City of Busselton

Geographe Bay

# Council Agenda

*15 March 2023*

**ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST**

city@busselton.wa.gov.au

**CITY OF BUSSELTON**

**MEETING NOTICE AND AGENDA – 15 MARCH 2023**

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**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, 15 March 2023, 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.



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**TONY NOTTLE**

**CHIEF EXECUTIVE OFFICER**

2 March 2023

**CITY OF BUSSELTON**

**AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 15 MARCH 2023**

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## 1. DECLARATION OF OPENING, ACKNOWLEDGEMENT OF COUNTRY AND ANNOUNCEMENT OF VISITORS

## 2. ATTENDANCE

**Apologies**

**Approved Leave of Absence**

Nil

## 3. PRAYER

## 4. APPLICATION FOR LEAVE OF ABSENCE

## 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 15 February 2023

**RECOMMENDATION**

That the Minutes of the Council Meeting held 15 February 2023 be confirmed as a true and correct record.

8.2 Minutes of the Annual General Meeting held 30 January 2023

**RECOMMENDATION**

That the Minutes of the Annual General Meeting held 30 January 2023 be noted as received.

### Committee Meetings

8.3 Minutes of the Airport Advisory Committee Meeting held 8 February 2023

**RECOMMENDATION**

That the Unconfirmed Minutes of the Airport Advisory Committee Meeting held 8 February 2023 be noted as received.

8.4 Minutes of the Policy and Legislation Committee Meeting held 1 March 2023

**RECOMMENDATION**

That the Unconfirmed Minutes of the Policy and Legislation Committee Meeting held 1 March 2023 be noted as recieved.

## 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

### 12.1 Airport Advisory Committee - 8/2/2023 - BUSSELTON MARGARET RIVER AIPORT OPERATIONS UPDATE

| | |
|---|---|
| **STRATEGIC THEME** | OPPORTUNITY - A vibrant City with diverse opportunities and a prosperous economy |
| **STRATEGIC PRIORITY** | 3.4 Develop aviation opportunities at the Busselton Margaret River Airport. |
| **SUBJECT INDEX** | Busselton Margaret River Airport |
| **BUSINESS UNIT** | Commercial Services |
| **REPORTING OFFICER** | Manager Economic and Business Development Services - Jennifer May |
| **AUTHORISING OFFICER** | Acting Director, Community and Commercial Services - Dave Goodwin |
| **NATURE OF DECISION** | Noting: The item is simply for information purposes and noting |
| **VOTING REQUIREMENT** | Simple Majority |
| **ATTACHMENTS** | Nil |

**This item was considered by the Airport Advisory Committee at its meeting on 8/2/2023, the recommendations from which have been included in this report.**

**COMMITTEE RECOMMENDATION**

**That the Council receives and notes the Busselton Margaret River Airport operations report.**

**OFFICER RECOMMENDATION**

That the Council receives and notes the Busselton Margaret River Airport operations report.

**EXECUTIVE SUMMARY**

This report provides an overview of the operations and activities of the Busselton Margaret River Airport (BMRA) for the reporting period 1 July 2022 through 31 December 2022. This includes an update on passenger numbers, regular public transport (RPT) and closed charter services, and general airport operations.

**BACKGROUND**

The BMRA has seen continued growth in aircraft landings and passenger numbers with Jetstar RPT services and additional closed charter flights operating during the reporting period**.**

**Passenger Numbers**

The estimated passenger numbers for the reporting period (1 July 2022 – 31 December 2022) were 72,402 compared to 25,761 for the same period in 2021, representing an increase of over 280%. The continued increase in passenger numbers can be attributed to the growth in FIFO passenger numbers across all closed charter airlines servicing Rio Tinto, BHP and FMG, and Jetstar RPT services.

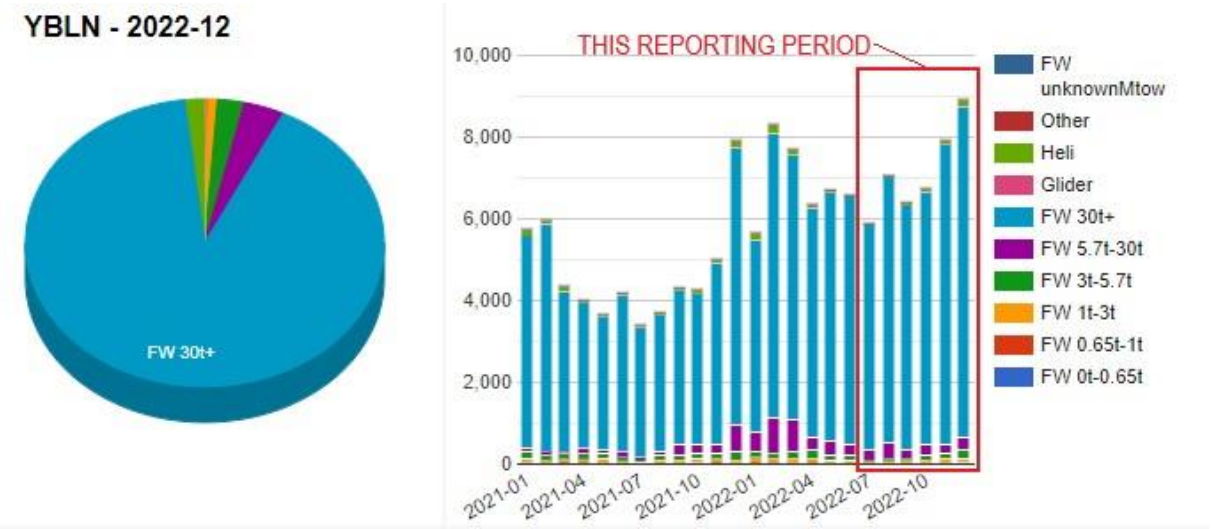
**Aircraft Movements**

The total number of scheduled services operating from the BMRA as of the end of the reporting period was 32 movements per week, with 29 Fly in Fly out (FIFO) closed charter and 3 RPT services. This increased from a total of 22 flights FIFO closed charter flights movements and nil RPT from the same reporting period in 2021.

Currently there are five airlines operating from the BMRA with RPT and closed charter services utilising the F100, A320, Dash 8/300 and B737/700 aircraft servicing destinations such as Melbourne and North West mine sites - Boolgeeda, Barimunya, West Angeles, Newman, Roy Hill, Karratha, Kalgoorlie and Geraldton. Private jet operations have also increased with 22 formal landing approvals granted for the reporting period utilising the Southern Apron Bay 4.

November 2022also saw the introduction of new aircraft types to BMRA. Skippers Aviation have introduced 2 flights serviced by Dash 8/300 series and Virgin have introduced the B737/700 series as part of their fleet replacement and retirement of the F100 aircraft.

The following graphs represent the breakdown of the total tonnage by category at BMRA by month trending over the period December 2020 to December 2022, the highlighted section indicates the current reporting period.




**Operations and Maintenance**

The focus for the reporting period has been on:

- A lighting plan for bays nine and ten has been completed along with a concept lighting design for the new General Aviation (GA) precinct. Officers will now seek tenders to procure and install the lighting in order to meet CASA part 139 MOS requirements.
- The central apron bay marking arrangement plan has been completed to accommodate changes in FIFO aircraft type F100 to A320/B737 and schedules to address apron bay usage restrictions, apron lighting configuration and inclusion of new ground servicing equipment (GSE) equipment storage areas. The project will now move onto surveying the apron and changing identified markings. A risk assessment and new operating procedure has been put in place until the new line marking has been completed.
- Airside and landside mowing and spray programs have caught up significantly with the appointment of a casual maintenance officer and are on track.
- The Annual Technical Inspection (ATI) was completed in July 2022. A rectification plan has been prepared with timeframes and submitted to CASA and the Airport team are working through the plan.
- The new public car park extension was commissioned on 17 December and is fully operational.

- Works are well progressed to expand the departure lounge area with the installation of three tranportable building structures and on track to be operational in the first week of February 2023.
- A new check-in injector belt has been ordered and is due for installation in early February 2023 which will increase the number of operational check-in desks for both Jetstar and FIFO services.
- The procurement of an airport inspection, maintenance and reporting tablet/online system is being configured with Airport staff training being conducted in early February 2023. The system will facilitate accurate and real time reporting of regulatory requirements, workflow of maintenance and capital items, and processes such as online inductions and visitor identification card (VIC) applications.
- A review of the BMRA Wildlife and Hazard Management Plan has been undertaken by JASKO Airport Services. JASKO is now compiling a new draft Wildlife and Hazard Management Plan.
- The Department of Fire and Emergency large air tanker (LAT) Bomber 132 C-130 and 139 B737/300 arrived at the end of November 2022 along with the 2 Huey 214 Helitacs, which will be resident until the end of March 2023.
- The RFDS relocation project continues to be evaluated and fully costed. Officers are seeking additional funding from the Federal and State Governments to cover the increased costs.
- An RFQ was advertised for a new BMRA Master Plan between 19 September 2022 and 6 October 2022 with a focus on business and commercial development. The existing BMRA Master Plan (2016-36) developed in 2016 had a strong focus on infrastructure, for which the majority has now been achieved. Officers will award the RFQ in early February.

**Security Screening Activities**

The below table gives a breakdown of the screening activities over the reporting period.

| | Total hours screening point open | Number of people screened |
|---|---|---|
| July | 37.5 | 2018 |
| August | 45.2 | 2239 |
| September | 39.5 | 2010 |
| October | 47 | 2605 |
| November | 38.7 | 2222 |
| December | 37.85 | 2171 |
| Total | 245.75 | 13265 |

**Noise Management Plan**

Within the reporting period from 1 July to 31 December 2022 there were a total of nine non-conforming activities:

- One flight within the curfew period from a diverted flight from Perth, where CEO approval was granted.
- Four early arrivals from Perth within the 30-minute shoulder period. Airport staff continue to work with the ground handlers and airlines on operational scheduling.

- Two early departures outside the standard operating hours. Correspondence has been issued to the operator advising of the NMP standard operating hours and requesting an explanation of their operations.
- One non approved training flight, correspondence has been sent to the operator advising that flight training is not permitted with an approved City permit.
- One CEO approval for an early departure for safety spotter at Ironman.

**OFFICER COMMENT**

BMRA has continuing to see considerable growth compared to the same reporting period in 2021/22. Other activities that have occurred during the reporting period are and will be the focus for the remainder of 2022/23 are;

- Airport refueling reached another significant milestone in December with the installation of a second 110k Litre JET A1 fuel storage tank. This now brings BMRA Jet A1 fuel holding capacity to in excess of 220k Litres.
- The City was notified in January that it had been successful in Federal Regional Airport Program Round 3 grant application to apply a surface treatment and line marking to the General Aviation precinct aprons and taxiways to mitigate loose stones on the pavement surface. The total project cost is $437,620 with the City contributing 50% of the total costs ($218,810).
- The City has purchased an office/training transportable and is currently working through the building permit application and installation. This will be shared facility between City Airport staff and the South West Aviation Services.
- Staff continue to experience difficulty in the delivery of quality service to customers around car parking. As a result, staff are seeking clarification from the car parking infrastructure supplier on a rectification plan and servicing agreement to alleviate the time committed to these activities. A series of detailed discussions have been held with the equipment supplier and officers are now awaiting the finalisation of their proposals.
- Department of Transport Financial and Asset Management Framework is a new requirement for WA airports when applying for future grants. The City has engaged a consultant to undertake stakeholder engagement and implement the framework.
- In conjunction with the City's Strategic Planning department, the Airport team will seek quotations for BMRA Noise Modelling report including Australian Noise Exposure Forecast (ANEF) contours and Number above contours (N contours) as a supporting document for the BMRA Master Plan and also the City 's Town Planning Scheme Amendment to be prepared later in 2023.
- Officers are working with the South West Development Commission (SWDC) to apply for State Government funding to undertake a business case for the construction of the new terminal. To inform the business case the following works will need to be procured: airport master plan, terminal design review, passenger forecast and route development analysis, financial model, and economic impact assessment and cost benefit analysis.

