этан мін ве нашец, ана внунонтненна затету манадетнені гіан мін ве ргочава				
	Firefighting	People	Onsite staff will be trained in initial response.				
6	Capability	Economic	Fire extinguishers will be available on site. Emergency services are located in the town of Busselton (15 minutes response times.				



IDEN	OF RISK	RELEVANT CONSEQUENCE	EXISTING/PLANNED RESPONSE AND RECOVERY CONTROLS					
No.	Title	CATEGORY						
		People	To ensure efficient response and recovery from injury and/or fatalities and damage to structures and disruption to business, the facility will					
Stored Materials		Economic	be compliant with industry standards and will be Implementing organisational risk management plans and procedures. The Facility emergency management arrangements includes onsite prevention, detection, control and emergency response instructions and training. The response plans provided will aid in the incident response and recovery.					
	Operations as	People	Guidance and training for transport operators will ensure the response to a bushfire emergency will be appropriate. Training is mandatory					
2	Ignition Source	Economic	for fuel transport providers. The Facilities emergency procedures and Environmental Safety Management Plan, and staff training ensures appropriate emergency response and recovery.					
3	Offsite	People						
3	Vegetation	Economic	Appropriate storage and reduction of onsite flammable items will reduce the likelihood of consequential fires and reduce fire suppression					
	Onsite	People	requirements, thus enhancing response and recovery.					
4	Vegetation	Economic						
5	Emergency	People	Staff will be trained in basic emergency management procedures and response					
5	Management	Economic	Staff will be trained in basic emergency management procedures and response.					
,	Firefighting	People	Staff will be trained in initial response (if safe). Emergency services are located in Busselton town site, turnout time is approximately 15					
6	Capability	Economic	minutes.					



4 RISK ANALYSIS FOR THE PROPOSED DEVELOPMENT/USE

Intent

To comprehend the nature of the risk and determine the level of the risk. Risk analysis provides the basis for the subsequent risk evaluation and subsequent decisions about risk treatment. Of particular importance in analysing risk, is the determination of appropriate risk criteria that establish the terms of reference against which the significance of a risk is evaluated.

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Process:

Relevant to the scale and operation of the assessed facility:

- Establish the qualitative descriptors used to determine the control levels for any existing controls (risk treatments);
- Establish appropriate risk criteria that are to be applied to each consequence level and for each
 consequence category that is to be considered;
- Establish the event likelihood descriptors (qualitative and quantitative as applicable) that are to apply, based on the chance of the emergency event occurring and causing the described consequence;
- Establish the qualitative risk levels that are to apply by application of the consequence/likelihood matrix.

Analyse the identified risks, record the results in the risk analysis register and determine the risk level that is to apply to each identified risk (after the effect of any existing control level is considered.



4.1 Existing Control Levels

Existing Co	ntrol Strength and Expe	diency (qualitative	descriptors)				
LEVEL	CONTROL STRENGTH (effectiveness)	CONTROL EXPEDIENCY (ease of implementation – cost/practicality/regulations/acceptance)					
Very Low	Control has almost no effect in reducing the level of risk.	It has not been fore	cation of the control is outside of the experience and planning of operators, with no effective procedures or plans for its operation. not been foreseen that the control will ever need to be used. oplication of the control requires significant cost over and above existing resources, and the cost will most likely be objected to by a er of stakeholders.				
Low	Control has some effect in reducing the level of risk. The control is applied rarely, and operators may not have experience using it. The use of the control may have been foreseen and plans for its application may have been considered, but it is not part of normal operational protocols and has not been tested. Extraordinary cost is required to apply the control, which may be difficult to obtain.						
Medium	Control is effective in reducing the level of risk. The control is infrequently applied and is outside of the operators' everyday experience. The use of the control has been foreseen and plans for its application have been prepared and tested. Some extraordinary cost may be required to apply the control.				ed.		
High	Control is highly effective in reducing the level of risk.		ently applied. bly the control is well understood and reso the control is within current resources a				
Existing Co	ntrol Levels						
CONTROL			CONTROL E	XPEDIENCY			
STRENGTH	Ver	y Low	Low	Medium	High		
Very Low	ow Very Low		Very Low	Low	Low		
Low	Very Low		Low	Medium	Medium		
Medium	l L	ow	Medium	Medium	Medium		
High	High Low Medium Medium High						

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4.2 Consequence Levels and Associated Risk Criteria

	CONSEQUENCE CATEGORY AND APPLIED RISK CRITERIA									
LEVEL	People	Economic	Environmental	Social	Public Administration	Legal and Reputation				
	health, safety, death, injury	property damage, production loss, financial loss	loss of species, landscape, values	community and cultural/heritage impact	impact on governing	regulatory and image impact				
Insignificant	No injuries	No or slight damage to property (< \$2000). No or inconsequential financial loss.	Limited short term damage (< 1 yr). Minor impact, managed within operating budget.	None	None	Low-level legal issue. Breach of internal target or objective. No public concern.				
		Criteria Applied at the Operational Scale – Buildings, Land and Business Onsite								
	Minor injuries only requiring first aid.	Component level replacement / repair (\$2000 - \$10,000).	Localised medium term (1-5 yr) damage that can be recovered (up to \$20,000 to correct).	Inconsequential or no disruption to community.	N/A	Minor legal issues, breach of corporate standard or external guideline.				
	Criteria Applied at the Broader Scale (when applicable) - Adjacent Locality, Region, Community (or government)									
Minor	No persons are displaced. Little or no personal support (physical, mental, emotional) required.	Inconsequential damage to assets, with little or no specific recovery efforts required beyond the immediate clean-up. Government/business sector losses managed within standard financial provisions.	Limited medium term damage that can be recovered.	Inconsequential short-term failure of infrastructure or service delivery. Repairs occur within 1 week, service outages last less than 24 hours.	Inconsequential govt business disruptions.	N/A				
	Criteria Applied at the Operational Scale – Buildings, Land and Business Onsite									
	Injuries require medical treatment.	Equipment level replacement or repair (\$10,000 - \$100,000).	Substantial medium term (1-5 yr) damage but recoverable (up to \$100,000 to correct).	N/A	N/A	Serious breach of legislation, regulation, or licenses.				
	Criteria Applied at the Broader Scale (when applicable) - Adjacent Locality, Region, Community (or government)									
Moderate	Isolated cases of serious injuries, but no fatalifies. Some hospitalisation required and managed within normal operating capacity of health services. Isolated cases of displaced persons who return within 24 hours. Personal support (physical, mental, emotional) satisfied through local arrangements.	Localised damage to assets that is rectified by routine arrangements. Local economy impacted with additional financial support required to recover. Disruptions to businesses lead to isolated cases of loss of employment or business failure. Government sector losses require activation of reserves to cover loss.	Isolated cases of damage to environmental assets, one-off recovery efforts required, but with no long term effects to asset values.	Community functioning as normal with some inconvenience. Isolated cases of short to midterm failure of infrastructure and disruption to service delivery. Repairs occur within 1 week to 2 months, service outages last less than 1 week. Isolated cases of damage to cultural assets, one-off recovery efforts required, but with no long term effects to asset values.	N/A	N/A				



			CONSEQUENCE CATEGORY	AND APPLIED RISK CRITERIA					
LEVEL	People	Economic	Environmental	Social	Public Administration	Legal and Reputation			
	health, safety, death, injury	property damage, production loss, financial loss	loss of species, landscape, values	community and cultural/heritage impact	impact on governing	regulatory and image impact			
		Cri	teria Applied at the Operational Scc	ıle – Buildings, Land and Business On	site				
	Restricted work or lost time injury or illness. Single death or serious permanent disability.	Multiple equipment replacements (\$100,000 - \$1,000,000).	Serious medium term damage (1-5 yr) with costly remediation (up to \$1M).	N/A	N/A	Major breach of legislation, regulation, or licenses. Regulator enforcement action fines.			
	Criteria Applied at the Broader Scale (when applicable) - Adjacent Locality, Region, Community (or government)								
Major	Isolated cases of fatalities. Multiple cases of serious injuries. Significant hospitalisation required, leading to health services being stretched. Large number of persons displaced (more than 24 hours duration). Significant resources required for personal support (physical, mental, emotional).	Significant damage to assets, with ongoing recovery efforts and external resources required. Local or regional economy impacted for a significant period of time with significant financial assistance required. Significant disruptions across industry sectors leading to multiple business failures or loss of employment.	Localised extinction of native species. This may range from loss of a single population to loss of all species within the area being considered (and where the species occupies a greater range than just the considered area).	Community only partially functioning. Widespread inconvenience, with some services unavailable. Mid to long-term failure of significant infrastructure and service delivery affecting large parts of the community. Initial external support required. Repairs occur within 2 to 6 months, service outages last less than a month. Significant cases of damage to cultural assets, including long term effects to values.	N/A	N/A			
		Cri	teria Applied at the Operational Sco	ıle – Buildings, Land and Business On	site				
	Multiple fatalities.	Large scale damage (> \$1,000,000).	Widespread long-term damage (5yrs or longer). Not totally recoverable. > \$1M to correct or in penalties.	N/A	N/A	Major breach of legislation, regulation, or licenses. Regulation intervention, fines, litigation, prosecution, joil terms.			
	Criteria Applied at the Broader Scale (when applicable) - Adjacent Locality, Region, Community (or government)								
Catastrophic	Multiple cases of fatalities. Extensive number of severe injuries. Extended and large number requiring hospitalisation, leading to health services being unable to cope. Extensive displacement of persons for extended duration.	Extensive damage to assets that will require significant ongoing recovery efforts and extensive external resources. Regional or State economy impacted for an extended period of time with significant financial assistance required. Significant disruptions across	Permanent damage to environmental assets. Extinction of a native species in nature (i.e. wild specimens and does not include flora or fauna bred or kept in captivity). This category is most relevant to species that are restricted to the area being considered or also	Community unable to function without significant support. Long-term failure of significant infrastructure and service delivery affecting all parts of the community. Ongoing external support required. Repairs will take longer than 6 months, service outages	N/A	N/A			



Consequence	Consequence Levels – (of the emergency event originating from the identified hazard/source of risk)										
	CONSEQUENCE CATEGORY AND APPLIED RISK CRITERIA										
LEVEL	People	Economic	Environmental	Social	Public Administration	Legal and Reputation					
	health, safety, death, injury	property damage, production loss, financial loss	loss of species, landscape, values	community and cultural/heritage impact	impact on governing	regulatory and image impact					
	Extensive resources required for personal support (physical, mental, emotional).	widespread business failures or loss of employment.	likely to be impacted upon by the same emergency event.	Permanent damage to cultural assets.							



4.3 Likelihood Levels and Associated Risk Criteria

LEVEL	LIKELIHOOD DESCRIPTORS – TO BE APPLIED AS RELEVANT
	Facility/Building/Business: The event is theoretically possible. Unheard of in a comparable facility.
Rare	Bushfire: The occurrence of an event in the vicinity is not known, and fuels are not available to the extent that a bushfire can be expected to spread and impact the subject site (via embers from distance or flames and radiant heat from close proximity).
	Probability: Annual Exceedance Probability (the chance of event occurring once in a year) = 0.5%
	Indicative Frequency: One event in 200 years.
	Facility/Building/Business: The event has not occurred in the life of the facility but has occurred in the industry.
Unlikely	Bushfire: Fires do not occur frequently in the vicinity, and no fuels are availability to enable a bushfire to spread and impact the subject site (via embers from distance or flames and radiant heat from close proximity).
	Probability: Annual Exceedance Probability (the chance of event occurring once in a year) = 2%
	Indicative Frequency: One event in 50 years
	Facility/Building/Business: The event has occurred in the life of the facility. Exceptional conditions may allow this event to occur.
Possible	Bushfire: Fires do occur frequently in the vicinity, but the availability of fuels to enable a bushfire to spread and impact the subject site (via embers from distance or flames and radiant heat from close proximity) is limited.
	Probability: Annual Exceedance Probability (the chance of event occurring once in a year) = 5%
	Indicative Frequency: One event in 20 years.
	Facility/Building/Business: The event has occurred in the life of the facility and/or a number of near misses have occurred.
Likely	Bushfire: Fires do not occur frequently in the vicinity, but fuels are available to the extent that a bushfire can be expected to spread and impact the subject site (via embers from distance or flames and radiant heat from close proximity).
	Probability: Annual Exceedance Probability (the chance of event occurring once in a year) = 20%
	Indicative Frequency: One event in 5 years.
	Facility/Building/Business: The event has occurred, and repeated events expected in the facility life.
Almost Certain	Bushfire: Fires do occur frequently in the vicinity, and fuels are available to the extent that a bushfire can be expected to spread and impact the subject site (vice embers from distance or flames and radiant heat from close proximity).
	Probability: Annual Exceedance Probability (the chance of event occurring once in a year) = 63%
	Indicative Frequency: One or more per year.



4.4 Risk Levels and Associated Risk Criteria

LIKELIHOOD	CONSEQUENCE									
LIKELIHOOD	Insignificant	Minor	Moderate	Major	Catastrophic					
Rare	Very Low	Very Low	Low	Medium	High					
Unlikely	Very Low	Low	Medium	High	High					
Possible	Low	Low	Medium	High	Extreme					
Likely	Low	Medium	High	Extreme	Extreme					
Almost Certain	Medium	Medium	High	Extreme	Extreme					

4.5 Risk Analysis Register

		EXISTING CONTROL LEVELS			LIKELIHOOD LEVEL	RISK LEVEL	CONFIDENCE IN
RISK NO.	BRIEF RISK DESCRIPTION	Prevention and Preparedness	Response and Recovery	CONSEQUENCE LEVEL	(after the effect of any existing control level is considered)	(consequence x likelihood)	(default = moderate)
1	Stored Materials	High	High	Moderate	Possible	Medium	Moderate
2	Operations as Ignition Source	Medium	Low	Moderate	Possible	Medium	Moderate
3	Offsite vegetation	Low	Low	Moderate	Likely	High	Moderate
4	Onsite vegetation	High	High	Insignificant	Possible	Low	Moderate
5	Emergency Management	Medium	Low	Moderate	Possible	Medium	Moderate



Risk A	Risk Analysis Register									
RISK NO.	BRIEF RISK DESCRIPTION	EXISTING CONTROL LEVELS			LIKELIHOOD LEVEL	RISK LEVEL	CONFIDENCE IN			
		Prevention and Preparedness	Response and Recovery	CONSEQUENCE LEVEL	(after the effect of any existing control level is considered)	(consequence x likelihood)	(default = moderate)			
6	Firefighting Capability	Low	Low	Major	Possible	High	Moderate			



5 Risk Evaluation

Intent: To determine which identified risks require further assessment or treatment and prioritise the application risk management measures to reduce risk levels.