**Statutory Environment**

The BMRA operates in accordance with the following:

- *Aviation Transport Security Act 2004*
- *Aviation Transport Security Regulations 2005*
- CASA part 139 Manual of Standards (Aerodromes)
- City of Busselton Transport Security Plan
- Ministerial Statement 1088

**Relevant Plans and Policies**

The officer recommendation aligns to the BMRA Master Plan (2016-2036) and the Busselton Margaret River Airport Noise Management Plan 2022.

**Financial Implications**

***Revenue***

The actual YTD revenue for the reporting period is $2,146,667 compared to the projected YTD budget of $1,194,078. Revenue areas that exceeded budget projections are as follows:

- Annual landing fees - $612,572 actual compared to $382,492 budgeted
- Car parking income - $522,538 compared to $234,775 budgeted
- Head Taxes/Passenger Fees - $670,878 compared to $441,131 budgeted

***Expenditure***

Actual expenditure for the reporting period is $660,336 compared to the YTD budget of $355,016. Higher than projected expenditure for the reporting period can mainly be attributed to the timing of expenditure for the airline attraction program, consultancy, contractors and purchase of materials compared to the projected budget timings.

The net operating position for the reporting period is a surplus of $1,486,311 compared to the YTD budget surplus of $839,063.

**Stakeholder Consultation**

Consultation has been occurring on a regular basis with Department of Transport, Government agencies, airport stakeholders, Department of Home Affairs, Aviation Marine Security (AMS), Civil Aviation Safety Authority (CASA), Air Services Australia, Virgin Australia Regional Airline, Qantas Group, the Busselton Aero Club, Albany, Esperance, Geraldton Airports and Australian Airports Association, concerning many topics and issues relating to the Airport.

**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 Airport Advisory Committee may choose not to receive and note the Busselton Margaret River Airport Operations Report.

**CONCLUSION**

Officers continue to strive to provide a high level of customer service at the BMRA, while ensuring the airport is compliant, safe and security is maintained throughout. The commencement of Jetstar RPT services has identified a number of operational actions and infrastructure investment requirements.

The focus for the new financial year will be to prepare a new BMRA Master Plan, achieving operational efficiencies and business and commercial development initiatives have been deferred to date.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Not applicable.

12.2 Policy and Legislation Committee - 1/3/2023 - PROPOSED COUNCIL POLICY: EXECUTION OF DOCUMENTS

| | |
|---|---|
| **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** | Execution of Documents |
| **BUSINESS UNIT** | Governance Services |
| **REPORTING OFFICER** | Governance Coordinator - Emma Heys<br>Manager Legal and Property Services - Ben Whitehill |
| **AUTHORISING OFFICER** | Acting Director, Finance 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** | Simple Majority |
| **ATTACHMENTS** | Attachment A Council Policy: Execution of Documents |

**This item was considered by the Policy and Legislation Committee at its meeting on 1/3/2023, the recommendations from which have been included in this report.**

**COMMITTEE RECOMMENDATION**

**That the Council adopts the proposed Council policy: Execution of Documents, as at Attachment A.**

**OFFICER RECOMMENDATION**

That the Council adopts the proposed Council policy: Execution of Documents, as at Attachment A.

**EXECUTIVE SUMMARY**

This report presents a proposed Council policy: Execution of Documents (the Policy) (Attachment A) for Council's endorsement.

**BACKGROUND**

Part 9, Division 3 of the *Local Government Act 1995* (the Act) outlines provisions relating to Documents. Section 9.49 sets out that a document, unless the Act requires otherwise, is sufficiently authenticated by a local government without its common seal if signed by the CEO or by an employee of the local government who purports to be authorised by the CEO to so sign. Section 9.49A further sets out that a document is duly executed by a local government if the common seal is affixed to it, or it is signed by an officer authorised to do so under sub-clause (4):

> *A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*

The City has generally taken a pragmatic approach to the interpretation and application of section 9.49A, which is to construe it to apply to all documents signed by an employee, and therefore that specific authorisation of Council under section 9.49A(4) is required. This is notwithstanding that the breadth of 9.49A, which is expressed broadly enough to apply to the signing of routine and mundane documents, could be seen as inconsistent with widely accepted governance principles and the statutory division between governance functions that are given to a Council and management functions given to a CEO.

To this end the CEO has an authorisation to sign any document necessary to sign in carrying out his functions (C1908/168). The CEO has then delegated that power to senior employees under section 5.44.

**OFFICER COMMENT**

While this approach has served the City sufficiently to date, the current delegations from the CEO to employees are quite narrow and a lot of documents are submitted to the CEO for signing. Many local governments have in place a policy which sets out which officers, in addition to the CEO, can execute documents. On review we consider this to be a more effective approach and recommend Council adopt the proposed policy, which outlines which documents require common seal affixation and which can be executed by authorised officers.

The Policy categorises documents into three categories – those requiring affixing of the common seal, those that can be executed through signature of the CEO, or a relevant Director or, in more limited circumstances, Manager, and those that are documents created in the normal course of business to discharge the duties of an officer where the authority and accountability has been extended through a policy, procedure or a position description.

**Statutory Environment**

Section 9.49A of the Act – Execution of documents - sets out:

*(1) A document is duly executed by a local government if —*

*(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*

*(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*

*(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.*

*(3) The common seal of the local government is to be affixed to a document in the presence of —*

*(a) the mayor or president; and*

*(b) the CEO, each of whom is to sign the document to attest that the common seal was so affixed.*

*(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*

*(5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*

*(6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*

*(7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

The Council has separately delegated its powers to the CEO in relation to sub-clause (2).

**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.

Officers have however reviewed the approaches of other local governments, with the majority having a similar policy in place. Officers believe a policy would serve the City best by providing an easier reference point for employees and agencies.

**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. Determine not to adopt the Policy; or
2. Make amendments to the Policy.

**CONCLUSION**

Adoption of the Policy will provide increased clarity as to the authority required to execute documents and provide further business efficacy.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The Policy will be effective immediately and placed on the City's website within a week of adoption.

# Council Policy

**Council Policy Name:** Execution of Documents
**Responsible Directorate:** Finance and Corporate Services **Version:** DRAFT

## 1. PURPOSE

1.1. The purpose of this Policy is to provide guidance as to the execution of City documents in accordance with the provisions of the Act.

## 2. SCOPE

2.1. This Policy is applicable to the execution of documents on behalf of the City of Busselton.

2.2. The following take precedent over this Policy:
a. legislation;
b. the formal requirements of a Commonwealth or State department authority or agency (as described in a Policy or procedure); or
c. a Council decision that expressly specifies a particular way in which a document is to be executed.

## 3. DEFINITIONS

| Term | Meaning |
|---|---|
| Act | *Local Government Act 1995* |
| Policy | this City of Busselton Council policy titled "Execution of Documents" |

## 4. STRATEGIC CONTEXT

4.1. This Policy links to Key Theme 4 – Leadership of the City's Strategic Community Plan 2021 and specifically the Strategic Priority 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

## 5. POLICY STATEMENT

5.1. The Council is required to comply with the Act, which detail the requirements for documents to be executed by a local government.

5.2. A document is considered to be executed in one of the following ways:
a. by affixing the Common Seal of the City of Busselton, in the presence of the Mayor and Chief Executive Officer in accordance with s.9.49A(3); or
b. without affixing the Common Seal, signed by the Chief Executive Officer, another employee or agent of the City who has been authorised by resolution of Council (through this Policy) to sign documents on behalf of the City, in accordance with s.9.49A(4).

5.3. Three document categories have been established to assist in determining the appropriate authority for the execution of documents.

5.4. An employee authorised through this Policy to execute documents is to ensure that they have a full understanding of the document.

## Category 1 Documents

5.5. Category 1 documents require the affixing of the Common Seal and include :

a. Local Laws – new or amendments;
b. Documents prepared for registration at Landgate that are mortgage documents and transfer of land forms where the value of the land exceeds the amount determined by the City of Busselton for the purpose of section 5.43 (d) of the Act
c. Local Planning Schemes – new or amendments;
d. Documents required by other party to be duly executed by Common Seal; and
e. Documents of a Ceremonial Nature (e.g. Sister City Agreements).

5.6. The decision to affix the Common Seal must be made by Council or by the CEO under delegation.

## Category 2 Documents

5.7. In accordance with section 9.49A(4) of the Act, the Chief Executive Officer is authorised to sign documents that are necessary or appropriate to enable them to carry out their functions under any written law.

5.8. Further, the officers additionally listed in the table below are also authorised to sign relevant Category 2 documents on behalf of the City. Officers may only sign documents relevant to matters within the scope of their areas of responsibility and within their purchasing authority limits.

| Description | Authority to Execute | Example of Documents |
|---|---|---|
| Offer and Acceptance forms and associated documents required to enact a decision of Council to purchase or sell land. | • Chief Executive Officer<br>• Responsible Director | ➢ Standard REIWA terms<br>➢ Special conditions of offer;<br>➢ Contracts of sale |
| Documents required to enact a decision to award a tender | • Chief Executive Officer<br>• Responsible Director | ➢ Contractual documents resulting from a tender process. |
| General deeds, legal agreements (not otherwise listed) | • Chief Executive Officer<br>• Responsible Director | ➢ Settlements and/or releases<br>➢ Confidentiality and non-disclosure |
| Memorandums of Understanding and other statements of intent and terms and conditions. | • Chief Executive Officer<br>• Responsible Director | |
| Grant Funding and Sponsorship Agreements. | • Chief Executive Officer<br>• Responsible Director<br>• Responsible Manager | |

| | | |
|---|---|---|
| Leases, licences and associated documents. | • Chief Executive Officer<br>• Responsible Director<br>• Responsible Manager | ➢ Agreements<br>➢ Variations |
| Documents required when the City owns land or manages land under a management order. | • Chief Executive Officer<br>• Responsible Director | ➢ Subdivision applications<br>➢ Development applications<br>➢ Building applications<br>➢ Agreement for access and indemnity |
| Documents prepared for registration at Landgate (other than those specified paragraph 5.5(b) of this Policy) | • Chief Executive Officer<br>• Responsible Director | ➢ Restrictive covenants<br>➢ Caveats<br>➢ Memorials<br>➢ Covenants<br>➢ Easements<br>➢ Rights of carriageway<br>➢ Notification on title as required by a condition of approval, etc |
| Other documents required to enact a decision of Council | • Chief Executive Officer<br>• Responsible Director | |

**Category 3 Documents**

5.9. Category 3 documents are documents that are created in the normal course of business to discharge the duties of an officer's position in a manner consistent with City policies and procedures.

5.10. Category 3 documents are to be executed by the CEO, a Director or Manager, or a City officer where the authority and accountability has been extended through an authorisation, policy, procedure, or a position description.

## 6. RELATED DOCUMENTATION / LEGISLATION

6.1. *The Local Government Act 1995*
6.2. City of Busselton Delegation of Authority Register

## 7. REVIEW DETAILS

| Review Frequency | | 3 yearly | | |
|---|---|---|---|---|
| **Council Adoption** | **DATE** | | **Resolution #** | |

12.3 Policy and Legislation Committee - 1/3/2023 - COUNCIL POLICY REVIEW: EVENTS

| | |
|---|---|
| **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 Policies |
| **BUSINESS UNIT** | Governance Services |
| **REPORTING OFFICER** | Governance Coordinator - Emma Heys<br>Events Coordinator - Peta Pulford |
| **AUTHORISING OFFICER** | Director Community and Commercial Services - Naomi Searle |
| **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** | Simple Majority |
| **ATTACHMENTS** | Attachment A Proposed Council Policy: Events<br>Attachment B Current Council Policy: Events<br>Attachment C Tracked Changes Proposed Council Policy: Events (for reference only) |

**This item was considered by the Policy and Legislation Committee at its meeting on 1/3/2023, the recommendations from which have been included in this report.**

**COMMITTEE RECOMMENDATION**

**That the Council adopts the amended Council policy: Events (the Policy) (Attachment A) to replace the current policy (Attachment B) inclusive of Committee amendments to paragraph 5.8 (g) to read as follows:**

**5.8 (g) For markets specifically, preference will be given to markets:**

**i. Being run for a charitable or community purpose; and**

**ii. In all cases, it will be a condition of approval that successful applicants should take all reasonable steps to ensure that a majority of stalls offer local produce and artisan goods, and that stalls do not offer for sale items the same or significantly similar to those offered for sale by surrounding businesses.**

**Reasons: The Committee proposed amendments to the Policy to clarify requirements in relation to the approval of markets such that the impact on surrounding businesses is lessened.**

**OFFICER RECOMMENDATION**

That the Council adopts the amended Council policy: Events (the Policy) (Attachment A) to replace the current policy (Attachment B).

**EXECUTIVE SUMMARY**

This report presents an amended Council policy: Events (the Policy) (Attachment A), with the Policy having been reviewed as part of the City's ongoing review of it Council policies. Officers are recommending the Policy replace the current Council policy contained in Attachment B.

**BACKGROUND**

It is the function of the Policy and Legislation Committee to consider new and review existing Council policies. The City's Policy Framework sets out an ongoing cycle of policy review, whereby all policies of the Council will be reviewed at least every 3 years, with the aim of determining the ongoing strategic importance and applicability of the policy.

The original Events policy was adopted by Council on 12 April 2006 to improve management of the event application and approval process. The policy was part of an overall events application package developed to help inform applicants about the various approvals required and to assist the City to meet its legislative responsibilities.

The policy was further reviewed in September 2016 to include reference to the objectives and goals of the Events Strategy prepared in April 2012, and to document improvements in the event application process.

Most recently the Policy was reviewed in January 2020 and amended in response to amendments to the *Local Government Act 1995* (the Act) requiring all local governments to adopt a policy that deals with matters relating to the attendance of council members and the CEO at events.

**OFFICER COMMENT**

The attraction, development and promotion of events is a key strategic objective for the City of Busselton, with events an important contributor to the achievement of a robust and prosperous economy, and the creation of vibrant places and an inclusive community.

In recognition of events as a strategic driver the City has adopted the brand 'Events Capital WA' and developed an Events Strategy. Events are considered to be either a Hallmark, Major, Regional or Community events dependant on their ability to achieve the City's objectives. The Policy outlines the criteria to be considered in relation to 5.90A of the Act and the approval of attendance of Councillors and the CEO at events.

Amendments to the Policy include an updated list of pre-authorised events, which align to the recommendations of the Business Development, Events and Marketing Program (previously MERG) and the Events Strategy. Additionally, amendments have been made to the provision for markets, with the maximum allowable markets to be held at Lions Park, Dunsborough reduced from one per Saturday to two per month; and with any additional markets in Dunsborough to be held at the Dunsborough Playing Fields or Dunsborough Foreshore.

**Statutory Environment**

In accordance with Section 2.7(2)(b) of the *Local Government Act 1995* it is the role of the Council to determine the local government's policies. The Council does this on the recommendation of a Committee it has established in accordance with Section 5.8 of the Act.

The Policy also deals with attendance at events by Councillors and the CEO. The relevant sections of the Act are detailed below:

*5.62 Closely associated persons*

*(1) For the purposes of this Subdivision a person is to be treated as being closely associated with a relevant person if —*

*….*

*(eb) the relevant person is a council member and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last elected; or*

*(ec) the relevant person is a CEO and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last employed (or appointed to act) in the position of CEO;*

*(1A) Subsection (1)(eb) and (ec) apply to a gift if —*

*(a) either —*

*(i) the amount of the gift exceeds the amount prescribed for the purposes of this subsection; or*

*(ii) the gift is 1 of 2 or more gifts made by 1 person to the relevant person at any time during a year and the sum of the amounts of those 2 or more gifts exceeds the amount prescribed for the purposes of this subsection; and*

*(b) the gift is not an excluded gift under subsection (1B).*

*(1B) A gift is an excluded gift —*

*(a) if —*

*(i) the gift is a ticket to, or otherwise relates to the relevant person's attendance at, an event as defined in section 5.90A(1); and*

*(ii) the local government approves, in accordance with the local government's policy under section 5.90A, the relevant person's attendance at the event;*

*5.90A. Policy for attendance at events*

*(1) In this section —*

*event includes the following —*

*(a) a concert;*

*(b) a conference;*

*(c) a function;*

*(d) a sporting event;*

*(e) an occasion of a kind prescribed for the purposes of this definition.*

*(2) A local government must prepare and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —*

*(a) the provision of tickets to events; and*

*(b) payments in respect of attendance; and*

*(c) approval of attendance by the local government and criteria for approval; and*

*(d) any prescribed matter.*

**Relevant Plans and Policies**

The officer recommendation aligns to the City's Events Strategy.

**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 to not adopted the proposed Policy or to include further amendments.

**CONCLUSION**

Council policy: Events, has been reviewed in accordance with the City's ongoing review of its Council policies and is recommended for adoption.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The Policy will be placed on the City's website within one week of adoption.

# Council Policy

Council Policy Name: Events

Responsible Directorate: Community and Commercial Services Version: Draft

## 1. PURPOSE

1.1. The purpose of this Policy is to is articulate the strategic importance of Events to the City of Busselton and to set out a framework for the attraction and promotion of Events.

1.2. This Policy also sets out the City's position with respect to the attendance of Councillors and the CEO at Events in accordance with Section 5.90A of the Act.

## 2. SCOPE

2.1. This Policy is applicable to Events within the City of Busselton District and more broadly to Events across the South West region of WA.

## 3. DEFINITIONS

| Term | Meaning |
|---|---|
| Act | *Local Government Act 1995* |
| District | City of Busselton local government area |
| Event | an organised occurrence hosted by a person or organisation on public or private land where people assemble at a given time for a given purpose and which generally involves one or more of the following:<br>• Preparation or sale of food;<br>• Sale or consumption of alcohol;<br>• Erection of infrastructure and / or signage;<br>• Generation of additional noise;<br>• Use / installation of electrical equipment;<br>• Changes / interruptions to traffic flow;<br>• Additional parking requirements;<br>• Crowd control measures<br>includes:<br>• Festivals (concert, music, food, cultural);<br>• Sporting events;<br>• Conferences;<br>• Exhibitions, expos and fairs;<br>• Functions (e.g. community or business events);<br>• Markets; and<br>• Any other activity in accordance with 5.90A(1)(e) |
| Partner | spouse, de-facto or other partner as approved |
| Policy | this City of Busselton Council policy titled "Events" |

## 4. STRATEGIC CONTEXT

4.1. This Policy links to Key Theme 3. – OPPORTUNITY - A vibrant City with diverse opportunities and a prosperous economy, of the City's Strategic Community Plan June 2021 and specifically Strategic Priority3.3: Continue to promote the District as the destination of choice for events and unique tourism experiences.

4.2. This Policy links to Key Theme 4. LEADERSHIP - A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically Strategic Priority 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

## 5. POLICY STATEMENT

5.1. The City has adopted the brand 'Events Capital WA', with the attraction, development and promotion of Events recognised by Council as a key strategic and competitive advantage for the development of a robust and prosperous economy and tourism industry, and an important contributor to the creation of vibrant places and an inclusive community.

5.2. The City will actively engage with and assist Event organisers to support the development of a diverse year round calendar of Events, across the District.

5.3. The attraction, development, and approval of Events will be in accordance with the following objectives:

a. generation of direct and indirect economic benefits to the community;
b. generation of social benefit, vibrancy, and promotion of cultural diversity and inclusion;
c. creation of a calendar of Events which brings visitors to the District year round and provides broad activation across the District; and
d. positive promotion of the District and the South West region of WA.

5.4 The City's Event Strategy sets out the key strategies adopted by the City to achieve the objectives outlined in this Policy.

5.5 Events are categorised by the City for their strategic importance as follows:

a. Hallmark –an annually occurring Event which is internationally or nationally recognised, creates significant economic benefit, provides significant community interaction and media exposure, typically attracts 5,000 plus participants / visitors;
b. Major – an Event which attracts visitors nationally and from outside of the region, showcases regional facilities and attractions, creates economic benefit and high opportunities for community interaction and media exposure, typically has between 2,000 and 5,000 participants / visitors;
c. Developing – an Event that attracts visitors from within the region and State, helps to build the City's Events Capital WA brand and has the potential to become a future Major or Hallmark Event;
d. Community – an Event which celebrates aspects of community life, has strong social / community benefit; more limited economic benefit, and is generally run by the community.

5.6 While Events are considered a positive contributor, the potential for Events to impact adversely on community safety, amenity and the environment is recognised. In order to manage risk, environmental and amenity impacts, Events held within the District must, subject to paragraph 5.7, be approved by the City prior to taking place.

5.7 An Event approval is not required at venues which have an appropriate development approval under the City's town planning scheme and / or an approval in accordance with environmental health legislation.

5.8 Event applications will be assessed against the objectives outlined in paragraph 5.3 and the following criteria (or criteria similar):

a. the nature, size and suitability of the Event;
b. the location of the Event, its suitability and whether it meets the City's objectives of broad activation;

c. the period of time the Event will operate;
d. the amenity of the Event and the likely impacts on residents and businesses;
e. any conflicts with other Events or community use at or around the location;
f. the relevant experience of the operator and their capacity to manage key risks such as fire safety; and
g. for markets specifically, preference will be given to markets being run for a charitable or community purpose, with a majority of stalls offering local produce, artisan goods and items not in direct competition with surrounding business.

5.9 The following location criteria will also be applied to assist in protection of sensitive areas and to ensure the equitable use of the location by Event organisers and the general community:

a. Meelup Regional Park:
   i. Maximum of four trail based Events per calendar year, that is an Event that involves participants walking, running or cycling on trails or roads within the park; and
   ii. Maximum of four site based Events per calendar year, that is an Event that involves use of a beach and / or adjacent picnic and car park area; and
   iii. Maximum of one trail based and one site based Event per month.

b. Yallingup and Smiths Beach:
   i. Maximum of one international or national Event per year, of up to seven days each;
   ii. Maximum of four other major Events per year, of up to four days each;
   iii. Maximum of four minor Events per year, of up to two days each;
   iv. Maximum of eight club Events (run by local board riding clubs) per year.

c. Markets:
   i. Maximum of one market each Sunday in Busselton, to be held at Signal Park;
   ii. Maximum of one market each week, to be held at the Busselton Cultural Precinct;
   iii. Maximum of one market each Saturday in Busselton, to be held at the Busselton Community Garden, with a maximum of 20 stalls;
   iv. Maximum of two markets per month in Dunsborough, to be held at Lions Park;
   v. Any additional markets in Dunsborough to be held at Dunsborough Playing Fields or Dunsborough Foreshore;
   vi. Maximum of one market each Saturday in Vasse, to be held at the Vasse Hall / Oval.

d. Applications for other locations may be considered and approved by the CEO.