Process: This section completes the risk assessment process of identification, analysis, and evaluation. It determines (based on the parameters established in this section) the risk priority, the risk category, the risk rank, and any resultant requirement for additional risk treatments to be developed. The outcome is stated in the Risk Evaluation Register.

5.1 Risk Priority Determination (broad guidance for the order in which risks should be addressed)

Risk Priority Le	Risk Priority Level - Descriptions								
PRIORITY LEVEL	GENERAL DESCRIPTORS OF ACTION PATHWAY								
1	Highest priority for treatment (and/or further investigation). Highest authority relevant to context of risk assessment must be formally informed of risks. Each risk must be examined, and any actions of further investigation and/or risk treatment are to be documented, reported to, and approved by that highest authority.								
2	High priority for treatment (and/or further investigation). Highest authority relevant to context of risk assessment should be formally informed of risks. Further investigations and treatment plans should be developed.								
3	Medium priority for treatment (and/or further investigation). Actions regarding investigation and risk treatment should be delegated to appropriate level of organisation, and further investigations and treatment plans may be developed.								
4	Low priority for treatment (and/or further investigation). Actions regarding investigation and risk treatment should be delegated to appropriate level of organisation, and further investigations and treatment plans may be developed.								
5	Broadly acceptable risk. No acti	ion required beyond monitoring c	of risk level and priority during mor	nitoring and review phase.					
Risk Priority Le	vel - corresponding to stated (risk levels at the moderate co	nfidence level						
PRIORITY LEVEL (RISK LEVEL)			CONSEQUENCE						
LIKELIHOOD	Insignificant	Minor	Moderate	Major	Catastrophic				
Rare	5 (very low)	5 (low)	4 (low)	3 (medium)	2 (high)				
Unlikely	5 (very low)	4 (low)	3 (medium)	2 (high)	2 (high)				
Possible	4 (low) 4 (low) 3 (medium) 2 (high) 1 (extreme)								
Likely	4 (low) 3 (medium) 2 (high) 1 (extreme) 1 (extreme)								
Almost Certain	3 (medium)	3 (medium)	2 (high)	1 (extreme)	1 (extreme)				

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5.2 Risk Category Determination (guidance regarding the need for further action)

Risk Catego	У	
CATEGORY	DESCRIPTORS APPLIED	CONSIDERATIONS APPLIED TO DETERMINE/MODIFY THE CATEGORY
1 (Treat)	Require Treatment: Risks that have been identified during the risk assessment process to require treatment and for which there is confidence in being able to determine appropriate risk management objectives and subsequent treatments.	Tikely lead to a charge in ritotty Level ana/or different decisions being made t
2 (Analyse)	Require Further Analysis/Evaluation: Risks that have been identified during the risk assessment process that require further analysis and subsequent re-evaluation.	outside of the target of the treatment, then a treatment plan is to be considered.
3 (Monitor)	Require No Additional Treatment: Risks that have been identified during the risk assessment process to only require ongoing monitoring, maintenance, and review of existing controls, as part of the ongoing risk management process.	Leansidered (i.e. Category 1) while a priority of 5 does not require a treatment plan I

5.3 Risk Rank Determination (specific guidance for the order in which risks should be addressed)

Risk Rank	isk Rank																										
RISK PRIORITY	1 2 3 4									5																	
RISK CATEGORY	1 - Treat	1 - Treat	2 - Analyse	2 - Analyse	1 - Treat	1 - Treat	1 - Treat	2 - Analyse	2 - Analyse	2 - Analyse	1 - Treat	1 - Treat	1 - Treat	2 - Analyse	2 - Analyse	2 - Analyse	1 - Treat	1 - Treat	1 - Treat	1 - Treat	2 - Analyse	2 - Analyse	2 - Analyse	2 - Analyse	3 - Monitor	3 - Monitor	3 - Monitor
RISK LEVEL	Extreme	High	Extreme	High	Extreme	High	Medium	Extreme	High	Medium	High	Medium	Low	High	Medium	Low	High	Medium	Low	Very Low	High	Medium	Low	Very Low	Medium	Low	Very Low
RISK RANK	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
ADJUST	For each risk rank, it may be necessary to rank one type of consequence over another (e.g. 5a, 5b, 5c). The priority will be Protect life \Rightarrow Protect property \Rightarrow Protect critical infrastructure \Rightarrow Protect the environment.						otect																				



5.4 Risk Evaluation Register

Risk E	valuation Register							
		FROM RISK ANA	ALYSIS REGISTER					
RISK NO.	BRIEF RISK DESCRIPTION	EXISTING CONTROL LEVEL	RISK LEVEL	RISK PRIORITY	RISK CATEGORY	RISK RANK	PLANNED RISK TREATMENT	
1	Stored Materials	High	Medium	Priority 5	Category 3 - Monitor	25 out of 27	Monitor and review existing controls (risk treatment measures). No additional treatments required.	
2	Operations as Ignition Source	Medium	Medium	Priority 5	Category 3 - Monitor	25 out of 27	Monitor and review existing controls (risk treatment measures). No additional treatments required.	
3	Offsite vegetation	Low	High	Priority 3	Category 1 - Treat	13 out of 27	Identify additional risk treatments. Evaluate and apply.	
4	Onsite vegetation	High	Low	Priority 5	Category 3 - Monitor	25 out of 27	Monitor and review existing controls (risk treatment measures). No additional treatments required.	
5	Emergency Management	Medium	Medium	Priority 3	Category 1 - Treat	12 out of 27	Identify additional risk treatments. Evaluate and apply.	
6	Firefighter capacity	Low	Medium	Priority 3	Category 1 - Treat	12 out of 27	Identify additional risk treatments. Evaluate and apply.	



6 Risk Treatment

Intent: To identify and apply the most effective risk treatments (risk management measures/controls) to those identified sources of risk for which the risk assessment has determined that treatment (controls) or additional treatments to existing controls are required. The objective is to reduce the existing level of risk to an acceptable level. The Identified treatments will either (a) remove/avoid the source of the risk (b) change the likelihood of the emergency event or (c) change the consequence. Alternatively, the evaluation process may determine that the most appropriate solution is for the residual risk to be shared (e.g. insurance) or retained (no treatment applied).

Process: Identify treatment options, evaluate the options, and establish how they will be implemented and if the objective has been met.

6.1 Identification and Evaluation of Options

Risk T	Risk Treatment – Identification and Evaluation of Options								
RISK NO.	BRIEF RISK DESCRIPTION	IDENTIFIED OPTION/S	MECHANISM OF PROPOSED RISK TREATMENT	EVALUATION OF TREATMENT (satisfies the objective-effective- practical-feasible-acceptable- affordable-sustainable-safe)					
1	Stored Materials	Non-essential flammable items will not be stored on site All flammable items required to be stored on site must be located at a distance greater than 6 metres from any structures. No flammable items are to be stored between the convenience store and fuel dispensers	change likelihood of event impact	Guidance notes are to be included in the Environmental Safety Management Plan.					
2	Operations as Ignition Source	Monitor and review existing controls (risk treatment measures). No additional treatments required.	N/A						
3	Offsite vegetation	Risk treatment to be included in the Facility Environmental Safety Management Plan. Risk Treatment: 1. Fuel vehicle to avoid the facility site until advised by the emergency services it is safe to drive to the facility and transfer fuel. 2. Fuel vehicle to remain as a minimum 1 kilometre distance from the bushfire event or as directed by the emergency services. 3. Public to remain away from the site until emergency service deem it safe to operate	change likelihood of event impact	Removing vehicles and fuel load from the threat of ignition satisfies the objective and is a practical and safe option.					
4	Onsite vegetation	Monitor and review existing controls (risk treatment measures). No additional treatments required.	change likelihood of event impact	Maintain onsite vegetation					



Risk	Risk Treatment – Identification and Evaluation of Options								
RISK NO.	BRIEF RISK DESCRIPTION	IDENTIFIED OPTION/S	MECHANISM OF PROPOSED RISK TREATMENT	EVALUATION OF TREATMENT (satisfies the objective-effective- practical-feasible-acceptable- affordable-sustainable-safe)					
5	Emergency Management	Identify and include addition procedures or procedural flow charts	change potential consequences	Update the facilities Environmental Safety Management Plan.					
6	Firefighter capacity	Identify and include addition procedures or procedural flow charts	change potential consequences	Update the facilities Environmental Safety Management Plan.					



6.2 Risk Treatment Plan

Risk T	reatment Plan		
RISK NO.	BRIEF RISK DESCRIPTION	THE RISK TREATMENT (RISK MANAGEMENT MEASURE) AND IMPLEMENTATION	THE RESIDUAL RISK IS AS LOW AS REASONABLY PRACTICAL (ALARP)
1	Stored Materials	Proposed Actions: 1. Non-essential items will not be stored on site. 2. All flammable items required to be stored on site must be located at a distance greater than 6 metres from any structures. 3. No flammable items are to be stored between the convenience store and the fuel dispensers. Resource Requirements: Responsibilities/Management: Timing and Schedule: Before and during occupation/operating	Yes - when applied with existing and/or proposed additional treatments
2	Operations as Ignition Source	Proposed Actions: Monitor and review existing controls (risk treatment measures). No additional treatments required. Resource Requirements: Responsibilities/Management: Timing and Schedule: Before and during occupation/operating	Yes - when applied with existing and/or proposed additional treatments
3	Offsite vegetation	Proposed Actions: Risk treatment to be included in the Facility Environmental Safety Management Plan. Risk Treatment: 1. During a bushfire event, Fuel vehicle to avoid the facility site until advised by the emergency services it is safe to drive to the facility and transfer fuel. 2. Fuel vehicle to remain as a minimum 1 kilometre distance from the bushfire event or as directed by the emergency services. 3. Public vehicles not to enter the site until the emergency services has deemed the site safe. Resource Requirements: Responsibilities/Management: Timing and Schedule: Before occupation/operating	Yes - when applied with existing and/or proposed additional treatments
4	Onsite vegetation	Proposed Actions: Maintain onsite vegetation to low threat (APZ requirements) Resource Requirements: Responsibilities/Management: Timing and Schedule: Before and during occupation/operating	Yes - when applied with existing and/or proposed additional treatments

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Risk Treatment Plan					
RISK NO.	BRIEF RISK DESCRIPTION	THE RISK TREATMENT (RISK MANAGEMENT MEASURE) AND IMPLEMENTATION	THE RESIDUAL RISK IS AS LOW AS REASONABLY PRACTICAL (ALARP)		
5	Emergency Management	Proposed Actions: Include procedures in the facilities Environmental Safety Management Plan Resource Requirements: Responsibilities/Management: Timing and Schedule: Before and during occupation/operating	Yes - when applied with existing and/or proposed additional treatments		
6	Firefighter capacity	Proposed Actions: Include procedures in the facilities Environmental Safety Management Plan Resource Requirements: Responsibilities/Management: Timing and Schedule: Before and during occupation/operating	Yes - when applied with existing and/or proposed additional treatments		

Attachment D

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13.1 Attachment D



6.3 Responsibility to Implement the Risk Treatment Plan

The existence of the risk treatment plan and a responsibility for the implementation and maintenance of any identified treatments, will be created in the associated bushfire management plan.

13.1 Attachment D



7 Monitor and Review

As part of the proposed developments operation, a program should be established for monitoring and reviewing the outcomes of this documented risk management process.

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The risk assessment needs to be updated regularly to ensure that it is current, and the recommended treatments and their priorities remain relevant. The monitoring and review process should include:

- Ensuring the identified controls are operating effectively and adequately and have not changed over time;
- Ensuring the best and most up to date available information is used as evidence for the likelihood, consequence, and confidence levels;
- Incorporating information from emergency events that may have occurred since the last risk assessment;
- Accounting for changes in the context of the risk assessment; and
- Identifying and accounting for emerging risks.

8 Record and Report

As part of the proposed developments operation and to complete the risk management process, the following actions should be undertaken:

- · Document the outcomes of the monitoring and reviewing program; and
- Communicate the outcomes to the organisations management and other stakeholders defined in
 establishing the context for this document. The intent is to assist with supporting the improvement of risk
 management and decision making.

Schedule of Submissions

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	First Name	Surname	Town	Do you support the proposal?	Why do you support this proposal? /Why don't you support this proposal?	Response
1	K.	MacLeay	Vasse	No	 Already an existing 3 – 4 service stations in the area. Concerns regarding impact of Busselton Outer Bypass, (BOB) and additional traffic as a result of BOB along Bussell Highway traveling towards Margaret River. Concerns that traffic entering Bussell Highway from future BOB, traffic travelling between Dunsborough and Bussell and future Vasse Bypass will miss development. Concerns regarding increase in use of electric vehicle and decrease demand for fossil fuel station. Concerns regarding proposed height of sign. Height considered excessive and will stand out amongst vegetation. Concerns regarding impact of future dual carriageway along Bussell Highway on the development and how vehicles will be able to access development. 	Number of existing Service Stations within the locality as well as future demand for service stations is not a valid planning consideration. Refer to officer comment section report for further discussions regarding: Vehicle movements and traffic Pylon Sign.
2	R.	Barden	Vasse	No	Concerns regarding traffic volumes at intersection of Northerly Street and Bussell Highway. Concerns regarding number of existing service stations within the area and impact on existing businesses within the area.	Refer to officer comment section report for further discussions regarding: Traffic Number of existing Service Stations within the locality is not a valid planning consideration.
3	C.	Hess	Vasse	No	Concerns regarding truck movement along Northerly Street to the round-about at the intersection of Northerly Street and Bussell Highway north of the site (including noise and safety concerns). Development should be designed to stop trucks travelling north on Northerly Street. Northerly Street should be for local traffic movement only.	Refer to officer comment section report for further discussions regarding: Vehicle movements and traffic

					 Concerns regarding additional truck movements and impact on school children crossing Northerly Street to get to Cape Naturaliste High School.
4	M.	McDermott	Vasse	No	 Concerns regarding number of existing service stations within the area. Concerns regarding impact on existing local businesses within the area including Vasse General Store and Carbarup General Store. Economic impact upon existing Service Stations within the locality is not a valid planning consideration.
5	J.	Smith	Kealy	No	 Environmental report submitted by the developers is poorly researched and relies on previous out of date reports. The report on the wetland references a report from 2006. This wetland has rebounded significantly in the 14 years since. Water levels have changed significantly in recent times due to the huge amount of development that has been undertaken in the area. Wetland has been rehabilitated and re-vegitation has taken place and made a huge difference to the quality of this wetland. It is no longer degraded and is now an important wetland for local birds and other indigenous species. Concerns regarding petrol spill or run-off from the hardstand would be catastrophic for this wetland and the animals that rely on it for their habitat. Better located south of Northerly Street where the land is dryer and there is a lower risk of contamination of an important local wetlands.
6	Withheld	Withheld	Vasse	No	 Concerns regarding number of service stations with convenience stores already located in the immediate area. Adverse effects on the Franklin Wetland Reserve immediately behind the proposed development. The Franklin Wetland Reserve was rehabilitated to be a self-sustaining state which provided for the reestablishment of over 70,000 native wetland plants and increased the native fauna and flora to the area. Consequently, this Reserve now serves as a dual purpose in catering for both commuters (walking or bike riding) and wetland visitors so people can appreciate the beauty and values of the wetlands Economic impact upon existing Service Stations within the locality is not a valid planning consideration. Refer to officer comment section report for further discussions regarding: Environmental Impacts, including impacts upon Franklin Wetland. Vehicle movements and traffic

					along with native flora and fauna. Concerns how chemicals and contaminates will be contained where there is potential harm associated with nutrients and other chemicals to maintain the ecological processes and functions within the sensitive wetland environment. Such contamination risks could occur through leakage of fuels from storage facilities such as underground tank systems and /or through petrol and oil separators spillage of engine coolant, fuel, hydraulic fluid, lubricants or solvents on the forecourt areas. • Increased traffic on Northerly Street and potential impact on nearby schools, including Vasse Primary School is situated on Kaloorup Road Vasse, Cape Naturaliste College is located on Yebble Drive Vasse. • City of Busselton Local Planning Strategy 2019 supporting the Busselton Outer Bypass and Vasse-Dunsborough Link Road when these links are completed, there is likely to be a reduced amount of traffic entering and exiting at the western end of Northerly Street where this development is proposed therefore, the need for this proposed development in this location to meet the future needs of the area is not supported as existing services will adequately satisfy these requirements. • The development noted above refers only to a Service Station and Advertisement sign. The addition of a Convenience Store is only seen in the drawings submitted and as such approval has not been requested, nor should be given for its inclusion with the above application.
					Convenience Store is only seen in the drawings submitted and as such approval has not been requested, nor should be given for its inclusion with
7	K.	Kelly	Kealy	No	 Concerns regarding impact on wetlands in the vicinity of the site, including fauna. Refer to officer comment section report for further discussions regarding: Environmental Impacts, including impacts upon Franklin Wetland.
8	J.	Palk	Kealy	No	 Saturation of service stations within the area already Concerns regarding impact on surrounding small businesses. Concerns regarding traffic congestion Number of existing Services Stations within the locality as well as economic impact upon existing Service Stations within the locality is not a valid planning consideration.

						Refer to officer comment section report for further discussions regarding: Vehicle movements and traffic
9	R.	Callegari	Kealy	No	Saturation of service stations within the area already Concerns regarding impact on surrounding small businesses.	Number of existing Services Stations within the locality as well as economic impact upon existing Service Stations within the locality is not a valid planning consideration.
10	D.	Cant	Kealy	No	Saturation of service stations within the area already Concerns regarding impact on surrounding small businesses.	Number of existing Services Stations within the locality as well as economic impact upon existing Service Stations within the locality is not a valid planning consideration.
11	M.	Sharp	Kealy	No	Saturation of service stations within the area already Concerns regarding scale of signage in rural setting.	Number of existing Services Stations within the locality as well as economic impact upon existing Service Stations within the locality is not a valid planning consideration. Refer to officer comment section report for further discussions regarding: Pylon Sign.
12	G.	Macdonald	Vasse	No	Concerns regarding impact on surrounding businesses, including Vasse General Store Concerns regarding impact on intersection of Bussell Highway and Northerly Street. Concerns regarding additional truck movements along Northerly Street and potential impact upon students crossing Northerly Street to Cape Naturaliste High School.	Economic impact upon existing Service Stations within the locality is not a valid planning consideration. Refer to officer comment section report for further discussions regarding: Vehicle movements and traffic
13	К.	Thomson	Vasse	No	Saturation of service stations within the area already Concerns regarding impact on surrounding small businesses.	Number of existing Services Stations within the locality as well as economic impact upon existing Service Stations within the locality is not a valid planning consideration.

14	Hatch Roberts Day on behalf of	•	There is a legitimate question whether approval is	•	Refer to officer comment section report
	Perron Developments Pty Ltd and		consistent with orderly and property planning		for further discussions regarding:
	Stawell Pty Ltd (Vasse Joint		process. The Site is zoned Urban Development and		 Land use permissibility
	Venture).		development applications are required to be		 Landscaping and visual amenity
			determined in accordance with the approved		 Pylon Sign.
			structure plan. The application is considered to be		
			premature until such time that an amendment to the		
			Vasse Structure Plan is completed.		
		•	Extent of landscaping is insufficient to manage the		
			visual impact of the development as viewed from		
			Bussell Bypass.		
		•	Height of the pylon sign is not consistent with other		
			signage approved within the locality. Recommend it		
			be reduced to at least 10m.		

	Agency	Comments	Response
2	Department of Mines, Industry Regulation and Safety	The Department of Mines, industry Regulation and Safety (DMIRS) has determined this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials. DMIRS lodges no objections to the above Development Application. 1. Issue: Connect to reticulated sewerage	Noted. 1. Applicant has advised that the development is to be
		Advice: The light industrial area to the north of Franklin Wetland is serviced by reticulated gravity sewerage, and it would be expected that Lot 9052 would be similarly serviced. Issue: Currently no urban water management or local water management strategy is in place to support proposed development	connected to deep sewerage. 2. A local water management strategy to be conditioned should development approval be granted. 3. Applicant has advised that the development is to be connect to mains water. 4. This matter is to be addressed via an advice note should development approval be granted.
		Advice: A local water management strategy (LWMS) be developed for the entire site to support a local structure plan (or similar) for the undeveloped area, where an overarching urban water management plan (UWMP) has not already been developed and approved, within Special Provision Area 68. It is noted that Franklin Wetland is classified in the Geomorphic	
		Wetland Dataset as a multiple use wetland. Regardless of the wetland classification it should be protected based on the zoning and with this in mind:	
		 The light industrial area to the north of Franklin Wetland is serviced by reticulated gravity sewerage, and it would be expected that Lot 9052 would be similarly serviced. Stormwater management plan must include best practice design to improve the quality of water discharged to the wetland. A water balance for Franklin Wetland should be undertaken considering all inflows, noting there is a discharge out of the 	
		wetland via a culvert under the bypass. 3. Issue: Water supply to service the petrol station – fit for purpose Advice: There is no detail in the proposal supporting where the site will source its water supply from.	

Attachment F Schedule of Agency Submissions

		4. Issue: Acid Sulfate soil risk - moderate to low	
		Advice: Acid sulfate soils (ASS) risk mapping indicates that the site is	
		located within an area identified as representing a moderate to low	
		risk of ASS occurring within 3 metres of the natural soil surface. Please	
		refer to Department of Water and Environmental Regulation's acid	
		sulfate soil guidelines for information to assist with the management	
		of ground and/or groundwater disturbing works:	
3	Department of Planning,	Aboriginal Heritage Operations	Aboriginal Heritage Operations
	Lands and Heritage;	A socious of the Desistant of Discount Objects as well as the DDUI Aborisinal	Neted
		A review of the Register of Places and Objects as well as the DPLH Aboriginal	Noted.
		Heritage Database and the information provided by the City of Busselton concludes that the proposed Service Station and signage does not intersect	
		with a Registered Site or other Aboriginal heritage place to which the	
		Aboriginal Heritage Act 1972 (AHA) may apply. Therefore based on the	
		information held by DPLH no approvals under the AHA are required. DPLH	
		recommends that proponents refer to the State's Aboriginal Heritage Due	
		Diligence Guidelines (Guidelines). The Guidelines can be found on the DPLH	
		website at the following link: https://vvww.dplh.wa.q ov.au/information-	
		and-services/aboriginal-heritage/land-use- under-the-aha The Guidelines	
		allow proponents to undertake their own risk assessment regarding any	
		proposals potential to impact Aboriginal heritage.	
		F L	
		Land Use Planning	
		Update requested from City in relation to Public Open Space audit currently	
		being undertaking in relation to amendment to the Vasse Structure Plan:	
		Initial response:	
		An Amendment to the Vasse Structure Plan is currently under considered by	
		the Western Australian Planning Commission.	
		and the state of t	
		During the assessment process, the public open space (POS) assessment was	
		found to have some inaccuracies and the applicant agreed to do a full POS	
		audit to demonstrate the areas of POS already provided, and the future	
		amount and locations of POS to be given up in future stages.	
		The Structure Plan is currently on deferral pending the receipt of this POS	
		Audit.	

		The POS assessment submitted with the application foreshadowed Lot 9052 being surplus to requirements from a POS perspective, but this has not yet been confirmed. Follow up response went timeframe for audit requested: I was in touch with the applicant Mid-April and he said that it should be provided to the Department in the next few weeks. I would expect it to be provided very soon.	
4	Department of Health	1. Water supply and waste water disposal Development to be connected to suitable water supply and waste water disposal. 2. Public Health Impacts The proposal should comply with the EPA Environmental Assessment Guidelines GS3 'guidance for the Assessment of Environmental Factors No. 2 – Separation Distances between Industrial and Sensitive Land Uses'. For 24-hr service stations, this distance is at least 200m from boundary to boundary, between the development and the sensitive land-use.	Applicant has advised that the development is to be connected to deep sewerage and mains water. The development will comply with the setbacks under the
5	Main Roads WA	Response dated 25 February 2021 (Initial response 1 of 3). It is understood that the DPLH is currently investigating potential for future urban expansion/development to the south of Northerly Street. Main Roads is currently investigating provision of a roundabout at the intersection of Northerly Street and Bussell Highway in conjunction with the future Busselton Outer Bypass Road. In the future Bussell Highway will be upgraded to a dual carriageway and with possible future development south of Northerly Street there may also be warrant for upgrading of Northerly Street. The proposed service station access is close to the highway intersection and will conflict with the future roundabout land and access requirements. It is critical that access is coordinated along Northerly and moved as far east away from the existing intersection (and proposed roundabout) as possible.	Refer to officer comment section of report.

SCHEDULE OF AGENCY SUBMISSIONS

Existing development plus the (major) PIA to the south may result in Northerly/Bussell being a busy intersection in the future.

The service station access and the proposed local road access to Northerly Street are also located close to an existing local road access on the south side of Northerly Street.

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It is recommended that the proposed service station access be relocated as far as possible from existing Bussell Highway intersection to avoid conflict with the future roundabout and access requirements.

Main Roads is currently preparing a concept design for the future roundabout which will be supplied ASAP. The plan below shows areas of concern.

Response dated 21 April 2021

Please see the attached concept plan for the future roundabout at the intersection of Northerly Street and Bussell Highway overlayed on the proposed service station development and the preliminary subdivision concept plans.

Main Roads concerns remain as outlined previously.

It is generally considered that the first driveway access to the service station is located too close to the future roundabout and will create potential for vehicle conflicts with vehicle entering and leaving the site if the driveway allows these movements.

In particular, vehicles turning left in from Northerly Street after the roundabout have limited opportunity to signal on approaching the driveway access and vehicles turning right out from the driveway access will conflict with vehicles approaching the roundabout.

As advised previously, it is recommended that the driveway access be relocated further from the roundabout to avoid potential conflicts with the future roundabout.

To relocate the service station access the preliminary subdivision concept access road and the existing local road to the south of Northerly Street will need to be addressed to avoid conflict with the service station access.

Schedule of Agency Submissions

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SCHEDULE OF AGENCY SUBMISSIONS

This may require the proposed subdivision concept access road intersection with Northerly street to be relocated or deleted.

The service station access could also be relocated and access provided through to the future subdivision access road generally as indicated in Main Roads previous sketch plan of 6 April 2021 included below.

Main Roads also has concerns in regard to the size of the proposed service station lot.

It appears that the service station is primarily being set up to service the Bussell Highway and should therefore cater for all users of this road.

The site being close to Bussell Highway would be suitable for a larger Service Centre to provide for all road users including larger vehicles such as cars with trailers or caravans and trucks.

If the size of the site is increased then the access could be relocated further from the roundabout.

Respond dated 13 May 2021

The proponent has now confirmed that the access closest to Bussell Highway is a left-in only which is less problematic from a road safety perspective than a full movement access. The issue that we have highlighted, with drivers not having sufficient length to indicate that they are slowing to turn left into the driveway, is still a minor risk with respect to rear end crashes.