5.10 Fees are payable upon application as per the City of Busselton's Schedule of Fees and Charges.

**Events Sponsorship**

5.11 The City has an events sponsorship programme that is funded through funds derived from the industrial / commercial and holiday home differential rate. The Business Development, Events and Marketing Program (BDEMP) supports recommendations to Council with respect to the allocation of funds towards Events.

5.12 Event sponsorship can be provided as cash and / or in-kind contributions, with sponsorship agreements entered into with Event organisers on either a single or multi-year basis.

5.13 Event sponsorship requests will be assessed against the objectives outlined in paragraph 5.3.

5.14 Events sponsored by the City will be evaluated to determine future funding levels.

**Event Attendance**

5.15 Councillor and CEO representation at Events is valued as a means of reinforcing the City's strategic positioning as the 'Events Capital WA', and to ensure Events are properly assessed for their benefit and ongoing relevance. Where attendance to Events by Councillors and the CEO is approved in accordance with this Policy, the requirement to disclose a financial interest under the Act will not apply.

5.16 An invitation provided or addressed personally to a Councillor or to the CEO (for instance via a personal email account) will not be captured by this Policy, and the requirement to disclose a financial interest where the amount exceeds the amount prescribed under the regulation 20A of the *Local Government (Administration) Regulations* will apply.

5.17 In addition to invitations / tickets provided by Event organisers, the CEO, in consultation with the Mayor, may purchase tickets for the purposes of City representation at an Event. The City will generally only purchase tickets for Hallmark and Major Events where attendance is demonstrated, through reference to the criteria in paragraph 5.18, as being in the City's interest.

5.18 In determining approval for attendance at Events under Section 5.90A(2)(c), Council (or the CEO under delegation) will consider criteria such as the following:

a. who is providing the ticket to the Event;
b. the location of the Event;
c. whether the Event is sponsored by the City;
d. the relevance of the Event to the City's adopted policy objectives under paragraph 5.3;
e. the role of the Council member or CEO when attending the Event (participant, presenter, observer) and the value of their contribution;
f. the cost to attend the Event and / or the public value of attendance if the ticket is being provided at no cost to the Local Government;
g. the number of invitations / tickets received; and
h. the benefits or importance of Council and / or CEO representation at the event.

5.19 A list of established pre-authorised Events and attendees is provided at Attachment A. The attendees are authorised in order of priority, subject to the number of available invitations / tickets. Where there are insufficient invitations / tickets available for all pre-authorised attendees to attend, the CEO (in liaison with the Mayor) will determine final attendance.

5.20 It is considered appropriate for a Councillor or CEO's Partner to accompany them to an Event held outside of normal business hours. While the City will not generally pay for such attendance, invitations / tickets received by the City may be provided for this purpose where they are available.

5.21 The Mayor can delegate any approved attendance to an Event to the Deputy Mayor or another Council member.

5.22 This policy does not apply where a Councillor or the CEO attends an Event at their own cost and in a personal capacity.

## 6 RELATED DOCUMENTATION / LEGISLATION

6.1 *Local Government Act 1995*
6.2 City of Busselton Events Strategy

## 7 REVIEW DETAILS

| **Review Frequency** | | **3 yearly** | | |
|---|---|---|---|---|
| **Council Adoption** | **DATE** | | **Resolution #** | |
| **Previous Adoption** | **DATE** | 12 August 2020 | **Resolution #** | C2008/076 |

**Attachment A – Pre-authorised Events**

| Event | Event Organiser | Attendee |
|---|---|---|
| Ironman WA | Ironman Oceania | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| CinefestOZ | Geographe French Australian Festivals Inc. | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| Busselton Festival of Triathlon | Triathlon Western Australia | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| Busselton Jetty Swim | Busselton Allsports Inc. | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| Cabin Fever | AHOY Management | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| X-Adventure Dunsborough | Rapid Ascent Pty Ltd | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| Fine Vines Festival | AHOY Management | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| South West Craft Beer Festival | Buzz Marketing | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| Busselton Fringe Festival | Acting Up | Mayor CEO<br>Deputy Mayor<br>All Councillors |

# Council Policy

Council Policy Name: Events

Responsible Directorate: Community and Commercial Services Version: Adopted

## 1. PURPOSE

1.1. The purpose of this Policy is to is articulate the strategic importance of Events to the City of Busselton and to set out a framework for the attraction and promotion of Events. This Policy also sets out the City's position with respect to the attendance of Councillors and the CEO at Events in accordance with Section 5.90A of the Act.

## 2. SCOPE

2.1. This Policy is applicable to Events within the City of Busselton District and more broadly to Events across the South West region of WA.

## 3. DEFINITIONS

| Term | Meaning |
|---|---|
| Act | *Local Government Act 1995* |
| District | City of Busselton local government area |
| Event | an organised occurrence hosted by a person or organisation on public or private land where people assemble at a given time for a given purpose and which generally involves one or more of the following:<br>• Preparation or sale of food;<br>• Sale or consumption of alcohol;<br>• Erection of infrastructure and / or signage;<br>• Generation of additional noise;<br>• Use / installation of electrical equipment;<br>• Changes / interruptions to traffic flow;<br>• Additional parking requirements;<br>• Crowd control measures<br>includes:<br>• Concerts and music festivals;<br>• Sporting events;<br>• Conferences;<br>• Exhibitions, expos and fairs;<br>• Functions (e.g. community or business events);<br>• Markets; and<br>• Any other activity in accordance with 5.90A(1)(e) |
| Partner | spouse, de-facto or other partner as approved |
| Policy | this City of Busselton Council policy titled "Events" |

## 4. STRATEGIC CONTEXT

4.1. This Policy links to Strategic Theme 3. – OPPORTUNITY - A vibrant City with diverse opportunities and a prosperous economy, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:
   a. 3.3: Continue to promote the District as the destination of choice for events and unique tourism experiences.

4.2. This Policy links to Strategic Theme 4. LEADERSHIP - A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:
   a. 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

## 5. POLICY STATEMENT

5.1. The City has adopted the brand 'Events Capital WA', with the attraction, development and promotion of Events recognised by Council as a key strategic and competitive advantage for the development of a robust and prosperous economy and tourism industry, and an important contributor to the creation of vibrant places and an inclusive community.

5.2. The City will actively engage with and assist Event organisers to support the development of a diverse year round calendar of Events, across the District.

5.3. The attraction, development, and approval of Events will be in accordance with the following objectives:
   a. generation of direct and indirect economic benefits to the community;
   b. generation of social benefit, vibrancy, and promotion of cultural diversity and inclusion;
   c. creation of a calendar of Events which brings visitors to the District year round and provides broad activation across the District; and
   d. positive promotion of the District and the South West region of WA.

5.4 Events are categorised for their strategic importance as follows:
   a. Hallmark – an international or nationally recognised Event that creates significant economic benefit and typically attracts 5,000 plus participants / visitors;
   b. Major – an Event which attracts visitors nationally and from outside of the region, showcases regional facilities and attractions, creates economic benefit and typically has between 2,000 and 5,000 participants / visitors;
   c. Regional – an Event that attracts visitors to the region from within the State and from within the region, helps to build the City's Events Capital WA brand and has the potential to become a future Major or Hallmark Event;
   d. Community – an Event which celebrates aspects of community life, has strong social / community benefit; more limited economic benefit, and is generally run by the community.

5.5 While Events are considered a positive contributor, the potential for Events to impact adversely on community safety, amenity and the environment is recognised. In order to manage risk, environmental and amenity impacts, Events held within the District must, subject to paragraph 5.6, be approved by the City prior to taking place. The event application process is outlined in the Events Application Operational Practice.

5.6 An Event approval is not required at venues which have an appropriate development approval under the City's town planning scheme and / or an approval in accordance with environmental health legislation.

5.7 Event applications will be assessed against the objectives outlined in paragraph 5.3 and the following criteria (or criteria similar):

a. the nature size and suitability of the Event;
b. the location of the Event, its suitability and whether it meets the City's objectives of broad activation;
c. the period of time the Event will operate;
d. the amenity of the Event and the likely impacts on residents;
e. any conflicts with other Events or community use at or around the location;
f. the relevant experience of the operator and their capacity to manage key risks such as fire safety; and
g. for markets specifically, the organiser's ability to demonstrate that the market is being run for a charitable or community purpose, with a preference for local produce and artisan goods.

5.8 The following location criteria will also be applied assist in protection of sensitive areas, and to ensure the equitable use of the location by Event organisers and the general community:

a. Meelup Regional Park:
    i. Maximum of four trail based Events per calendar year, that is an Event that involves participants walking, running or cycling on trails or roads within the park; and
    ii. Maximum of four site based Events per calendar year, that is an Event that involves use of a beach and / or adjacent picnic and car park area; and
    iii. Maximum of one trail based and one site based Event per month.
b. Yallingup and Smith Beach:
    i. Maximum of one international or national Event per year;
    ii. Maximum of four other major Events per year, of up to four days each;
    iii. Maximum of one minor Event per year, of up to four days;
    iv. Maximum of eight club Events (run by local board riding clubs) per year.
c. Markets:
    i. Maximum of one market each Sunday in Busselton, to be held at Signal Park;
    ii. Maximum of one market each week, to be held at the Busselton Cultural Precinct;
    iii. Maximum of one market each Saturday in Busselton, to be held at the Busselton Community Garden, with a maximum of 20 stalls;
    iv. Maximum of one market each Saturday in Dunsborough, to be held at Lions Park or Dunsborough Playing Fields;
    v. Maximum of one market each Saturday in Vasse, to be held at the Vasse Hall / Oval;
    vi. Applications for other locations may be considered and approved by the CEO.

5.9 Fees upon application are payable as per the City of Busselton's Schedule of Fees and Charges.

**Events Sponsorship**

5.10 The City has an events sponsorship programme that is funded through a combination of municipal funds and funds derived from the industrial / commercial differential rate. The Marketing and Events Reference Group (MERG) makes recommendations to Council with respect to the allocation of funds towards Events.

5.11 Event sponsorship can be provided as cash or in-kind contributions, with sponsorship agreements entered into with Event organisers on either a single or multi-year basis.

5.12 Event sponsorship requests will be assessed against the objectives outlined in paragraph 5.3.

5.13 Events sponsored by the City will be evaluated to determine future funding levels.

**Event Attendance**

5.14 Councillor and CEO representation at Events is valued as a means of reinforcing the City's strategic positioning as the 'Events Capital WA', and to ensure Events are properly assessed for their benefit and ongoing relevance.

5.15 Invitations / tickets to Events may be provided to the City by Event organisers. Where attendance at these Events is approved in accordance with this Policy, the requirement to disclose a financial interest under the Act will not apply.

5.16 An invitation provided or addressed personally to a Councillor or to the CEO (for instance via a personal email account) will not be captured by this Policy, and the requirement to disclose a financial interest where the amount exceeds the amount prescribed under the *Local Government (Administration) Regulation 20A* will apply.

5.17 In addition to invitations / tickets provided by Event organisers, the CEO, in consultation with the Mayor, may purchase tickets for the purposes of City representation at an Event. The City will generally only purchase tickets for Hallmark and Major Events where attendance is demonstrated, through reference to the criteria in paragraph 5.18, as being in the City's interest.

5.18 In determining approval for attendance at Events under Section 5.90A(2)(c), Council (or the CEO under delegation) will consider criteria such as the following:

a. who is providing the ticket to the Event;
b. the location of the Event;
c. whether the Event is sponsored by the City;
d. the relevance of the Event to the City's adopted policy objectives under paragraph 5.3;
e. the role of the Council member or CEO when attending the Event (participant, presenter, observer) and the value of their contribution;
f. the cost to attend the Event and / or the public value of attendance if the ticket is being provided at no cost to the Local Government;
g. the number of invitations / tickets received; and
h. the benefits or importance of Council and / or CEO representation at the event.