The proposed left-in access is about the same distance from the proposed roundabout as the intersection proposed for the Anketell development that has been referenced. It should be noted that the intersection associated with the Anketell development did not meet Main Roads desirable standards, but was accepted on the basis that it satisfied the absolute minimum sight distance applicable for intersection sight distance and that a median would be provided on the through road to enable the right turn out to be a staged movement.

It should be noted that it will be very difficult to control the right turn into the western driveway (left-in only) from Northerly Street, without the provision of a median island. Consideration should therefore be given to extending the existing splitter island past the driveway to prevent this movement.

		As outlined previously, Main Roads has concerns in regard to the size of the	
		proposed service station. It appears that the service station is primarily	
		being set up to service traffic on the Bussell Highway and should therefore be	
		designed to cater for all users of this road, including parking for larger	
		vehicles such as trucks and cars towing caravans and boats.	
6	Department of Fire and	Figure 3.2 'BAL Contour Map' depicts the proposed APZ for the future	Refer to officer comment section of report.
0	Emergency Services	development. However, the APZ extends outside the subject lot boundary	kerer to officer confinent section of report.
	Lineigency Services	into a neighbouring lot /future road reserve, as the area is 'under the control'	
		of the landowner. The Guidelines require an APZ to be contained wholly	
		within the subject lot proposed for development.	
		within the subject for proposed for development.	
		Should an area of vegetation within an adjoining lot require modification and	
		management in perpetuity, that lot should also form a part of the	
		development application to ensure that a condition of approval requiring	
		compliance with a BMP can be enforced. This should occur even though the	
		same landowner owns both properties.	
		The BMP should include vegetation management on the adjoining lot as an	
		ongoing responsibility to achieve BAL- 29 or lower. If unsubstantiated, the	
		vegetation classification should be revised to apply the worst-case scenario	
		as per AS3959:2018.	
		Recommendation – insufficient information	
		Given that the proposed development application has the potential to	
		increase the threat of bushfire to people, property and infrastructure, the	
		decision maker should ensure that the bushfire risk and hazard	
		reduction/bushfire protection measures are established and understood	
		before making a determination.	
		Consequently, the decision maker should require that the BMP addresses the	
		policy requirements of SPP3.7 and the Guidelines to inform decision making.	
7	Department of Biodiversity,	Western ringtail possums (WRP) are listed as critically endangered under the	Noted and to be enforced via a condition of development
	Conservation and	Biodiversity Conservation Act 2016 and the Commonwealth Environment	approval should it be granted.
	Attractions	Protection and Biodiversity Conservation Act 1999. WRP have been recorded	,,,
		within close proximity to Lot 9052. Western Australian (WA) Peppermint	
		trees (Agonis flexuosa) are preferred habitat for the critically endangered	
		WRP.	
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Schedule of Agency Submissions Attachment F

The plan (Able Planning, 19 July 2017) depicts a proposed reserve for	
recreation and drainage (Lot 7001) adjacent to the service station's western	
boundary.	
This reserve is to be planted with screening vegetation.	
The Landscape Plan's (Harley Dykstra, 5 December 2020) planting list	
includes vegetation which is not locally endemic to the Vasse area. DBCA	
recommends that the proposed Lot 7001 reserve is revegetated with locally	
endemic native vegetation, including WA Peppermint trees to provide	
habitat for WRP.	

14. ENGINEERING AND WORK SERVICES REPORT

14.1 RFT 05/21 GREEN WASTE PROCESSING TENDER 2021-26

STRATEGIC THEME ENVIRONMENT - An environment that is valued, conserved and able

to be enjoyed by current and future generations.

STRATEGIC PRIORITY 1.5 Implement best practice waste management strategies with a

focus on waste avoidance, reduction, reuse and recycling.

SUBJECT INDEX Tenders

BUSINESS UNIT Waste and Fleet Services

REPORTING OFFICER Manager Waste and Fleet Services - Mark Wong **AUTHORISING OFFICER** Manager Major Projects and Facilities - Eden Shepherd

NATURE OF DECISION Contractual: To enter into a contract e.g. a lease or the award of a

tender etc.

VOTING REQUIREMENT Simple Majority

ATTACHMENTS Attachment A Published Under Separate Cover Confidential Tender

Evaluation Report RFT 05/21 Processing & Disposal of

Green Waste

Attachment B Published Under Separate Cover Confidential

Projected Cost of processing Green Waste for the next

12 months Based upon 2022/21 Volumes

OFFICER RECOMMENDATION

That the Council:

- Pursuant to RFT 05/21 Processing and Disposal of Green Waste, accept the tender from T & D Boardman Group Pty Ltd, trading as Geospread, as the most advantageous tender (Successful Tenderer).
- 2. Delegates power and authority to the Chief Executive Officer to negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs).
- 3. Subject to resolutions 1 and 2, authorises the CEO to enter into a contract with the Successful Tenderer for the supply of the relevant goods and services.

EXECUTIVE SUMMARY

The City of Busselton invited tenders under Request for Tender RFT 05/21 for Processing and Disposal of Green Waste (RFT 05/21). This report summarises the submissions received, and recommends that Council:

- endorse the outcome of the evaluation panel's assessment;
- delegate power and authority to the CEO to negotiate and agree final terms and conditions with the Successful Tenderer T & D Boardman Group Pty Ltd, t/a Geospread (Geospread); and
- enter into a contract for the Processing and Disposal of Green Waste.

BACKGROUND

Green waste is received at the City of Busselton waste facilities from residents, commercial businesses and from City operations, which includes green waste from reserve maintenance, construction sites and storm damage. The material is stockpiled until a sufficient quantity of material is received, before being processed (mulched) and transported off site to a suitable facility. High quality material is retained at the facilities for operations staff to use on the site or on the City's reserves and construction sites. Materials transported off site are disposed at suitable facilities where the material is processed into commercial mulches.

RFT 05/21 was issued to be a direct replacement for RFT 06/14 Provision of Green Waste Processing and Recycling Services, which is due to expire in August 2021 and has had all options for extension exhausted. The tender comprised two tasks:

- 1. Task 1 Process Green Waste at the City's Waste Facilities; and/or
- 2. Task 2 Remove from the Waste Facilities and Dispose of Processed Green Waste.

OFFICER COMMENT

RFT 05/21 was issued as a public tender on 6 March 2021 and closed at 2.00pm on 8 April 2021. The invitation to tender was advertised in 'The West Australian' newspaper and City of Busselton website.

The City received three compliant tender submissions from the following companies:

- T & D Boardman Group Pty Ltd, t/a Geospread (Geospread)
- Craneswest Pty Ltd t/a Western Tree Recyclers (Western Tree Recyclers)
- Leeuwin Civil Pty Ltd (Leeuwin Civil)

Geospread and Western Tree Recyclers provided a response for both tasks, whereas Leeuwin Civil responded only for Task 2, the transport component (disposal of green waste).

Assessment Process

In accordance with the City's procurement practices and procedures, tender assessments were carried out by a tender evaluation panel comprising City officers with relevant skills and experience.

The tender assessment process included:

- Tenders received were assessed against relevant compliance criteria. The compliance criteria were not point scored. Each submission was assessed on a Yes/No basis as to whether each criterion was satisfactorily met. All tenders were deemed compliant.
- The assessment of tenders against the following qualitative criteria; weighted according to the table below:

<u>Criteria</u>	Weighting
a) Price	50%
b) Relevant Experience	10%
c) Local Benefit	5%
d) Respondent's Resources	20%
e) Demonstrated Understanding	15%

The qualitative criteria were scored depending on the extent to which each tenderer was able to appropriately satisfy each criteria. Subsequently, the tendered prices were then accessed with the weighted qualitative criteria to determine the tender's score, and which tenderer provides the most advantageous outcome to the City; based on principles of representing best value for money. That means that although price is a consideration, the tender containing the lowest price and / or the highest rank on the qualitative criteria will not necessarily be accepted by the City.

Summary of Assessment Outcomes

The outcome of the evaluation panel's assessment was that Geospread was the highest ranked tenderer. Geospread tendered the cheapest price, displayed the most appropriate previous experience, and are supported by a fleet of machinery and vehicles that are deemed adequate for the contract. They also offer good support towards local community groups, with the supply of machinery and labour.

Although Western Tree Recyclers scored marginally higher than Geospread on qualitative aspects of the tender, this was not enough to outweigh the financial advantages of Geospread's submission (see further Financial Implications section of the report).

Geospread are the incumbent supplier and have performed to a high standard over the past seven years, with no concerns raised over performance or safety over that time.

Evaluation Panel Recommendation

Based on the Evaluation Panel's assessment and overall ranking of the tenders, it is recommended that Council accept the tender from T & D Boardman Group Pty Ltd, t/a Geospread, as the most advantageous to the City. Geospread, compared to the other tenderers, demonstrated they have:

- Strong relevant experience in mulching and transporting green waste.
- A comprehensive understanding of the operational requirements of the service.
- The lowest price tenderer.

Statutory Environment

This tender is a five-year contract with extensions and the contract value is greater than \$500,000. Therefore, in accordance with section 5.43(b) of the *Local Government Act 1995* (the Act), read with Delegation 3J, the tender is required to go before the Council.

In terms of section 3.57 of the Act, a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and service. Part 4 of the *Local Government (Functions and General) Regulations 1996*:

- Requires that tenders be publicly invited for such contracts where the estimated cost of providing the required goods and/or service exceeds \$150,000; and
- Under Regulations 11, 14, 18, 20 and 21A, provides the statutory framework for inviting and assessing tenders and awarding contracts pursuant to this process.

The officer's recommendation complies with the above-mentioned legislative requirements.

Relevant Plans and Policies

The City's Purchasing Policy, its Occupational Safety and Health Policy and any other relevant policy to the tender, have been adhered to during the process of requesting and evaluating tenders.

Financial Implications

This contract is funded by the City of Busselton's green waste processing budget. The 2021/22 draft budget contains an allocation of \$196,000. Each year's budget, for the remaining contract period, will be determined as part of the ordinary budget cycle, noting that the ongoing operational costs for this service have been included in the City's 10-year Long Term Financial Plan.

The contract includes provisions for annual CPI rate increases subject to the tenderer applying, in accordance with the special conditions of contract.

Financial comparisons between the tender submissions were made using the quantities of green waste processed during the 2020/21 financial year, along with estimated downsizing hours and mobilisation events. Using this analysis, Geospread were the cheapest at a value of \$173,851.50. Further detail is provided in the confidential attachment.

The tendered rate for mulching green waste represents a 7.5% increase on the current rate in accordance with RFT06/14. The rate increase from 2014 to the current tender is considered to be reasonable.

Unlike the other two responses from contractors who were able to perform all aspects of the service requirement, the evaluation team was only able to assess Leeuwin Civil's submission to Task 2. Under more detailed examination of the two (2) submissions for both Task 1 and 2, Geospread's tender was financially more advantageous to the City than that of Western Tree Recyclers, for both the processing and disposal of Green Waste.

Stakeholder Consultation

No external stakeholder consultation was required or undertaken in relation to this matter.

Risk Assessment

An assessment of the potential implications of implementing the officer's recommendation has been undertaken using the City's risk management framework, with the intention being to identify risks which, following implementation of controls, are identified as medium or greater. There are no such risks identified, with Geospread assessed as being capable of delivering the services to a suitable service level.

Options

As an alternative to the proposed recommendation, the Council could award the tender to an alternative tenderer, in which case the City would pay substantially more for the services to be undertaken.

CONCLUSION

Geospread's submission offers significant financial advantages for the City over the alternative tenders. Additionally, they have been the City's contractor for the past seven years and have not presented any contractual defaults. For these reasons, Geospread are recommended to be awarded the tender as the Successful Tenderer.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The existing tender expires in August 2021. This replacement tender is designed to take over immediately from the existing tender, and will run for five years, with the option of two 1-year extensions at the City's sole discretion.

14.2 <u>RFT 11/21: PIPELINE AND PUMP STATION - DUNSBOROUGH NON-POTABLE WATER NETWORK, MEWETT ROAD, QUINDALUP</u>

STRATEGIC THEME ENVIRONMENT - An environment that is valued, conserved and able

to be enjoyed by current and future generations.

STRATEGIC PRIORITY 1.4 Respond to the impacts of climate change on the City's coastlines

through informed, long term planning and action.

SUBJECT INDEX Tenders

BUSINESS UNIT Operation and Works Services

REPORTING OFFICER Parks and Gardens Coordinator - Bradley Reynolds **AUTHORISING OFFICER** Manager Major Projects and Facilities - Eden Shepherd

NATURE OF DECISION Contractual: To enter into a contract e.g. a lease or the award of a

tender etc.

VOTING REQUIREMENT Simple Majority

ATTACHMENTS Attachment A Published Under Separate Cover Confidential Tender

Evalulation Report RFT 11/21

OFFICER RECOMMENDATION

That the Council:

- 1. Pursuant to RFT 11/21 Dunsborough Non-Potable Water Network (Stage 1), accept the tenders:
 - Total Eden Pty Ltd as being the most advantageous tender for the Pump Station and Tank Construction for the lump sum price of \$254,833.00 and;
 - Polyfuse Pty Ltd as being the most advantageous tender for the Pipeline Construction for the lump sum price of \$1,084,858.33.
- 2. Delegates power and authority to the Chief Executive Officer to negotiate and agree with the Total Eden and Polyfuse minor variations in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996, subject to such variations and the final terms not exceeding the overall project budget.
- 3. Subject to resolutions 1 and 2, authorises the CEO to enter into a contract with Total Eden and Polyfuse for supply of the relevant goods and services.

EXECUTIVE SUMMARY

The City of Busselton invited tenders under Request for Tender 11/21 Dunsborough Non-Potable Water Network (RFT 11/21). RFT 11/21 called for respondents to:

- (a) Construct a pump station at the Sue Coal Bore site, Mewett Road, Quindalup.
- (b) Construct an additional water storage tank at the Tank site, Diamante Boulevard, Dunsborough Lakes.
- (c) Install an approximately 3km Pipeline Network from the Mewett Road, Quindalup Bore Site to the Diamante Boulevard Tank Site in Dunsborough Lakes.

This report summarises the submissions received, and recommends that Council:

- Endorse the outcome of the evaluation panel's assessment;
- Delegate power and authority to the CEO to negotiate and agree final terms and conditions with the successful tenderers being Total Eden Pty Ltd and Polyfuse Pty Ltd;
- Authorise the CEO to award the contract to Total Eden Pty Ltd to provide the requirements of the Pump Station and Tank construction component of the Tender; and
- Authorise the CEO to award the contract to Polyfuse Pty Ltd to provide the requirements of the Pipeline Network component of the Tender.

BACKGROUND

Councillors will be aware of the 'South-West Non-Potable Water Study', led by the Department of Water and Environmental Regulation (DWER), which investigated and assessed non-potable water issues across the South West. In this study, titled 'Options to Supply Water to Meet Green Space Irrigation Needs in the South-West 2015-2060' (still awaiting final publication), Dunsborough was identified as an area experiencing ongoing and significant challenges.

Dunsborough has access to only limited available allocations of groundwater and is currently experiencing a shortfall of some 25 megalitres per annum; a shortfall predicted to rise to 528 megalitres per annum by 2060. It is therefore critical to establish a viable and sustainable non-potable water supply to meet those longer-term needs.

The Water Corporation (WC), in partnership with DWER and the City of Busselton, identified and assessed a range of potential non-potable water options for Dunsborough, including surface water, groundwater, and the re-use of wastewater. The groundwater option, even if lower quality and only available from the deeper Sue Coal Measures aquifer (water licences for the superficial Leederville aquifer have already been fully allocated), was selected as the best option for accessing non-potable water suitable for the irrigation of parks, sporting ovals and other green spaces (including, in time, potentially contributing to water supply for the Dunsborough Lakes Golf Course).

In an earlier hydrogeological study commissioned by the City ('HydroConcept': January 2019) it was estimated that a total of 5-7 bores accessing the Sue Coal Measures may be required to address total anticipated irrigation water shortfalls in Dunsborough to 2060. These prospective well sites were identified within a bore field that was required to be situated east of the Dunsborough Fault, sufficiently inland from the coastline to mitigate potential problems associated with salinity, and far enough removed from existing Water Corporation bores already in operation in the Sue Coal Measures aquifer in Quindalup (so as to prevent draw down, or otherwise adversely influence or affect operational efficiencies).

Research undertaken during the development of the City's 'Sports & Recreation Facilities Strategy 2020-2030' identified a need to build the ovals in the Dunsborough Lakes Sporting Precinct (Sporting Precinct) in the current 2020/2021 financial year in order to meet strong community and strategic planning demand. As such, a viable and sustainable provision of non-potable water is urgently required.

The bore drilling works associated with RFT 03/20 had the express aim of investigating the suitability and sustainability of an ongoing supply of non-potable water from the Sue Coal Measures aquifer to irrigate the proposed works for the Dunsborough Non-Potable Water Network Stage 1 ('Stage 1'). The works for this exploratory/test and production bore have been completed, which has produced adequate quality water and supply for irrigation purposes.

Stage 1 will deliver a cost-effective solution for the construction of oval planned for the new Sporting Precinct. Stage 1 will be designed to allow for future expansion to deliver a climate-resilient non-potable water supply for the irrigation of playing fields and other recreational and landscaped public open spaces for the long-term.

Additional bores will need to be constructed to service the planned growth of 'green infrastructure' and predicted irrigation shortfalls in Dunsborough. The quality and required quantity of non-potable water discovered through the new production bore will enable a cost-effective and reliable supply of water to the Sporting Precinct, when combined with the limited quantity of locally available groundwater that has already been secured.

OFFICER COMMENT

The City issued RFT 11/21 by upload to TenderLink and received a total of 5 submissions as follows:

Pump Station and Tank Construction:

- 1. Total Eden Pty Ltd
- 2. Polyfuse Pty Ltd

Pipeline Network Construction:

- 1. Polyfuse Pty Ltd
- 2. Geographe Excavation and Underground Power
- 3. RL Communications Pty Ltd

In accordance with the City's procurement practices and procedures, assessments were carried out by an evaluation panel comprising City officers and an external panel member with relevant skills and experience. The assessment process included:

- (a) Assessing submissions received against relevant compliance criteria. The compliance criteria were not point scored. Each submission was assessed on a Yes/No basis as to whether each criterion was satisfactorily met. All tenders were deemed compliant; and
- (b) Assessing submissions received against the Qualitative Criteria and each Criteria was given a score in accordance with the rating scale detailed below.

Qualitative Criteria	Weighting
Relevant experience	10%
Local Benefit	5%
Demonstrated Understanding	20%
Tenderers Resources	10%

Summary of Assessment Outcomes

Of the two submissions received for RFT 11/21 (Pump Station and Tank Construction), Total Eden ranked first (1st) on the Qualitative Criteria and ranked first (1st) in the Weighted Cost Criteria, providing a well-documented and detailed submission.

Of the two compliant submissions received for RFT 11/21 (Pipeline Network Construction), Polyfuse ranked second (2nd) on the Qualitative Criteria, ranked first (1st) in the Weighted Cost Criteria and ranked (1st) overall, providing a well-documented and detailed submission.

This decision is based on the following:

- The four (4) compliant submissions received were processed through to qualitative criteria assessment on the basis that all terms and conditions and mandatory requirements of RFT 11/21 had been met.
- The submissions were scored according to the qualitative criterion outlined above.
- The net price was scored using the 'Average Based Scoring Method' recommended by WALGA in the 'Local Government Purchasing and Tender Guide'.
- The panel members individually assessed the qualitative criteria for each schedule, then
 met and applied an average to provide a final ranking. The scores were then added
 together to indicate the rankings.

Statutory Environment

In terms of section 3.57 of the Act, a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and service. Part 4 of the *Local Government (Functions and General) Regulations 1996*:

- Requires that tenders be publicly invited for such contracts where the estimated cost of providing the required goods and/or service exceeds \$150,000; and
- Under Regulations 11, 14, 18, 20 and 21A, provides the statutory framework for inviting and assessing tenders and awarding contracts pursuant to this process.

The officer's recommendation complies with the above-mentioned legislative requirements.

Relevant Plans and Policies

The City's Purchasing, Regional Price Preference, Occupational Safety and Health, and Asset Management policies, and the City's Engineering Technical Standards and Specifications were all relevant to RFT 11/21, and have been adhered to in the process of requesting and evaluating this tender.

Financial Implications

The construction of bores, which are a component of the 'Dunsborough Non-Potable Water Network Project', will be funded from a total project budget of \$2 million, listed as C3223 'Dunsborough Non-Potable Water Network' and endorsed in the 2020/21 and included in the draft 2021/22 Capital Works budget.

The project budget is a combination of \$1,000,000 secured from the Federal Government Grant 'Drought Communities Program' and \$1,000,000 from the City of Busselton's 'Coastal and Climate Adaptation Reserve'.

The City of Busselton's Federal Grant application provided an estimated project budget as detailed in the table below:

Eligible expenditure	Project cost
Other costs	\$22,000
Materials	\$1,600,000
Suppliers, consultants and contracted labour	\$878,000
Equipment	\$0
Total	\$2,500,000

Current and known future expenditure is summarised in the table below (C3223 Dunsborough Non-Potable Water Network Project):

Task	Cost
Production and Monitoring Bore	\$512,924.21
Pump Station and Tank Construction	\$258,333.00
Pipeline Construction	\$1,088,358.33
Western Power Quote (Design Only)*	\$3,000.00
Current and Future Known Expenditure	\$1,862,885.54
Remaining Budget	\$137,114.46

^{*} The Council should note that the City are awaiting final costings from Western Power to deliver three (3) phase power to the Mewett Rd Bore Site.

Stakeholder Consultation

City officers undertook consultation with the property owners in Lot 91 Mewett Road, Quindalup, with regard to the works associated with the tender.

Risk Assessment

An assessment of the potential implications of implementing the officer's recommendation has been undertaken using the City's risk management framework, with the intention being to identify risks which, following implementation of controls, are identified as medium or greater. There are no such risks identified, with the preferred tenderer(s) assessed as being capable of delivering the services to a suitable service level.

Options

As an alternative to the proposed recommendation the Council could determine not to accept the tender from Total Eden as being the most advantageous to the City for the construction of the Pump Station and Tank, and award the construction of the Pump Station, Tank and Pipeline to Polyfuse as a complete contract. This would incur an additional cost to the City and so is not recommended.

CONCLUSION

The submissions from Total Eden and Polyfuse are considered the most advantageous to the City. It is therefore recommended that:

- Total Eden be awarded the contract for the construction of the Pump Station and Tank resulting from RFT 11/21; and
- Polyfuse be awarded the contract for the construction of the Pipeline Network resulting from RFT 11/21.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

If endorsed by Council, it is expected the City will enter into contracts with Total Eden Pty Ltd and Polyfuse Pty Ltd on 2 August 2021. Both contracts are expected to be completed at the end of November 2021.

15. COMMUNITY AND COMMERCIAL SERVICES REPORT

Nil

16. FINANCE AND CORPORATE SERVICES REPORT

16.1 <u>COUNCILLOR KELLY HICK - REMOTE ATTENDANCE</u>

STRATEGIC THEME LEADERSHIP - A Council that connects with the community and is

accountable in its decision making.

STRATEGIC PRIORITY 4.2 Deliver governance systems that facilitate open, ethical and

transparent decision making.

SUBJECT INDEX Council Meetings
BUSINESS UNIT Governance Services

REPORTING OFFICER Governance Officer - Melissa Egan

AUTHORISING OFFICER Manager Governance and Corporate Services - Sarah Pierson

NATURE OF DECISION Executive: Substantial direction setting, including adopting budgets,

strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee

recommendations

VOTING REQUIREMENT Absolute Majority

ATTACHMENTS Nil

OFFICER RECOMMENDATION

That the Council:

- Approves Councillor Kelly Hick to attend the Ordinary Council Meetings on 24 August 2021 and 22 September 2021 by telephone or other means of instantaneous communication pursuant to regulation 14A(1) of the Local Government (Administration) Regulations 1996.
- 2. To facilitate recommendation 1, resolves that the property of Councillor Kelly Hick in West Leederville, Western Australia, is a suitable place in accordance with regulation 14A of the Local Government (Administration) Regulations 1996.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval of an arrangement which enables Councillor Kelly Hick to attend the Ordinary Meetings of Council on 24 August 2021 and 22 September 2021 by telephone or other means of instantaneous means of communication in accordance with regulation 14A of the Local Government (Administration) Regulations 1996 (the Regulations).

Council is also asked to consider Councillor Kelly Hick's property in West Leederville, Western Australia, as a suitable place as defined by 14A(4) of the Regulations.

BACKGROUND

Councillor Hick provided written notice on 16 June 2021 that she is required to attend training in relation to her employment over several dates which coincide with scheduled Ordinary Meetings of Council. The training is being held in Perth, which prevents Councillor Hick from physically attending the stated council meetings. Councillor Hick will, however, be able to return to her property in Perth in sufficient time to attend the meetings by electronic means.

OFFICER COMMENT

Councillor Hick is seeking approval to attend two Ordinary Meetings of Council on 24 August 2021 and 22 September 2021 via remote attendance. This is to enable Councillor Hick to attend an accreditation training upgrade course being held in Perth, which is a continuing requirement of engagement of her contract services and her ability to generate an income. Councillor Hick will have sufficient time, after the course, to return to her Perth property on the specified dates and attend the Ordinary Meetings of Council remotely.

In accordance with 14A(1) of the Regulations, a person who is not physically present at a meeting is to be taken to be present:

- (a) if the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and
- (b) the person is in a suitable place; and
- (c) the council has approved of the arrangement by absolute majority.

A council cannot give its approval under 14(A)(1)(c) if to do so would mean that at more than half of the meetings of the council in that financial year, a person who was not physically present was taken to be present in accordance with this regulation. Councillor Hick has been physically present at all Council meetings (including Special and General Meetings of Electors) since 1 July 2020. With respect to the two meetings Councillor Hick is seeking approval to attend by electronic means, this will not constitute more than half of the meetings in the financial year ending 30 June 2022 (but would need to be taken into consideration should a similar arrangement be sought in the future).

Councillor Hick's remote attendance will be facilitated through an audio and visual instantaneous connection with the meeting. If at any time during the meeting, Councillor Hick ceases to have this instantaneous connection, as per regulation 14A(3) of the Regulations, she will be deemed to be no longer taken to be present. If this occurs, the minutes of the meeting will record that Councillor Hick has left the meeting until such time she regains connection. Having used this practice previously, officers are comfortable that it will provide Councillor Hick sufficient connection and the ability to fully participate in the meeting with little impediment.

Councillor Hick has advised that, during the time of the meeting, she will be situated at her property located in West Leederville, Western Australia, which is approximately 224km from the location of the meeting in Busselton. The definition of "townsite" is an area that constitutes land, districts and townsites as defined by order of the Minister. West Leederville is a locality within the Town of Cambridge in the Perth metropolitan area and would sufficiently meet the requirements of "townsite" as defined.

Councillor Hick has provided assurances that she will be the sole occupant of her West Leederville residence and will be wearing a headset with microphone, which will provide sufficient privacy and maintain the confidentiality of the meeting with little impact on the running of the meeting. It is therefore recommended by officers that Council approves Councillor Hick's residence as a suitable place and approve her attendance by electronic means at the meetings on 24 August 2021 and 22 September 2021.

Statutory Environment

Regulation 14A of the Local Government (Administration) Regulations 1996 provides that:

- (1) Any person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if
 - (a) The person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person at the meeting; and
 - (b) The person is in a suitable place; and
 - (c) The council has approved* of the arrangement.