5.19 A list of established pre-authorised Events and attendees is provided at Attachment A. The attendees are authorised in order of priority, subject to the number of available invitations / tickets. Where there are insufficient invitations / tickets available for all pre-authorised attendees to attend, the CEO (in liaison with the Mayor) will determine final attendance.

5.20 It is considered appropriate for a Councillor or CEO's Partner to accompany them to an Event held outside of normal business hours. While the City will not generally pay for such attendance, invitations / tickets received by the City may be provided for this purpose where they are available.

5.21 The Mayor can delegate any approved attendance to an Event to the Deputy Mayor or another Council member.

5.22 This policy does not apply where a Councillor or the CEO attends an Event at their own cost and in a personal capacity.

## 6 RELATED DOCUMENTATION / LEGISLATION

6.1 *Local Government Act 1995*
6.2 Events Strategy
6.3 Events Application Operational Practice

## 7 REVIEW DETAILS

| Review Frequency | | 3 yearly | | |
|---|---|---|---|---|
| **Council Adoption** | **DATE** | 12 August 2020 | **Resolution #** | C2008/076 |
| **Previous Adoption** | **DATE** | 12 February 2020 | **Resolution #** | C2002/034 |

**Attachment A – Pre-authorised Events**

| Event | Event Organiser OR DATE | Attendee |
|---|---|---|
| **Hallmark Events** | | |
| Ironman WA | Ironman Oceania | Mayor<br>CEO<br>Deputy Mayor<br>All Councillors |
| Cinefest Oz | Geographe French Australian Festivals Inc. | Mayor<br>CEO<br>Deputy Mayor<br>All Councillors |
| Busselton Festival of Triathlon (Ironman 70.3) | Triathlon Western Australia | Mayor<br>CEO<br>Deputy Mayor<br>All Councillors |
| Gourmet Escape | IMG Culinary | Mayor<br>CEO<br>Deputy Mayor<br>All Councillors |
| Busselton Jetty Swim | Busselton Allsports Inc. | Mayor<br>CEO<br>Deputy Mayor<br>All Councillors |
| Jazz by the Bay | Jazz by the Bay Association | Mayor<br>CEO<br>Deputy Mayor<br>All Councillors |
| Forest Rally | West Australian Car Club (Inc) | Mayor<br>CEO<br>Deputy Mayor<br>All Councillors |
| **Major Events** | | |
| Cabin Fever | Creative Corner | Mayor<br>CEO<br>Deputy Mayor<br>All Councillors |
| X-Adventure Dunsborough | Rapid Ascent Pty Ltd | Mayor<br>CEO<br>Deputy Mayor<br>All Councillors |

# Council Policy

Council Policy Name: Events

Responsible Directorate: Community and Commercial Services Version: ~~Adopted~~Draft

## 1. PURPOSE

1.1. The purpose of this Policy is to is articulate the strategic importance of Events to the City of Busselton and to set out a framework for the attraction and promotion of Events. This Policy also sets out the City's position with respect to the attendance of Councillors and the CEO at Events in accordance with Section 5.90A of the Act.

## 2. SCOPE

2.1. This Policy is applicable to Events within the City of Busselton District and more broadly to Events across the South West region of WA.

## 3. DEFINITIONS

| Term | Meaning |
|---|---|
| Act | *Local Government Act 1995* |
| District | City of Busselton local government area |
| Event | an organised occurrence hosted by a person or organisation on public or private land where people assemble at a given time for a given purpose and which generally involves one or more of the following:<br>• Preparation or sale of food;<br>• Sale or consumption of alcohol;<br>• Erection of infrastructure and / or signage;<br>• Generation of additional noise;<br>• Use / installation of electrical equipment;<br>• Changes / interruptions to traffic flow;<br>• Additional parking requirements;<br>• Crowd control measures<br>includes:<br>• ~~Concerts and music~~F~~f~~estivals (concert, music, food, cultural);<br>• Sporting events;<br>• Conferences;<br>• Exhibitions, expos and fairs;<br>• Functions (e.g. community or business events);<br>• Markets; and<br>• Any other activity in accordance with 5.90A(1)(e) |
| Partner | spouse, de-facto or other partner as approved |
| Policy | this City of Busselton Council policy titled "Events" |

## 4. STRATEGIC CONTEXT

~~a.~~ This Policy links to ~~Strategic~~ Key Theme 3. – OPPORTUNITY - A vibrant City with diverse opportunities and a prosperous economy, of the City's Strategic Community Plan June 2021 and specifically ~~the following~~ Strategic Priority~~:~~

3.3: Continue to promote the District as the destination of choice for events and unique tourism experiences.

~~a.~~ This Policy links to ~~Strategic~~ Key Theme 4. LEADERSHIP - A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically ~~the following~~ Strategic Priority~~:~~

4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

## 5. POLICY STATEMENT

5.1. The City has adopted the brand 'Events Capital WA', with the attraction, development and promotion of Events recognised by Council as a key strategic and competitive advantage for the development of a robust and prosperous economy and tourism industry, and an important contributor to the creation of vibrant places and an inclusive community.

5.2. The City will actively engage with and assist Event organisers to support the development of a diverse year round calendar of Events, across the District.

5.3. The attraction, development, and approval of Events will be in accordance with the following objectives:

a. generation of direct and indirect economic benefits to the community;
b. generation of social benefit, vibrancy, and promotion of cultural diversity and inclusion;
c. creation of a calendar of Events which brings visitors to the District year round and provides broad activation across the District; and
d. positive promotion of the District and the South West region of WA.

5.4 The City's Event Strategy sets out the key strategies adopted by the City to achieve the objectives outlined in this Policy.

~~5.4~~5.5 Events are categorised by the City for their strategic importance as follows:

a. Hallmark –~~an annually occurring~~ Eevent which is ~~an~~ internationally or nationally recognised, ~~Event that~~ creates significant economic benefit, provides significant community interaction and media exposure, ~~and~~ typically attracts 5,000 plus participants / visitors;
b. Major – an Event which attracts visitors nationally and from outside of the region, showcases regional facilities and attractions, creates economic benefit and high opportunities for community interaction and media exposure, ~~and~~ typically has between 2,000 and 5,000 participants / visitors;
c. ~~Regional~~ Developing – an Event that attracts visitors ~~to the region~~ from within the region and State ~~and from within the region~~, helps to build the City's Events Capital WA brand and has the potential to become a future Major or Hallmark Event;
d. Community – an Event which celebrates aspects of community life, has strong social / community benefit; more limited economic benefit, and is generally run by the community.

5.6 While Events are considered a positive contributor, the potential for Events to impact adversely on community safety, amenity and the environment is recognised. In order to manage risk, environmental and amenity impacts, Events held within the District must, subject to paragraph 5.~~7~~6, be approved by the City prior to taking place. ~~The event application process is outlined in the Events Application Operational Practice.~~

~~5.5~~5.7 An Event approval is not required at venues which have an appropriate development approval under the City's town planning scheme and / or an approval in accordance with environmental health legislation.

5.65.8 Event applications will be assessed against the objectives outlined in paragraph 5.3 and the following criteria (or criteria similar):

a. the nature, size and suitability of the Event;
b. the location of the Event, its suitability and whether it meets the City's objectives of broad activation;
c. the period of time the Event will operate;
d. the amenity of the Event and the likely impacts on residents and businesses;
e. any conflicts with other Events or community use at or around the location;
f. the relevant experience of the operator and their capacity to manage key risks such as fire safety; and
g. for markets specifically, preference will be given to markets ~~the organiser's ability to demonstrate that the market is~~ being run for a charitable or community purpose, with a ~~preference~~ majority of stalls offering~~for~~ local produce, ~~and~~ artisan goods and items not in direct competition with surrounding business.

5.75.9 The following location criteria will also be applied to assist in protection of sensitive areas, and to ensure the equitable use of the location by Event organisers and the general community:

a. Meelup Regional Park:
    i. Maximum of four trail based Events per calendar year, that is an Event that involves participants walking, running or cycling on trails or roads within the park; and
    ii. Maximum of four site based Events per calendar year, that is an Event that involves use of a beach and / or adjacent picnic and car park area; and
    iii. Maximum of one trail based and one site based Event per month.
b. Yallingup and Smiths Beach:
    i. Maximum of one international or national Event per year, of up to seven days each;
    ii. Maximum of four other major Events per year, of up to four days each;
    iii. Maximum of ~~one~~ four minor Events per year, of up to ~~four~~ two days each;
    iv. Maximum of eight club Events (run by local board riding clubs) per year.
c. Markets:
    i. Maximum of one market each Sunday in Busselton, to be held at Signal Park;
    ii. Maximum of one market each week, to be held at the Busselton Cultural Precinct;
    iii. Maximum of one market each Saturday in Busselton, to be held at the Busselton Community Garden, with a maximum of 20 stalls;
    iv. Maximum of ~~one market each Saturday in~~two markets per month in Dunsborough, to be held at Lions Park ~~or Dunsborough Playing Fields~~;
    ~~iv.~~v. Any additional markets in Dunsborough to be held at Dunsborough Playing Fields or Dunsborough Foreshore;
    vi. Maximum of one market each Saturday in Vasse, to be held at the Vasse Hall / Oval;
d. Applications for other locations may be considered and approved by the CEO.

~~Applications for other events or locations may be considered and approved by the CEO.~~

5.85.10 Fees ~~upon application~~ are payable upon application as per the City of Busselton's Schedule of Fees and Charges.

**Events Sponsorship**

5.95.11 The City has an events sponsorship programme that is funded through ~~a combination of municipal funds and~~ funds derived from the industrial / commercial and holiday home differential rate. The Business Development, Events and Marketing Program (BDEMP) ~~Marketing and Events Reference Group (MERG) makes~~ supports recommendations to Council with respect to the allocation of funds towards Events.

5.105.12 Event sponsorship can be provided as cash and / or in-kind contributions ~~or a combination of both~~, with sponsorship agreements entered into with Event organisers on either a single or multi-year basis.

~~5.11~~5.13Event sponsorship requests will be assessed against the objectives outlined in paragraph5.3.

~~5.12~~5.14 Events sponsored by the City will be evaluated to determine future funding levels.

**Event Attendance**

~~5.13~~ Councillor and CEO representation at Events is valued as a means of reinforcing the City's strategic positioning as the 'Events Capital WA', and to ensure Events are properly assessed for their benefit and ongoing relevance.

~~5.14~~

5.15 ~~Invitations / tickets to Events may be provided to the City by Event organisers.~~ Where attendance to Events by Councillors and the CEO ~~at these Events~~ is approved in accordance with this Policy, the requirement to disclose a financial interest under the Act will not apply.

5.16 An invitation provided or addressed personally to a Councillor or to the CEO (for instance via a personal email account) will not be captured by this Policy, and the requirement to disclose a financial interest where the amount exceeds the amount prescribed under the *Local Government (Administration) Regulation 20A* will apply.

5.17 In addition to invitations / tickets provided by Event organisers, the CEO, in consultation with the Mayor, may purchase tickets for the purposes of City representation at an Event. The City will generally only purchase tickets for Hallmark and Major Events where attendance is demonstrated, through reference to the criteria in paragraph 5.2~~118~~, as being in the City's interest.

5.18 In determining approval for attendance at Events under Section 5.90A(2)(c), Council (or the CEO under delegation) will consider criteria such as the following:

a. who is providing the ticket to the Event;
b. the location of the Event;
c. whether the Event is sponsored by the City;
d. the relevance of the Event to the City's adopted policy objectives under paragraph5.3;
e. the role of the Council member or CEO when attending the Event (participant, presenter, observer) and the value of their contribution;
f. the cost to attend the Event and / or the public value of attendance if the ticket is being provided at no cost to the Local Government;
g. the number of invitations / tickets received; and
h. the benefits or importance of Council and / or CEO representation at the event.