(4) Under this regulation –

suitable place [other in relation to a person with a disability]

- (d) ... means a place that the council has approved* as a suitable place for the purpose of this paragraph and that is located
 - (i) In a townsite or other residential area; and
 - (ii) 150km or further from the place at which the meeting it to be held ... measured along the shortest road route ordinarily used for travelling.

townsite has the same meaning given to that term in the Land Administration Act 1997 section 3(1).

* Absolute majority required.

Relevant Plans and Policies

There are no relevant plans or policies to consider in relation to this matter.

Financial Implications

There are no financial implications associated with the officer recommendation.

Stakeholder Consultation

No external stakeholder consultation was required or undertaken in relation to this matter.

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation, the Council could choose not to approve Councillor Hick's property as a suitable place and/or not approve her attendance by electronic means at both or one of the meetings sought for approval. If this option was elected by Council, Councillor Hick may instead choose to apply for a leave of absence for any or all of the respective meetings.

CONCLUSION

Councillor Kelly Hick has sought approval from Council, under 14A of the *Local Government* (Administration) Regulations 1996, to attend two Ordinary Meetings of Council via remote attendance. Officers are of the opinion that the application meets the requirements under the Regulations and recommend the approval in accordance with the officer recommendation.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented on the meeting dates specified.

17. **CHIEF EXECUTIVE OFFICERS REPORT**

17.1 COUNCILLORS' INFORMATION BULLETIN

STRATEGIC THEME LEADERSHIP - A Council that connects with the community and is

accountable in its decision making.

STRATEGIC PRIORITY 4.2 Deliver governance systems that facilitate open, ethical and

transparent decision making.

Councillors Information Bulletin **SUBJECT INDEX**

BUSINESS UNIT Executive Services

Reporting Officers - Various REPORTING OFFICER

Director Finance and Corporate Services - Tony Nottle **AUTHORISING OFFICER**

NATURE OF DECISION Noting: The item is simply for information purposes and noting

VOTING REQUIREMENT Simple Majority

Attachment A Current Statutory Administrative Tribunal Reviews ! **ATTACHMENTS**

Attachment B Minutes Meeting June 2021 WALGA South West

Country Zone U

Attachment C Letter from Department of Water and Environmental

Regulation Endorsing Waste Plan U

Attachment D Letter from Hon. Mark McGowan Response to

Congratulations !!

Attachment E Letter from WALGA - Appointment of Regional Road

Safety Advisor ! **

OFFICER RECOMMENDATION

That the items from the Councillors' Information Bulletin be noted:

- 17.1.1 **State Administrative Tribunal Reviews**
- 17.1.2 Minutes WALGA South West Country Zone Meeting 25 June 2021
- 17.1.3 **Letter from Department of Water and Environmental Regulation**
- 17.1.4 Minutes of the WALGA State Council Meeting 7 July 2021
- 17.1.5 Letter from Hon. Mark McGowan MLA
- 17.1.6 Letter from WALGA - Appointment of Regional Road Safety Advisor
- 17.1.7 Donations, Contributions and Subsidies Fund – June 2021

EXECUTIVE SUMMARY

This report provides an overview of a range of information that is considered appropriate to be formally presented to the Council for its receipt and noting. The information is provided in order to ensure that each Councillor, and the Council, is being kept fully informed, while also acknowledging that these are matters that will also be of interest to the community.

Any matter that is raised in this report as a result of incoming correspondence is to be dealt with as normal business correspondence, but is presented in this bulletin for the information of the Council and the community.

INFORMATION BULLETIN

17.1.1 State Administrative Tribunal Reviews

The current State Administrative Tribunal Reviews are at Attachment A.

17.1.2 Minutes WALGA South West Country Zone Meeting 25 June 2021

The Minutes of the South West Country Zone of WALGA meeting held on 25 June 2021 are at Attachment B.

17.1.3 Letter from Department of Water and Environmental Regulation

A letter from the Department of Water and Environmental Regulation, endorsing the City of Busselton Waste Plan, is at Attachment C.

17.1.4 Minutes of the WALGA State Council Meeting 7 July 2021

The Minutes of the Meeting of the WALGA State Council held on 7 July 2021 can be found at State Council Full Minutes July 2021.

17.1.5 Letter from Hon. Mark McGowan MLA

A letter from the Premier, Hon. Mark McGowan MLA, in response to the City's congratulations on his re-election, is at Attachment D.

17.1.6 Letter from WALGA - Appointment of Regional Road Safety Advisor

A letter from WALGA advising of the appointment of the Regional Road Safety Advisor is at Attachment E.

17.1.7 Donations, Contributions and Subsidies Fund – June 2021

The Council allocates an annual budget allowance to the Donations, Contributions and Subsidies Fund. This is provided such that eligible groups and individuals can apply for and receive sponsorship to assist them in the pursuit of endeavours that bring benefit to the broader community.

Allocation of funds is delegated to the Chief Executive Officer, in accordance with the published guidelines and funding availability.

Six applications were received in June 2021, totalling \$3,559.09, as outlined in the table below:

Recipient	Purpose	Amount
Yallingup Boardriders Inc. (YBR)	YBR successfully sourced just over \$10,000 in funding for 5 defibrillator units to be placed on DBCA ablutions at 5 popular surf breaks within the City. To meet the shortfall in funding for the units (\$249 per unit) YBR requested the City's support to enable the roll out of defibrillator units to proceed. The project has no direct benefit to the club itself but will provide a broad impact throughout the local and visiting surfing community.	\$1,245.00

Geographe Marine Research Ltd	Funds requested to cover the cost of their company launch event held at the Youth Community and Activities Building. The purpose of Geographe Marine Research Ltd is to conduct and promote more research into marine mammals that frequent the WA coast and to support and raise funds for more advanced research into hale migrations, particularly in Geographe Bay.	\$305.00	
Busselton Naturalists Club	Funds requested to assist with covering the cost of organising a 7km walk along the railway line near Tutunup to Wonnerup to commemorate the 150 th anniversary of the Ballaraat steam engine. Funding provided to cover the cost of catering expenses as lunch will be provided for participants.	\$500.00	
AFL Masters Southwest	Funds requested to cover the cost of additional ablutions required at Sir Stuart Bovell Oval to accommodate 18 AFL Masters teams and spectators at the AFL Masters WA Carnival being held at Bovell Park during the June long weekend.	\$909.09	
Busselton and Dunsborough Dungbeetles Rugby Club	Hosting the Rugby WA Country Carnival during the June long weekend. Funding requested to cover the cost of PA hire and DJ services required for the event. The event attracted 5 teams from outside of Busselton to the event.	\$350.00	
Busselton Choral Society	Funds to assist with the cost of venue hire for the Choral Society's annual Mid-year concert.	\$250.00	
June Total			

Current Statutory Administrative Tribunal Reviews

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As at 9 July 2021

APPLICATION (Name, No. and City File Reference)	PROPERTY	DATE COMMENCED	DECISION BEING REVIEWED	OFFICER	STAGE COMPLETED	AND DATE OF ACTION AS PER SAT ORDERS	COMPLETED /
CITY OF BUSSELT	ON						
Lindberg v City of Busselton	4822 Bussell Highway, Busselton	October 2019	Review of a decision to give a direction under s.214.	Ben Whitehill / Lee Reddell	 Directions hearing on the 8 November 2019 against the decision of the City to give a direction under s.214. The matter was adjourned to a further directions hearing on 29 November 2019 in order to determine whether the application is misconceived or lacking in substance pursuant to s.47 of the State Administrative Tribunal Act 2004 Directions hearing on the 29 November 2019 where it was resolved: The application is amended by substituting Mr Doug Hugh Lindberg as applicant in place of Mr Johnson. The matter is listed for an on-site mediation on 6 January 2020. Mr Michael Johnson is invited to attend and participate in the mediation. Mediation on 6 January 2020 where it was resolved that: the applicant is to provide additional information to the respondent by 3 February 2020; The matter is listed for mediation on 13 February 2020. Mediation on 13 February where, following further discussion with the landowners and Mr Johnson, it was resolved to adjourn the proceeding back to a further directions hearing on 17 April 2020. Directions hearing on 17 April was vacated and listed for a directions hearing on 7 August 2020. Directions hearing on 7 August 2020. Directions hearing on 7 August 2020. Directions hearing on 7 August 2020 was vacated and listed for a directions hearing on 6 November 2020 as vacated and listed for a directions hearing on 7 February 2021. Directions hearing on 5 February 2021. Directions hearing on 7 May 2021 was vacated and listed for a directions hearing on 7 May 2021 was vacated and listed for a directions hearing on 7 May 2021 was vacated and listed for a directions hearing on 7 Dayly 2021 was vacated and listed for a directions hearing on 7 May 2021 was vacated and listed for a directions hearing on 7 May 2021 was vacated and listed for a directions hearing on 7 November 2020 was vacated and listed for a directions hearing on	Directions Hearing 5 November 2021	

Attachment A

Current Statutory Administrative Tribunal Reviews

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APPLICATION (Name, No. and City File Reference)	PROPERTY	DATE COMMENCED	DECISION BEING REVIEWED	RESPONSIBLE OFFICER	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
NIL WESTERN AUSTR	ALIAN PLANNING	COMMISSION					
Newport Geographe v WAPC	Port Geographe	November 2020	Review of structure plan / subdivision conditions.	State Solicitors Office / Paul Needham	Mediation Scheduled for 10 December 2020. 10 December 2020 mediation hearing resulted in scheduling of further mediation hearing for 3 March 2021 (the City attended the 10 December and 3 March hearings). 3 March mediation hearing resulted in a s31 order for WAPC reconsideration by 18 May 2021, and a directions hearing scheduled for 28 May 2021. City of Busselton may also be asked to reconsider its recommendations to the WAPC on the proposals. If that occurs, formal Council consideration would be appropriate, rather than a delegated decision. City was not asked to reconsider its recommendations to the WAPC on the proposals, but WAPC did reconsider on 18 May 2021. WAPC has subsequently issued a revised decision notice on the structure plan on 25 May 2021. The WAPC decision resulted in the minimum finished floor level for habitable buildings within the development area being reduced from 3.4 AHD to 3.0 AHD. A directions hearing at the SAT was convened on 28 May, at which time the matter was adjourned until 23 July 2021. Algle Royal intends seeking consideration at that hearing for 'dispensation in regard to minimum FFL requirements at the periphery of the structure plan area, where proposed development will abut existing development at lower levels'. Subject to the SAT orders, and subsequent approval by the WAPC of a structure plan modified in accordance with the replacement schedule of modifications (25 May 2021), revised decision notice on the subdivision application can be	Directions Hearing 23 July 2021.	

expected.



South West Country Zone Minutes

25 June 2021

Shire of Capel
Council Chambers
31 Forrest Road
Capel

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South West Country Zone

Meeting held at

Shire of Capel, Council Chambers, 31 Forrest Road, Capel WA 6271 Commenced at 9.00am, Friday 25 June 2021

Minutes

OPENING AND WELCOME

The Chair, President Cr Tony Dean, opened the meeting at 9:08am.

Acknowledgement of Country

We, the South West Country Zone of WALGA acknowledge the Wardandi Nyoongar people, the Traditional Custodians of this land, and pay our respects to their Elders past, present and future.

ATTENDANCE AND APOLOGIES

Attendance

Shire of Augusta Margaret President Cr Ian Earl

River Ms Stephanie Addison-Brown, Chief Executive Officer

non-voting delegate

Mr James Shepherd Director Corporate and Community

Services non-voting delegate

Shire of Boyup Brook President Cr Richard Walker from 9:20am

Mr Dale Putland, Chief Executive Officer non-voting

delegate from 9:20am

Shire of Bridgetown-President Cr John Nicholas JP

Greenbushes Mr Tim Clynch, Chief Executive Officer non-voting

delegate

City of Bunbury Cr Tresslyn Smith

Mr Mal Osborne, Chief Executive Officer non-voting

delegate

City of Busselton Mayor Grant Henley

Mr Tony Nottle, Director Finance and Corporate Services

non-voting delegate

Shire of Capel Mr Rob Stewart, Acting Chief Executive Officer non-voting

delegate

Shire of Collie President Cr Sarah Stanley

Mr Andre Schonfeldt, Chief Executive Officer non-voting

delegate

Shire of Donnybrook-

Shire of Dardanup

Balingup

Mr Ben Rose, Chief Executive Officer

President Cr Michael Bennett

Shire of Harvey President Cr Paul Gillett

Ms Annie Riordan, Chief Executive Officer non-voting

delegate

Shire of Manjimup Mr Andrew Campbell, Chief Executive Officer

Shire of Nannup President Cr Tony Dean (SC) CHAIR

Mr David Taylor, Chief Executive Officer non-voting

delegate

WA Local Government Tim Lane, Manager, Strategy and Association Governance

Association Secretariat Kelly McManus, Principal Policy and Advocacy Jacqui Sharp, Regional Road Safety Advisor

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South West Development

Commission

Mellisa Teede, Chief Executive Officer Cate Brooks, Director Business and Industry

RDA South West Charles Jenkinson, Director Regional Development

Apologies

Shire of Capel President Cr Michael Southwell
Shire of Donnybrook-Balingup President Cr Brian Piesse
Shire of Manjimup President Cr Paul Omodei

Shire of Collie Mr Stuart Devenish, Chief Executive Officer

Hon. James Hayward MLC, Shadow Member for South West Region Ms Kristy Cochrane, Assistant Director, Australian Bureau of Statistics Ms Chelsea Roberts, Census Engagement Manager, Australian Bureau of Statistics

Department of Local Government, Sport and Cultural Industries

3. DECLARATIONS OF INTEREST

Item 9.1 – Cr Tresslyn Smith and Cr Paul Gillett declared an impartiality interest in discussions relating to regional waste and the Bunbury Harvey Regional Council.