5.19 A list of established pre-authorised Events and attendees is provided at Attachment A. The attendees are authorised in order of priority, subject to the number of available invitations / tickets. Where there are insufficient invitations / tickets available for all pre-authorised attendees to attend, the CEO (in liaison with the Mayor) will determine final attendance.

~~5.19 Additionally, a Councillor's attendance is pre-approved at an they are aassociation organising the Event~~

5.20 It is considered appropriate for a Councillor or CEO's Partner to accompany them to an Event held outside of normal business hours. While the City will not generally pay for such attendance, invitations / tickets received by the City may be provided for this purpose where they are available.

5.21 The Mayor can delegate any approved attendance to an Event to the Deputy Mayor or another Council member.

5.22 This policy does not apply where a Councillor or the CEO attends an Event at their own cost and in a personal capacity.

## 6 RELATED DOCUMENTATION / LEGISLATION

6.1 *Local Government Act 1995*
6.2 Events Strategy

~~7 Events Application Operational Practice~~
**7 REVIEW DETAILS**

| | | | | |
|---|---|---|---|---|
| **Review Frequency** | | **3 yearly** | | |
| **Council Adoption** | **DATE** | | **Resolution #** | |
| **Previous Adoption** | **DATE** | 12 August 2020 | **Resolution #** | C2008/076 |

## ~~7 REVIEW DETAILS~~

| ~~Review Frequency~~ | | ~~3 yearly~~ | | |
|---|---|---|---|---|
| ~~Council Adoption~~ | ~~DATE~~ | ~~12 August 2020~~ | ~~Resolution #~~ | ~~C2008/076~~ |
| ~~Previous Adoption~~ | ~~DATE~~ | ~~12 February 2020~~ | ~~Resolution #~~ | ~~C2002/034~~ |

**Attachment A – Pre-authorised Events**

| Event | Event Organiser ~~OR DATE~~ | Attendee |
|---|---|---|
| ~~Hallmark Events~~ | | |
| Ironman WA | Ironman Oceania | Mayor CEO<br>Deputy Mayor All Councillors |
| Cinefest-O~~z~~Z | Geographe French Australian Festivals Inc. | Mayor CEO<br>Deputy Mayor All Councillors |
| Busselton Festival of Triathlon ~~(Ironman 70.3)~~ | Triathlon Western Australia | Mayor CEO<br>Deputy Mayor All Councillors |
| ~~Gourmet Escape~~ | ~~IMG Culinary~~ | ~~Mayor CEO~~<br>~~Deputy Mayor All Councillors~~ |
| Busselton Jetty Swim | Busselton Allsports Inc. | Mayor CEO<br>Deputy Mayor All Councillors |
| ~~Jazz by the Bay~~ | ~~Jazz by the Bay Association~~ | ~~Mayor CEO~~<br>~~Deputy Mayor All Councillors~~ |
| ~~Forest Rally~~ | ~~West Australian Car Club (Inc)~~ | ~~Mayor CEO~~<br>~~Deputy Mayor All Councillors~~ |
| ~~Major Events~~ | | |
| Cabin Fever | ~~Creative Corner~~AHOY Management | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| X-Adventure Dunsborough | Rapid Ascent Pty Ltd | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| Fine Vines Festival | AHOY Management | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| South West Craft Beer Festival | Buzz Marketing | Mayor CEO<br>Deputy Mayor<br>All Councillors |
| Busselton Fringe Festival | Acting Up | Mayor CEO<br>Deputy Mayor<br>All Councillors |

## 13. PLANNING AND DEVELOPMENT SERVICES REPORT

### 13.1 PROPOSED AMENDMENT 57 TO LOCAL PLANNING SCHEME NO. 21 - LOT(S) 1 (NO.45A) AND 2 (NO.45B) CLYDEBANK AVENUE WEST BUSSELTON - CONSIDERATION FOR INITIATION FOR ADVERTISING

| | |
|---|---|
| **STRATEGIC THEME** | LIFESTYLE - A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing |
| **STRATEGIC PRIORITY** | 2.8 Plan for and facilitate the development of neighbourhoods that are functional, green and provide for diverse and affordable housing choices. |
| **SUBJECT INDEX** | Local Planning Scheme 21 Amendments |
| **BUSINESS UNIT** | Development Services |
| **REPORTING OFFICER** | Planning Officer - Justin Biggar |
| **AUTHORISING OFFICER** | Director Planning and Development Services - Paul Needham |
| **NATURE OF DECISION** | Legislative: adoption of "legislative documents" such as local laws, local planning schemes and local planning policies |
| **VOTING REQUIREMENT** | Simple Majority |
| **ATTACHMENTS** | Attachment A Location Plan<br>Attachment B Scheme Amendment Map<br>Attachment C Bushfire Management Plan |

**OFFICER RECOMMENDATION**

**That the Council:**

1. **In pursuance of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) initiates Amendment No. 57 to the City of Busselton Local Planning Scheme 21 ('the Scheme') for community consultation for the purposes of:**

   **(a) Amending the zoning of Lot 1 (No.45A) Clydebank Avenue West Busselton from 'Local Centre' zone to 'Reserve for Public Purposes' (Water Authority);**

   **(b) Amending the zoning of Lot 2 (No.45B) Clydebank Avenue, West Busselton from 'Local Centre Zone to 'Residential' (R30);**

2. **Pursuant to Regulation 35(2) determine that Amendment No. 57 is a 'standard amendment' as it is:**

   **(a) An amendment that is consistent with a Local Planning Strategy for the Scheme that has been endorsed by the Commission.**

3. **That as the amendment is in the opinion of the Council, consistent with Part V of the *Planning and Development Act 2005 (the Act)* and the Regulations made pursuant to the Act, that upon preparation of the necessary documentation, refer the amendment to the Environmental Protection Authority (EPA) and upon receipt of a response that the amendment is not subject to formal environmental assessment, advertise the proposal for a period of 42 days. Where the EPA determines the amendment is to be subject to formal environmental assessment, the assessment is to be prepared prior to advertising of the draft amendment.**

**EXECUTIVE SUMMARY**

The Council is requested to consider initiating Scheme Amendment No. 57 for Lots 1 (No.45A) and 2 (No.45B) Clydebank Avenue for the rezoning of the subject lots from 'Local Centre' to 'Reserve for Public Purposes' (Water Authority) and 'Residential' (R30), respectively. The Amendment is intended to both support the development of the southern lot for residential purposes as per the recommendation of the Local Planning Strategy (2019) and secure the ongoing use of the northern lot for Water Corporation purposes.

The ownership of Lot 1 by Water Corporation and the constraints on Lot 2 mean the land parcel is unlikely to be developed for commercial uses and is more appropriately zoned as proposed by the Amendment. Accordingly, the Amendment is recommended to be adopted for the purposes of public advertising.

**BACKGROUND**

Lots 1 and 2 Clydebank Avenue are located approximately 4km south of the Busselton City Centre, adjacent to Geographe Primary School with a total area of 7350sqm. Both lots are flat and vegetated with numerous mature peppermint trees and sparse grass/weeds understory. The lots are abutted to the south and east by R20 and R30 density residential development and to the north-west by a Water Corporation sewage pumping station. A vegetated drainage reserve and footpath extends the length of the western boundary of both lots. A location plan and scheme amendment map are provided at Attachments A and B respectively.

As an advice note to the approved subdivision in September 2020, the Western Australian Planning Commission (WAPC) recommended a scheme amendment to regularise the zoning of the Water Corporation owned lot and enable residential development on Lot 2 with appropriate consideration of bushfire protection and buffer requirements from the sewage pumping station on the adjoining Water Corporation managed land parcel.

Following WAPC advice, the applicant has subsequently lodged a scheme amendment for consideration by the City in accordance with the requirements of the Regulations.

**OFFICER COMMENT**

Scheme Amendment No. 57 proposes the rezoning of the 'Local Centre' to 'Reserve for Public Purposes' (Water Authority) and 'Residential' (R30), respectively to both protect the use of Lot 1 for Water Corporation purposes and enable the development of the site for residential uses. Detailed comments on the proposal and assessment against the relevant elements of the planning framework are provided below.

**Viability of Local Centre**

A consequence of the proposed rezoning if approved, will be the loss of commercially zoned land in the west Busselton/Peppermint Park locality. As per the objectives of the Scheme, 'Local Centres' are intended to service the surrounding neighbourhood and to provide for activation of the street and public spaces. The Local Planning Strategy (2019) (LPS) identifies the site as a 'Local Centre' which is planned but undeveloped and supported an alternate zoning as 'Residential.'

This recommendation was supported by the findings of the Local Commercial Planning Strategy (2011) (LCPS) which identified the Clydebank 'Local Centre' catchment as being potentially insufficient to support a viable commercial centre with a significant portion of the catchment being taken up by 'Recreation Reserve' and 'Public Purposes Reserve' (Drain). The lack of passing vehicle trade was also a detrimental factor restricting commercial development of the site.

While the LCPS considered the future development of Ambergate would potentially assist in generating sufficient demand, the subsequently approved Ambergate Development Guide Plan (2012), includes a significant portion of commercial zoned land to service the new development, with a 'Centre" and 'Local Centre' which are planned to deliver 16,000m² of retail floor space. In the short term, it is also considered that the West Busselton 'Local Centre' and Busselton 'City Centre' provide adequate service to the surrounding catchment.

Further, as Lot 1 is restricted to use for Water Corporation purposes only, Lot 2 would be the remaining lot available for commercial use. The location of Lot 2 approximately 60 metres from the Clydebank street frontage would result in a commercial development that does not satisfy key location and design parameters for 'Local Centres' as per Element 7 of Liveable Neighbourhoods which include;

- Located on the intersection of relatively busy streets with good through traffic levels (5000 to 10,000 vehicles per day) and not hidden away in residential cells; *and*
- Prominent and attractive building located on the street frontage.

A combination of insufficient catchment area, lack of passing vehicle trade and lot layout constraints has resulted in a commercially unviable 'Local Centre' and as such rezoning to Residential is considerable an appropriate outcome.

**Bushfire Risk**

The subject land is identified as 'bushfire prone' on the 'Map of Bushfire Prone Areas' developed by the Office of Bushfire Risk Management (OBRM) and as such bushfire protection requirements apply. In accordance with 'State Planning Policy 3.7' (SPP 3.7) and the supporting 'Guidelines for Planning in Bushfire Prone Areas,' the applicant has provided a BAL contour map and assessment against the Bushfire Protection Criteria in support of the application which is provided at Attachment C.

The supporting documentation demonstrates the proposal can achieve an adequate building footprint area to accommodate grouped dwellings at the R30 density and provide adequate distance from the bushfire threat on Lot 1 and the drainage reserve to the west. Any future development of the lot will require a development application through the City and further fine grain assessment of the bushfire risk once the final lot layout is determined.

If adopted by Council for the purposes of advertising, the Amendment will be referred to the Department of Fire and Emergency Services (DFES) for detailed state agency assessment and further advice on the bushfire implications of the proposal.

**Vegetation Protection**

Both lots are vegetated with mature peppermint trees and grass/weed understorey. As zoned land, there are no local planning framework provisions preventing clearing of the site with vegetation removal being exempted development as per Part 6 of the Scheme.

Where a development approval has been issued, removal is similarly exempt under the *Environmental Protection Act 1986 (EP Act)* and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*, (EP Regulations) administered by the Department of Water and Environmental Regulation (DWER). It is considered the retention of trees on site is best addressed through the development application process where an appropriate design solution can be formulated for vegetation retention where possible. It is noted the existing vegetation on Lot 1 is to be retained.

**Residential Density**

The applicant has proposed a R30 density for the Residential zoned portion. Having regard to the current R20/R30 densities within the immediate locality, the proposed density is considered appropriate and will result in a built form consistent with the existing grouped dwelling and single house typology.

**Pedestrian permeability**

Lot 55 Codrington Blvd is an existing pedestrian access way (PAW) under management of the City connecting the eastern boundary of the site to the MacNeil Cove cul-de-sac. The PAW provides access across the subject lots through to the footpath network along Clydebank Avenue. The street design of the locality features a number of similar PAW's providing pedestrian permeability through the wider neighbourhood.

Considering the general desirability of walkable neighbourhoods, it would be beneficial to retain pedestrian connectivity where possible. However under the current 'Local Centre' zoning, there is no mechanism in place to prevent the landowner from restricting public pedestrian access through their site, which would result in a dead-end PAW.

It is not considered reasonable to use the amendment process to insert additional special provision clauses under Schedule 3 of the Scheme solely to protect the viability of the PAW. Having regard to the existing PAW located approximately 80 metres to the south (Lot 5132 Cuorno Place), sufficient pedestrian permeability is still provided for the residents of MacNeil Close and the wider neighbourhood in the event the PAW is closed. The insertion of specific clauses under Schedule 3 would add unnecessary layers of complexity to the planning framework to achieve an outcome of minor benefit.

**Sewerage buffer to sensitive land uses**

There is an existing Water Corporation vacuum pumping station located to the northwest on Lot 261 Clydebank Avenue which is in the process of being upgraded. The purpose of the subdivision approved by the WAPC on 25 September 2022 was to enable purchase of a portion of the parent lot (formerly Lot 158) by Water Corporation in order to secure an appropriate buffer to the pumping station following the upgrades. An advice note from the WAPC advised the zoning should be regularised to better reflect the intended outcome of the subdivision, with appropriate consideration of buffer and bushfire requirements.

The EPA document, 'Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Uses' establishes best practice buffer distances for industrial land uses, including wastewater pumping stations. The ownership of Lot 1 by Water Corporation effectively creates an approximate buffer of 45 metres from the pumping station to Lot 2, where future residential development is proposed.

If adopted by Council for the purposes of advertising, the Amendment will be referred to Water Corporation and WAPC for further advice on the implications of the proposal in regards to the existing pump station and buffer requirements.

**Statutory Environment**

The key statutory documents relevant to this proposal include the *Planning and Development Act 2005,* the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the relevant objectives and provisions of the City of Busselton *Local Planning Scheme No. 21*. Each is discussed below under appropriate subheadings.

***Planning and Development Act 2005***

The *Planning and Development Act 2005* outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this Amendment.

***Planning and Development (Local Planning Schemes) Regulations 2015***

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), which came into operational effect on 19 October 2015, identify three different levels of amendments – basic, standard and complex. The resolution of the local government is to specify the level of the amendment and provide an explanation justifying this choice. This Amendment is considered to be a 'standard' amendment for reasons outlined in the recommended council resolution.

**Local Planning Scheme No. 21**

Due to restrictions on the use of Lot 1 for Water Corporation purposes only and the restrictive layout of Lot 2, the subject sites are not considered suitable for the current 'Local Centre' zoning designation under the Scheme. For reasons outlined above, the 'Residential' zoning is considered an appropriate solution.

**Relevant Plans and Policies**

The key policies relevant to the proposal are:

- State Planning Policy 3.0 – Urban Growth and Settlement
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- Liveable Neighbourhoods 2009
- Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Uses
- City of Busselton Local Planning Strategy (2019)
- City of Busselton Local Commercial Planning Strategy (2011)

**State Planning Policy 3.0 – Urban Growth and Settlement**

State Planning Policy 3.0: Urban Growth and Settlement (SPP 3.0) sets out the principles and considerations which apply to planning for urban growth and settlements in Western Australia. The objectives of this policy include to:

- Build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure, and enhance the quality of life in those communities; and
- Manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.

Key requirements for sustainable communities identified by SPP 3.0 as they relate to this Scheme Amendment are:

- Sufficient and suitable serviced land in the right locations for housing, employment, commercial, recreational and other purposes, coordinated with the efficient and economic provision of transport, essential infrastructure and human services; and
- variety and choice in the size, type and affordability of housing to support a range of household sizes, ages and incomes, and which is responsive to housing demand and preference.

Principles for planning of 'Liveable Neighbourhoods' require the safe and convenient access to services and facilities designed for all users, including users with disabilities.

**State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) and Guidelines for Planning in Bushfire Prone Areas**

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as 'bushfire prone' by the Fire and Emergency Services Commissioner as highlighted on the 'Map of Bush Fire Prone Areas'. The accompanying *Guidelines for Planning in Bushfire Prone Areas* provide supporting information to assist in the interpretation of the objectives and policy measures outlined in SPP 3.7, providing advice on how bushfire risk is to be addressed when planning, designing or assessing a planning proposal within a designated bushfire prone area.

**Liveable Neighbourhoods (2009)**

Liveable Neighbourhoods is a WAPC operational policy that guides structure planning and subdivision for greenfield and brownfield (urban infill) sites. Key aims of the policy as they relate to this Scheme Amendment are:

- To ensure active street-land use interfaces with building frontages to streets to improve personal safety through increased surveillance and activity;
- To provide a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services; and
- To maximize land efficiency wherever possible.

The consistency of the proposal with the objectives of Liveable Neighbourhoods is addressed in the Officer Comments sections.

**Local Planning Strategy (LPS)**

The LPS sets the long term broad planning direction for the whole of the District of the City of Busselton and provides the strategic rationale for decisions related to the progressive review and amendment of LPS21.

An objective of Theme 1 (Settlement and Community) is for *"the creation of compact, liveable and sustainable settlements that provide residents with housing and lifestyle choice and affordability."* Strategies associated with this theme are to support and pro-actively plan for urban consolidation and redevelopment in areas close to the Busselton City Centre.

As discussed in greater detail in the Officer Comments section, the rezoning of the 'Local Centre' to provide for residential opportunities is considered consistent with the objectives of the LPS.

**Local Commercial Planning Strategy (LCPS)**

The LCPS was prepared to provide background rationale to inform the broader LPS and the subsequent Activity Centre framework contained within that document. The LCPS identifies a range of issues with the site and its ongoing viability as a 'Local Centre,' findings which informed the later recommendation within the LPS for the land to be rezoned to 'Residential.'

As discussed in detail in the Officer Comments section, the rezoning of the land is considered consistent with the findings of the LCPS.

**Financial Implications**

There are no direct financial implications associated with the officer recommendation.

**Stakeholder Consultation**

If Council resolves to initiate the Amendment, the relevant documentation will be referred to the EPA for formal assessment under Part IV of the *Environmental Protection Act 1986.* Where the EPA resolves that the Amendment does not require formal assessment, the document will be advertised for 42 days in accordance with clause 47 of the Regulations.

**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. Resolve to decline the request to initiate the Amendment in its entirety (and provide a reason for such a decision). It should be noted that under the relevant legislation there is no right of appeal against a Council decision not to initiate an amendment; or
2. Resolve to seek further information before making a decision; or
3. Resolve to initiate the Amendment subject to further modification(s) as required and justified.

It is not considered that any of the above options would be warranted in this instance.

**CONCLUSION**

Officers consider the proposal is consistent with the aims and objectives of the state and local planning framework and recommend Amendment 57 be initiated for public consultation.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The implementation of the officer recommendation will occur within 28 days, being advising the applicant of the Council resolution and commencing the advertisement process as per the requirements of the Regulations.




City of Busselton
Geographe Bay

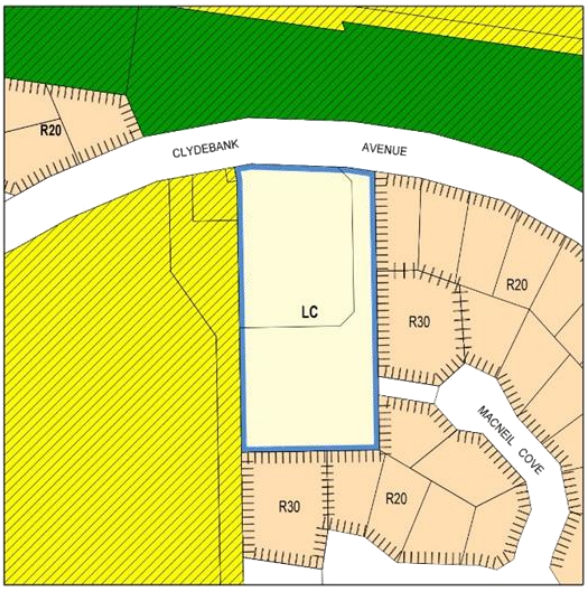
Disclaimer: Every effort has been made to make the information displayed here as accurate as possible. This process is ongoing and the information is therefore ever changing and cannot be disseminated as accurate. Care must be taken not to use this information as correct or legally binding. To verify information contact the City of Busselton office.

2/02/2023

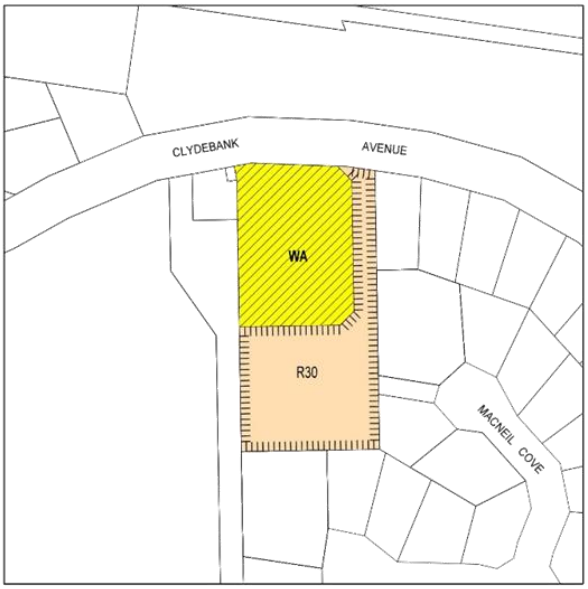
1:1000 @ A3L

# SCHEME AMENDMENT MAP

## CITY OF BUSSELTON
## LOCAL PLANNING SCHEME No. 21
## AMENDMENT No. 57




EXISTING ZONING




PROPOSED ZONING

**LEGEND**

**LOCAL SCHEME RESERVES**

- PUBLIC PURPOSES
- WA — PUBLIC PURPOSES: WATER AUTHORITY
- RECREATION

**LOCAL SCHEME ZONES**

- LC — LOCAL CENTRE
- RESIDENTIAL

**OTHER CATEGORIES**

- R20 — RCODES

0 60m 120m

SCALE 1:2,500@A4

JANUARY 2023

FPA AUSTRALIA Fire Protection Association Australia Life. Property. Environment.

BPAD Bushfire Planning & Design

# Bushfire Management Plan Coversheet

This Coversheet and accompanying Bushfire Management Plan has been prepared and issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme.