4. ANNOUNCEMENTS

4.1 Attachments

The following are provided as attachments to the agenda:

- 1. South West Country Zone Minutes 23 April 2021
- 2. Correspondence
- 3. Future Jobs and Skills Forum 2021 Sponsorship Agreement
- 4. South West Local Government Housing Strategies Summary

- 5. WALGA President's Report
- 6. State Council Agenda via link only: State Council Agenda 7 July 2021

5. **GUEST SPEAKERS / DEPUTATIONS**

Presentation by Host Local Government - Shire of Capel

Mr Rob Stewart provided an update to the Zone.

President Cr Richard Walker joined the meeting at 9:20am.

Australian Bureau of Statistics - Census

Kristy Cochrane, Assistant Director, Australian Bureau of Statistics, was unable to attend the meeting. Written material will be distributed with the Minutes.

6. **MINUTES**

Confirmation of Minutes from the South West Country Zone meeting held Friday 23 April 2021 (Attachment 1)

The Minutes of the South West Country Zone meeting held on Friday 23 April 2021 have previously been circulated to Member Councils and are provided as an attachment to this agenda.

RESOLUTION

Moved: **Mayor Grant Henley** Seconded: President Cr Ian Earl

That the minutes of the South West Country Zone meeting held Friday 23 April 2021 are confirmed as a true and accurate record of the proceedings.

CARRIED

6.1.1 Business Arising

6.1.1.1 - Correspondence

Correspondence emanating from the April Zone meeting is attached:

- Letter to Infrastructure WA
- 2. Letter to Minister for Energy LED Lighting
- 3. Letter to Minister for Local Government Transit Parks

Noted

6.1.1.2 - South West Future Jobs and Skills Forum 2021 Sponsorship Agreement

Sponsorship Agreement between the Bunbury Geographe Economic Alliance and the South West Country Zone of WALGA has been executed and is attached.

The Zone will have exhibition space at the Forum to be held on 12 August. The Executive Officer will liaise with Local Governments in the Zone about providing officers to attend the exhibition booth and marketing material.

Noted

7. ZONE BUSINESS

7.1 Housing Issues

The following update relates to housing issues in terms of:

- Work being undertaken by WALGA on behalf of Local Government at a State Government level, and
- 2. Issues identified by the South West region, collated as an attachment.

WALGA Update

To provide an update on WALGA discussions in relation to housing, rental, worker and (Government Regional Officer Housing) GROH accommodation shortage.

Key issues relate to:

- Shortage of housing and rental accommodation
- · Labour and materials shortage and delays
- · Increased need for worker accommodation and GROH properties.

Background

WALGA has attended meetings with several government agencies to discuss the current rental and housing shortage. Conversations have been had around Local Government identifying owned properties that could be sold to accommodate workers and exploring opportunities to enter into joint ventures to develop land to provide worker accommodation, including GROH.

DPLH Land Management - identification of section 152 land held by Local Government under management order. Is the land able to be developed for social/community/GROH.

GROH – Department of Communities have established a Senior Officers Working Group (WALGA is seeking representation on this group). The working group will focus on developing a 4 year strategic plan to identify future needs for GROH accommodation and addressing the unmet housing demand.

Questions for Zone

- SHERP package uptake of \$1.5m in grants for maintenance.
- Regional Development Assistance Program funding for headworks
- Is there an opportunity to enter into a joint venture agreement to build worker accommodation with local businesses.
- · Identify red tape and planning reforms to assist with development
- · Properties available for spot purchase by the State government

17.1 Attachment B

Collation of South West Housing Issues

A collation of updates from Local Governments is **attached** for information. The document provides a status of existing housing strategies, provides observations on a range of issues, and identifies opportunities to guide advocacy in discussions with the State Government.

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For instance, it is noted that many smaller Local Governments do not have the resources to prepare a housing strategy, and assistance from the State would enable Local Governments to undertake this planning task. Not only would such action help to mitigate housing shortages in the medium term, it would enable more coordinated local, regional and state level planning.

Noted

7.2 Local Government Standardisation and Red Tape Reduction

The Minister for Local Government, Hon John Carey MLA, has identified red tape reduction, and standardisation across the Local Government sector as a priority.

To that end, the Minister has established a Red Tape Reduction Reform Working Group. WALGA Chief Executive Officer, Nick Sloan is a member of the Working Group.

WALGA has identified a number of issues to be raised through this forum, based on existing advocacy positions.

In addition, it is acknowledged there will be opportunities at a regional and sub-regional level to standardise local laws and other processes. Tangible examples of standardisation of local laws and other processes are sought from the Local Government sector to assist in building an evidence base for advocacy.

Noted

8. WALGA BUSINESS

8.1 WALGA Status Report

By Tim Lane, Zone Executive Officer

BACKGROUND

Status Report for June 2021 which contains WALGA's responses to the resolutions of previous Zone Meetings.

Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
2019 March 22 Zone Agenda Item 7.7 Funding Commitment Towards Strategic Transport Network Infrastructure In	That the South West Zone of WALGA adopts an advocacy position of seeking a commitment to funding from: Western Australian State Government; and/or b. Australian Federal Government; and/or	The Infrastructure Policy Team requested that the Association investigate the need for and feasibility of developing a road project advocacy tool to support Local Governments and Zones in their advocacy for specific road developments given the large number of potential projects across the State.	Ongoing	lan Duncan Executive Manager Infrastructure iduncan@walga .asn.au 9213 2031

South West Western Australia	c. Private industry to better manage the ever increasing numbers of heavy vehicle haulage and light vehicle users within the south-west (particularly including South Western Highway), including the possibility of re-instating and re-opening the disused South West Railway, as well as the future expansion and improvements of our road networks for the south-west region as part of the investment of our future infrastructure and road networks. 2. That the South West Zone of WALGA requests the WALGA State Council to consider adopting the advocacy position outlined in Recommendation 1, above.			
2021 19 Februay Zone Agenda Item 7.3 Asset Preservation Model	That the South West Country Zone of WALGA: 1. Supports option one of the options presented 2. Requests that discussion on this issue be referred to Regional Road Groups 3. Request Chris Berry, or an appropriate officer from the WA Local Government Grants Commission, to present to the Zone on the Asset Preservation Model methodology	At the May 2021 meeting WALGA State Council resolved to: Seek support from the WA Local Government Grants Commission to provide presentations on the inputs, operation of and outputs of the Road Asset Preservation Model at Zone or Regional Road Group meetings where requested; and Advocate to the WA Local Government Grants Commission to improve the formatting and labelling of the model and make it available via the Commission's website. A formal letter has been sent to the WA Local Government Grants Commission accordingly.	June 2021	lan Duncan Executive Manager Infrastructure iduncan@walga .asn.au 9213 2031
2021 23 April Zone Agenda Item 7.1 Weather Station Upgrade Request	That the South West Country Zone of WALGA: 1. Notes the concerns of the Shire of Augusta Margaret River's Bush Fire Advisory Committee in relation the need for accurate weather forecasting. 2. Requests that WALGA write to the Bureau of Meteorology requesting upgrades to the weather stations in the South West Corner to include a weather radar to improve weather forecasting in the Lower South West region.	WALGA wrote to BOM requesting upgrades to the weather stations in the South West Corner to include a weather radar to improve weather forecasting in the Lower South West region 0n 2 June 2021 (2/06/21)	June 2021	Narelle Cant Executive Manager, Strategy, Policy and Planning ncant@walga.a sn.au 9213 2078
2021 19 February Zone Agenda Item 7.1 Lobbying For State Government Policy Alignment With Respect to Development	That WALGA writes to relevant Ministers and Directors General to request the current lack of policy alignment be addressed with respect to planning and development matters.	The State Government's <u>Action Plan for Planning Reform</u> has identified the need for a "new framework for the referral of planning applications to provide greater certainty regarding the timing, process and scope of referral agency input". This would include a conflict resolution arrangement where agencies hold differing views. This is referred to as action 'C5'. This reform was not included in the recently completed first tranche of reforms but is slated to be included in the upcoming planning reforms being developed by DPLH. WALGA has acted as a conduit between the Local Government sector and DPLH throughout these reforms and will continue to take this role as the reform agenda is rolled out by Government. WALGA will provide the SW Zone resolution to the DPLH's Reform Team as an example of the need for reform to the agency referral system. (23/03/2021)	June 2021	Narelle Cant Executive Manager, Strategy, Policy and Planning ncant@walga.a sn.au 9213 2078

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		WALGA provided the SW Zone example to the DPLH Planning Reform Team (26/05/2021)		
27 November 2020 Zone Agenda Item 7.4 Slip-on Eligibility for ESL Grant Support	That the South West Country Zone of WALGA supports the recommendation that slip-on fire units be reinstated onto the eligibility list for ESL grant funding.	COMPLETE State Council resolution That WALGA: 1. Supports the inclusion of capital costs of Trailer Fire Fighting Units and Slip On Fire Fighting Units including for Farmer Response Brigades (for use on private motor vehicles) on the Eligible List of the Local Governments Grants Scheme (LGGS). 2. Requests the Local Government Grants Scheme Working Group to include this matter on the Agenda of their next Meeting (expected March 2021). 3. Requests WALGA to work with the Local Government Grants Scheme Working Group to develop appropriate operational guidelines and procedures for the safe use of Slip On Fire Fighting Units funded in accordance with the LGGS. 4. Supports the update of the WALGA membership of the Local Government Grants Scheme Working Group to include one Local Government Elected Member and one Local Government Officer, with these appointments determined through the WALGA Selection Committee process.	June 2021	Narelle Cant Executive Manager, Strategy, Policy and Planning ncant@walga.a sn.au 9213 2078
		RESOLUTION 180.1/2021 CARRIED WALGA'S CEO wrote to the DFES Commissioner on 16 March 2021 advising him of the State Council Resolution. The LGGS Working Group met on 20 March 2021 but did not consider the eligibility of items at that meeting. WALGA will continue to liaise with DFES on the matter (2/06/21) COMPLETE		
2020 25 June Zone Agenda Item 7.1 Regulation of Park Homes / Manufactured Homes / Lifestyle Villages	That the South West Zone seek WALGA's support to request that the State Government urgently amend the Caravan Parks Legislation to allow the continued lawful placement of new manufactured homes on caravan park sites, until approximately 2030, providing regulatory certainty in the short term to the industry, its customers and local governments, and providing time in which more comprehensive regulatory reform can be undertaken.	State Council Resolution at the September meeting. That WALGA urgently requests the State Government to undertake a full review of the Caravan Parks and Camping Grounds Act 1995 and associated legislation and regulations, to address manufactured homes on caravan park sites. RESOLUTION 116.4/2020 Correspondence and the background information has been sent to the Minister for Local Government for consideration of an urgent review of the Caravan Parks and Camping Grounds Act 1995. A letter has been received from the Minister (as attached), stating that "Government is considering a broader review of the regulatory system regarding lifestyle villages; however, its legislative priority will not be considered until after the 2021 election." WALGA met with the Minister for Planning's office in April 2021 and raised this as an ongoing issue for the sector. WALGA has subsequently been informed that further amendments to the Camping and Caravan Act and Regulations to address the issue of manufactured park homes remains on the State Governments legislative agenda for this term. (26/05/2021)	Ongoing	Narelle Cant Executive Manager, Strategy, Policy and Planning ncant@walga.a sn.au 9213 2078
2020 April 24 Zone Agenda Item 7.1 Payments to Volunteers	That the South West Country Zone request WALGA to advocate for the State and Commonwealth Governments to introduce a payment system for emergency services	On 29 December 2019, the Prime Minister announced a Commonwealth Volunteer Compensation Scheme. On 15 January 2020, the Minister for Emergency Services convened a Ministerial Volunteer Advisory Forum to consider feedback on the compensation proposal on behalf	June 2021	Narelle Cant Executive Manager, Strategy,

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Impacted by Emergency Events	volunteers to partially offset their income lost when volunteering in emergency events.	of emergency services volunteers as well as explore any other concepts to support volunteers. Discussions took places around; 1. feedback and suggestions about the challenges volunteers are experiencing at a local level; 2. volunteer recruitment and retention, training processes, resourcing requirements and the impact of a changing climate; and 3. the forum also provided volunteers with the opportunity to share local learnings in an open and safe environment. The Minister for Emergency Services then wrote to Minister Littleproud to recognise and acknowledge the value of volunteers and to share the matters that volunteers raised on financial disincentives surrounding emergency services volunteering in Western Australia. DFES acknowledges the valuable contribution played by volunteers who support their local communities and has progressed a working group to review and advise on necessary changes to expenditure to ensure brigades are supported financially. DFES has embedded volunteer engagement in appliance design, testing and evaluation through Project Advisory Teams which will ensure that replacement appliances deliver improved operational and safety outcomes for volunteers. DFES has invested		Policy and Planning ncant@walga.a sn.au 9213 2078
		safety outcomes for volunteers. DFES has invested significantly in delivering the improved Volunteer Hub to make access to information easier and faster. COMPLETE		
2019 June 28 Zone Agenda Item 7.2 Community Newspaper Awards	The Zone requests WALGA support a regional annual award program to recognize the significant contribution of community news publications.	Given the Local Government Minister has foreshadowed initiating an awards program for the sector, the Local Government Convention executive organizing committee has postponed consideration of any expansion of the WALGA honors and awards program until the Minister's awards have been defined.	September 2021	Zac Donovan Executive Manager, Finance and Marketing zdonovan@wal ga.asn.au 9213 2038

RESOLUTION

Moved: President Cr Michael Bennet Seconded: President Cr Paul Gillett

That the South West Country Zone WALGA June 2021 Status Report be noted.

CARRIED

8.2 Review of WALGA State Council Agenda

BACKGROUND

WALGA State Council meets five times each year and as part of the consultation process with Member Councils circulates the State Council Agenda for input through the Zone structure.

The full State Council Agenda can be found via link: State Council Agenda 7 July 2021

The Zone is able to provide comment or submit an alternative recommendation that is then presented to the State Council for consideration.

Matters for Decision

5.1 Reviews of the Cat Act 2011 and Dog Act 1976

That WALGA seek a commitment from the State Government:

- for the conduct of comprehensive reviews of the Cat Act 2011 and Dog Act 1976; and
- 2. that the reviews incorporate Local Government-specific consultation processes, coordinated in discussion with WALGA and Local Government stakeholders.

Amendments to WALGA's Constitution 5.2

That the WALGA Constitution be amended as follows:

- INSERT Definition "Present" means attendance in person or by electronic means deemed suitable 1. by the Chief Executive Officer.
- Clause 5 (10) DELETE "and Associate Members".
- Clause 5 (11) DELETE "Ordinary Member or", REPLACE "State Council" with "Chief Executive 3. Officer" in the first sentence, INSERT "or its delegate" after State Council in the second sentence.
- Clause 6 (3) REPLACE "31 May" with "30 June". Clause 7 (2) REPLACE "30 June" with "31 July". 4.
- 5.
- Clause 11 (1) after Chief Executive Officer, INSERT "in accordance with the Corporate Governance 6. Charter".
- 7. Clause 11 (2) - after Chief Executive Officer INSERT "by providing notice to State Councillors of the date, time, place and purpose of the meeting"
- 8. DELETE Clause 11 (3)
- Clause 12 (1) DELETE "as, being entitled to do so, vote in person" 9.
- 10. DELETE Clause 12 (2)
- 11. Clause 12 (3) - DELETE "as, being entitled to do so, vote in person"
- Clause 12 (4) DELETE "as, being entitled to do so, vote in person" 12.
- 13. Clause 16 (1) & (2) - After Any election INSERT "other than to elect the President or Deputy President", REPLACE "generally in accordance with the provisions of the Local Government Act 1995 as amended (2) For the purposes of the election referred to in sub-section (1)" with "as follows".
- Clause 16 (2) (f) REPLACE two instances of "2" with "1". 14.
- 15. INSERT Clause 16A - Election Procedure - President and Deputy President
 - An election to elect the President or Deputy President shall be conducted as follows: (1)
 - the Chief Executive Officer or his/her delegate shall act as returning officer;
 - representatives are to vote on the matter by secret ballot; (b)
 - (c) votes are to be counted on the basis of "first-past-the-post";
 - the candidate who receives the greatest number of votes is elected; (d)
 - (e) if there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued, and the meeting adjourned for not more than 30 minutes;
 - any nomination for the office may be withdrawn, and further nominations may be made, (f) before or when the meeting resumes;
 - (g) when the meeting resumes, an election will be held in accordance with sub-sections 1(a), 1(b), 1(c) and 1 (d);
 - (h) if two or more candidates receive the same number of votes so that sub-section 1(d) cannot be applied, the Chief Executive Officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.
- Clause 21 (4) REPLACE "Chairman" with "Chair". 16.
- Clause 22 (1) REPLACE "in August or September of" with "prior to 31 October". 17.
- Clause 22 (3) DELETE "in person" 18.
- DELETE Clause 22 (4) (b). 19.
- 20. Clause 23 (3) - DELETE "in person"
- 21. Clause 24 (2) - DELETE "and of which vote is to be exercised in person"
- 22.
- Clause 24 (4) DELETE "as, being entitled to do so, vote in person" Clause 28 (1) DELETE "The common seal shall be held in the custody of the Chief Executive Officer 23. at all times."

- Clause 29 (1) DELETE "as, being entitled to do so, vote in person" 24
- 25. Clause 29 (2) - DELETE "as, being entitled to do so, vote in person"
- 26. Clause 31 (4) (c) - DELETE "and Regional Development".

Matters for Noting

- 6.1 Submission to Ministerial Expert Committee on Electoral Reform
- 6.2 Legal Response to the Coastal Hazard Planning Issues Paper
- 6.3 WALGA Submission: Child Safety Officer
- State Planning Policy 3.1 Residential Design Codes Volume 1 Medium Density Code 6.4
- 6.5 Report Municipal Waste Advisory Council (MWAC)
- Local Government Performance Monitoring Project 6.6
- 6.7 Review of Fire Weather Districts
- 6.8 2021-22 State Budget Submission Approach
- 6.9 Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in WA

Key Activity Reports

- 7.1.1 Report on Key Activities, Commercial and Communications Unit
- 7.1.2 Report on Key Activities, Governance and Organisational Services
- 7.1.3 Report on Key Activities, Infrastructure
- 7.1.4 Report on Key Activities, Strategy, Policy and Planning

RESOLUTIONS

Mr Andrew Campbell Moved: **Mayor Grant Henley** Seconded:

That the South West Country Zone supports item 5.1.

CARRIED

Moved: **President Cr Sarah Stanley** Seconded: **President Cr Michael Bennett**

That the South West Country Zone supports item 5.2.

CARRIED

Moved: **President Cr Sarah Stanley President Cr Michael Bennett**

That the South West Country Zone notes the matters for noting and key activity reports contained in the 7 July 2021 State Council Agenda.

CARRIED

Minutes Meeting June 2021 WALGA South West Country Zone

8.3 WALGA President's Report

The WALGA President's Report is attached to the agenda.

NOTED

9. AGENCY REPORTS / PRESENTATIONS

9.1 South West Development Commission

Chief Executive Officer, Mellisa Teede, provided an update to the Zone.

NOTED

Cr Tresslyn Smith and Cr Paul Gillett declared an impartiality interest in discussions relating to regional waste and the Bunbury Harvey Regional Council.

RESOLUTION

Moved: Cr Tresslyn Smith

Seconded: President Cr Michael Bennett

That the South West Country Zone of WALGA write to SWDC seeking advocacy support for State Government funding for the Bunbury Harvey Regional Council regional waste solution, initially focusing on FOGO.

CARRIED

9.2 Regional Development Australia - South West

Director of Regional Development, Charles Jenkinson, presented to the Zone on the South West Regional Futures (SWRF) document.

NOTED

9.2 Department of Local Government, Sport and Cultural Industries

Department of Local Government, Sport and Cultural Industries representative were an apology to the meeting.

NOTED

10. FINANCIAL REPORT

The Zone's cash position is \$9,070.68 as per below:

Date	Description	Term Deposit	Current Account	Total Cash Held
12/04/2021	Opening balance	\$12,190.40	\$2,395.00	\$14,585.40
15/04/2021	Bank charges		-\$5.42	\$14,579.98
17/05/2021	Bank charges		-\$5.42	\$14,574.56
4/06/2021	Interest Received	\$1.54		\$14,576.10
4/06/2021	Transfer to current account	-\$12,191.94		\$14,576.10
4/06/2021	Transfer from term deposit		\$12,191.94	\$14,576.10
15/06/2021	Bank charges		-\$5.42	\$14,570.68
16/06/2021	Sponsorship of 2021 Future Jobs Expo		-\$5,500.00	\$9,070.68
		-	\$9,070.68	

Subscriptions for financial year 2021-22 are proposed at \$600 per Local Government to a total of \$7,200.

RESOLUTION

President Cr Ian Earl Moved: Seconded: **President Cr Paul Gillett**

That:

- 1. The Financial Report be noted, and
- 2. The Member Contribution of \$600 per Local Government for the 2021-22 financial year be endorsed.

CARRIED

11. EMERGING ISSUES

11.1 Invitations to Future Meetings

Member for Forrest, Ms Nola Marino MHR, and Member for O'Connor, Mr Rick Wilson MHR will be invited to the August Zone meeting.

Minister for Local Government, Hon John Carey MLA, will be invited to attend the August Zone meeting.

11.2 Busselton Margaret River Airport Update

Mayor Grant Henley provided an update to the Zone:

- Flights between Busselton Margaret River and Melbourne were due to resume on Saturday 26 June 2021, but were deferred due to COVID-19 restrictions.
- · Flights between Busselton Margaret River and Melbourne are now due to commence on Saturday, 3 July 2021.
- Feedback from Jetstar suggests strong interest and bookings on the route
- Discussions with airlines in relation to route expansions are ongoing.

11.3 Southern Forests Irrigation Scheme Update

Modelling will be reviewed and updated to assess the continued viability of the scheme.

11.4 Designated Area Migration Agreement (DAMA) Update

DAMA application will be presented to the Minister in late June or early July 2021.

Recruitment will commence in the near future for an officer to administer and promote the agreement.

11.5 Price Escalation in Building and Works

The Zone noted that prices for building and infrastructure works are increasing, and there is potential for costs to continue to increase due to increased demand and supply constraints for materials and labour.

12. DATE, TIME AND PLACE OF NEXT MEETINGS

12.1 2021 Meeting Dates

MEETING DATE	HOST LOCAL GOVERNMENT
Friday 19 February 2021	Bunbury
Friday 23 April 2021	Augusta Margaret River
Friday 25 June 2021	Capel
Friday 20 August 2021	Collie
Friday 19 November 2021	Dardanup

12.2 Next Meeting

MEETING DATE	HOST LOCAL GOVERNMENT	
Friday, 20 August 2021	Shire of Collie	

13. CLOSURE

There being no further business the Chair declared the meeting closed at 11:45am.



Our ref: DWERDG633-21

Enquiries: Shirene Hickman, Ph: 6364 6433

Mr Mike Archer Chief Executive Officer City of Busselton

Email: mike.archer@busselton.wa.gov.au

Dear Mr Archer

ENDORSEMENT OF CITY OF BUSSELTON'S WASTE PLAN

Thank you for submitting the City of Busselton's waste plan prepared under section 40(2) of the *Waste Avoidance and Resource Recovery Act 2007* on 18 June 2021.

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I commend the City of Busselton's commitment to reducing waste, increasing resource recovery, and protecting the environment. I consider that the City of Busselton is implementing initiatives that are consistent with, and contribute to, the delivery of the targets and objectives of the State's *Waste Avoidance and Resource Recovery Strategy 2030*, including:

- Investigating the viability of a third organics bin system across all households across the City receiving kerbside waste services;
- Identifying opportunities to reduce food waste at annual leavers event via the Leavers Event Waste Reduction & Recovery initiative;
- · Developing an integrated regional waste management approach for the City;
- Investigating the viability of sending residual municipal solid waste to a waste to energy facility;
- Investigating the viability of an organic processing facility with capacity for expansion;
- Investigating offering the City's waste facilities as a container deposit scheme refund point;
- Determining the feasibility of establishing a reuse shop at the Busselton Transfer Station;
- Investigating the potential for establishing a sorting facility to decontaminate problematic waste streams;
- Reviewing contracts with external providers to provide for separation of waste streams;
- Reviewing procurement practices to encourage greater use of recycled products;
- Determining effective ways to reduce incidents of problematic litter and illegal dumping;
- Implementing community waste education initiatives and a school education program;

Attachment C

Letter from Department of Water and Environmental Regulation Endorsing Waste Plan

- Collecting data on resident kerbside practices and contamination levels via a bin tagging program; and
- Identifying opportunities to avoid or use alternatives to single use plastic within the City.

As you may be aware, the Department of Water and Environmental Regulation is supporting the delivery of the Waste Strategy targets by:

- developing opportunities for food organics and garden organics (FOGO) processing and markets through the FOGO Reference Group;
- developing composting guidelines and better practice guidelines for solid waste treatment and storage facilities;
- incorporating FOGO-related inputs into strategic reviews of Western Australia's waste infrastructure;
- clarifying and improving the regulatory framework for waste to energy facilities;
- continuing to develop the WasteSorted communications toolkit to help local governments communicate their waste and recycling services to residents and support consistent and effective communications across local governments.

I am pleased to endorse the City of Busselton's waste plan and wish you success with its implementation.

I look forward to receiving the City of Busselton's first annual report for 2021-22 on the implementation of its waste plan by 1 October 2022.

Yours sincerely

Michelle Andrews
DIRECTOR GENERAL

08 July 2021

Letter from Hon. Mark McGowan Response to Congratulations



Premier of Western Australia

Our Reference: 59-263664/MLU

Councillor Grant Henley Mayor

Mr Mike Archer Chief Executive Officer

City of Busselton Locked Bag 1

BUSSELTON WA 6280

Dear Mayor and Mr Archer

Application No Receipt No City of European City of Europe

Thank you for your recent letter of congratulations following State election.

I am proud to lead such a strong Labor team that is committed to delivering for Western Australia, including the South West. I am honoured to be re-elected and to continue to govern our wonderful State.

The State Government is committed to continuing to support your community, including through its investment in a pipeline of infrastructure work such as the \$85 million investment in the Bussell Highway duplication, \$9.5 million for the Australian Underwater Discovery Centre at Busselton Jetty, \$1.2 million for Busselton SHS and \$500,000 for Cape Naturalist College.

I look forward to continuing to work with the City in delivering for your community and I appreciate your invitation.

Like many West Australians, my family and I are regular visitors to Busselton as part of our holidays in the South West.

Yours sincerely

Mark McGowan MLA

PREMIER

- 9 JUN 2021

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13 July 2021

Our Ref: 06-001-01-0026/NS:TAP

Via email: mike.archer@busselton.wa.gov.au

Mr Mike Archer Chief Executive Officer City of Busselton Locked Bag 1 BUSSELTON WA 6280

Dear Mr Archer

REGIONAL ROAD SAFETY ADVISOR

I am pleased to advise that we have recently appointed Jacqui Sharp as the Regional Road Safety Advisor to service the 16 Local Government areas of the South West region.

Jacqui has commenced in the role and is hosted by the City of Bunbury. She will travel extensively throughout the region in order to provide road safety advice, support and assistance to the Local Governments and communities within the South West region.

Jacqui can be contacted by email at jsharp@walga.asn.au or by telephone 0438 982 563.

For more information please contact Terri-Anne Pettet, Manager Road Safety, tpettet@walga.asn.au or telephone (08) 9213 2011 or mobile 0417 982 046.

Yours sincerely

Tony Brown

Acting Chief Executive Officer

18. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

19. **URGENT BUSINESS**

20. <u>CONFIDENTIAL MATTERS</u>

Nil

21. CLOSURE