## Bushfire Management Plan and Site Details

**Site Address / Plan Reference:** Lot 2 Cyldebank Avenue

**Suburb:** West Busselton **State:** WA **P/code:** 6280

**Local government area:** City of Busselton

**Description of the planning proposal:** Rezoning to Residential

**BMP Plan / Reference Number:** 221412 **Version:** Rev C **Date of Issue:** 18/01/2023

**Client / Business Name:** Bambil Pty Ltd

| Reason for referral to DFES | Yes | No |
|---|---|---|
| Has the BAL been calculated by a method other than method 1 as outlined in AS3959 (tick no if AS3959 method 1 has been used to calculate the BAL)? | ☑ | ☐ |
| Have any of the bushfire protection criteria elements been addressed through the use of a performance principle (tick no if only acceptable solutions have been used to address all of the BPC elements)? | ☐ | ☑ |
| **Is the proposal any of the following special development types (see SPP 3.7 for definitions)?** | | |
| Unavoidable development (in BAL-40 or BAL-FZ) | ☐ | ☑ |
| Strategic planning proposal (including rezoning applications) | ☑ | ☐ |
| Minor development (in BAL-40 or BAL-FZ) | ☐ | ☑ |
| High risk land-use | ☐ | ☑ |
| Vulnerable land-use | ☐ | ☑ |

**If the development is a special development type as listed above, explain why the proposal is considered to be one of the above listed classifications (E.g. considered vulnerable land-use as the development is for accommodation of the elderly, etc.)?**
Rezoning to Residential with a Method 2 Calculation

**Note: The decision maker (e.g. local government or the WAPC) should only refer the proposal to DFES for comment if one (or more) of the above answers are ticked "Yes".**

## BPAD Accredited Practitioner Details and Declaration

| Name | Accreditation Level | Accreditation No. | Accreditation Expiry |
|---|---|---|---|
| Gary McMahon | Level 3 | 35078 | 11/2023 |
| **Company** | | **Contact No.** | |
| Ecosystem Solutions | | (08) 9759 1960 | |

**I declare that the information provided within this bushfire management plan is to the best of my knowledge true and correct**

**Signature of Practitioner** **Date** 18/01/2023

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# Bushfire Management Plan

## Lot 2 Clydebank Ave, West Busselton

18 January 2023

Prepared for:
Bambil Pty Ltd



Document Set ID: 5036932
Version: 1, Version Date: 18/01/2023

# Limitations Statement

This report has been prepared in accordance with the Agreement between Ecosystem Solutions Pty Ltd and Bambil Pty Ltd (**"Client"**). It has been solely prepared for the rezoning of Lot 2 Clydebank Avenue, West Busselton (**"Site"**).

## Information

In undertaking this work the authors have made every effort to ensure the accuracy of the information used. Unless otherwise stated in the report, Ecosystem Solutions Pty Ltd has not independently verified such information and cannot guarantee its accuracy or completeness.

## Conclusions

Within the limitations imposed by the scope of work, preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted practices and using a degree of skill and care ordinarily exercised by reputable bushfire consultants under similar circumstances. No other warranty, expressed or implied, is made.

## Reliance

This report is solely for the use of the Client and any reliance on this report by third parties will be at such party's sole risk. This report must only be presented in full and may not be used to support any other purpose than those set out in the report and the Agreement, except where prior written approval with comments are provided by Ecosystem Solutions Pty Ltd. All intellectual property rights in documents created by Ecosystem Solutions Pty Ltd remain the property of Ecosystem Solutions Pty Ltd.

Other parties should not rely on the report or the accuracy or completeness of any conclusions and should make their own enquiries and obtain independent advice in relation to such matters. Ecosystem Solutions Pty Ltd accepts no Liability, or responsibility whatsoever for or in respect of any use or reliance upon this report and its supporting material subsequently used by others. Please note that the contents of this report may not be directly applicable towards another organisation's needs and may not contain sufficient information for purposes of other parties or for other uses.

Ecosystem Solutions Pty Ltd will not be liable to update or revise the report to take into account any events or emergent circumstances or facts occurring or becoming apparent after the date of this report.

## Other limitations

The measures contained in this report cannot guarantee that a structure or building will not be damaged or would survive a bushfire event on every occasion. This is due to the degree of vegetation management, the unpredictable nature of fire behaviour (knowledge in this field continues to develop) and the unpredictable nature of extreme weather conditions.



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The growth, planting or removal of vegetation, poor maintenance of any fire prevention/mitigation measures, addition of structures not included in this report, or other activity can and will change the bushfire threat to all properties detailed in this report. The implementation of fire precautions will depend on the actions of the landowner or occupiers of the land, over which Ecosystem Solutions Pty Ltd has no control. Should changes be made to the Site, a new Bushfire Management Plan is required. Ecosystem Solutions Pty Ltd accepts no Liability, including Liability for any Loss in connection with:

- a Claim, damage, or injury to property, or persons caused by fire;
- further growth, planting, or removal of vegetation on the Site;
- poor maintenance of any fire protection measures;
- additional structures not included in this assessment; or
- any other activity that may change the bushfire threat level.

The Client and owner of the Site each acknowledge that they have been made aware of the exclusions above and that such exclusion of Liability is reasonable in all the circumstances.
This report is valid for a period of two years only from the date of its issue. All BAL ratings identified in this report are indicative and are required to be verified at the time of construction of individual buildings to ensure appropriate setbacks identified in the Site/building have been achieved.

STATEMENT OF CONFORMITY - PLANNING AND DEVELOPMENT ACT 2005



BPAD Bushfire Planning & Design Accredited Practitioner Level 3

**Gary McMahon**

**B.Sc. M. Env Mgmt. PG Dip Bushfire Protection. C.EnvP, BPAD Level 3 (35078)**

The signatory declares that this Bushfire Management Plan meets the requirements of State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas V1.4.

## DISCLAIMER

**All capitalised terms used in the Limitations Statement above that are not defined are defined in the Agreement between Ecosystem Solutions Pty Ltd and the Client.*

*** The limitations above are subject to any relevant rights or remedies that the Client may be entitled to under legislation, including Schedule 2 of the Competition and Consumer Act 2010 (Cth).*



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# Document Control

Client - Bambil Pty Ltd

Site - Lot 2 Clydebank Ave, West Busselton

| Version | Revision | Purpose | Author | Reviewer | Submitted | |
|---|---|---|---|---|---|---|
| | | | | | Form | Date |
| Report | Rev A | Initial Report | DC (Level 1 - BPAD48409) | GM (Level 3 - BPAD35078) | Electronic (email) | 7/12/2022 |
| Report | Rev B | Minor Amendments | DC (Level 1 - BPAD48409) | GM (Level 3 - BPAD35078) | Electronic (email) | 8/12/2022 |
| Report | Rev C | Correct Reviewer details | DC (Level 1 - BPAD48409) | GM (Level 3 - BPAD35078) | Electronic (email) | 18/01/2023 |

Filename: Z:\PROJECTS\221412 45B Clydebank Ave, West Busselton BMP 4 Element\Reports\45B Clydebank Ave, West Busselton BMP.docx



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# Proposal

This Bushfire Management Plan (BMP) has been prepared for Lot 2 Clydebank Avenue, West Busselton (hereafter referred to as the 'Site') by Dani Cuthbert (Dip TM., Dip BM. & BPAD48409 - Level 1) with review provided by Gary McMahon (BPAD35078 – Level 3) from Ecosystem Solutions.

The proposal is to rezone the lot from Local Centre to Residential.

The Site is located within the City of Busselton. The Busselton town centre is approximately 2.2 km to the north east of the Site. The portion of the Site is located within a bushfire prone area, as declared by State Planning Policy 3.7: Planning in Bushfire Prone Areas (Figure 1).

The Site is an existing lot, 3,929m$^2$ in size. The Lot is flat in topography, sitting at approximately 5 m AHD (Australian Height Datum).

The purpose of this BMP is to detail the bushfire management methods and requirements that will be implemented within the Site as part of this subdivision. The aim of this BMP is to reduce the threat to residents and fire fighters in the event of a fire within or near the Site.



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*Figure 1 Extract Map of Bush Fire Prone Areas (SLIP, accessed 22nd November), showing Lot 2 Clydebank Avenue, West Busselton within the blue polygon.*



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# Bushfire Assessment Results

## 1.1 Assessment Inputs

A Site Inspection was conducted on the 30th of November 2022 by Dani Cuthbert (Dip BM., Dip TM. & BPAD Level 1), for the purpose of determining the Bushfire Attack Level.

All vegetation within 150 m of the Site was classified and the slope under the vegetation determined in accordance with AS 3959-2018, shown in the photos below with map provided in Figure 3.

There are two methods to conduct a BAL Assessment under AS3959 - 2018:

- Method 1 - a simplified procedure that involves five procedural steps to determine BAL and is subject to limitations on the circumstances in which it can be used.
- Method 2 - a detailed procedure using calculations to determine BALs where a more specific result is sought or where the Site conditions are outside the scope of the simplified procedure.

A Method 2 approach was conducted for Plot 1 - Class A Forest Upslope/Flat. A Method 2 approach provides a more detailed and accurate assessment of the BAL ratings to account for variations in fire runs, intermittent fuel profiles and flame widths which would result in moderate bushfire behaviour compared to the standard Method 1 approach. The default elements used in a Method 1 calculation were used in this situation, apart from the flame width, which was calculated using the DFES short fire run calculator based on Transect 1 of 18 m. This is discussed in more detail below.



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| Plot | 1 | Vegetation Classification or Exclusion Clause | Class A Forest Upslope/Flat (Method 2) |
|---|---|---|---|
|  | | |  |
| *Photo ID: 1* | | | *Photo ID: 2* |
| **Description / Justification for Classification** | | | Forest vegetation of trees 10-30 m in height, with a canopy cover of 30-70% dominated by *Agonis flexuosa* trees over a shrubby understory.<br>A short fire run has been used for this plot, using a transect of 18 metres which was the maximum distance measured across this vegetation plot, adjacent to the Site. |



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| Plot | 2 | Vegetation Classification or Exclusion Clause | Class A Forest Upslope/Flat (Method 1) |
|---|---|---|---|
|  | | |  |
| *Photo ID: 3* | | | *Photo ID: 4* |
| **Description / Justification for Classification** | | | Forest vegetation of trees 10-30 m in height, with a canopy cover of 30-70% dominated by *Agonis flexuosa* trees over a shrubby understory. |



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<table>
<tr><td>Plot</td><td>3</td><td colspan="2">Vegetation Classification or Exclusion Clause</td><td>Class B Woodland Upslope/Flat (Method 1)</td></tr>
<tr><td colspan="3"> 
</td><td colspan="2"> 
</td></tr>
<tr><td colspan="3">Photo ID: 5</td><td colspan="2">Photo ID: 6</td></tr>
<tr><td colspan="3"> 
</td><td colspan="2"></td></tr>
<tr><td colspan="3">Photo ID: 7</td><td colspan="2"></td></tr>
<tr><td colspan="3">Description / Justification for Classification</td><td colspan="2">Open woodland vegetation of trees 10-30 m in height, with a canopy cover of less than 30% dominated by Agonis flexuosa trees over a grass understory.</td></tr>
</table>



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| Plot | 4 | Vegetation Classification or Exclusion Clause | Class B Woodland Upslope/Flat (Method 1) |
|---|---|---|---|
|  | | |  |
| *Photo ID: 8* | | | *Photo ID: 9* |
| **Description / Justification for Classification** | | | Open woodland vegetation of trees 10-30 m in height, with a canopy cover of less than 30% dominated by *Agonis flexuosa* trees over a grass understory.<br>This vegetation plot will become excluded under S 2.2.3.2 (e) or (f) post development, as shown in Figure 4. |



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| Plot | 5 | Vegetation Classification or Exclusion Clause | Excluded Clause 2.2.3.2 (a), (e) & (f) |
|---|---|---|---|




*Photo ID: 10*




*Photo ID: 11*




*Photo ID: 12*




*Photo ID: 13*

| | |
|---|---|
| **Description / Justification for Classification** | Vegetation more than 100 m from the Site has been excluded under S 2.2.3.2 (a). Non vegetated areas including roads, access ways, pathways and buildings and excluded under S 2.2.3.2 (e). Low threat vegetation including managed gardens and grass are excluded under S 2.2.3.2 (f). Urban Lots are required to be maintained with grass under 10 cm according to the City of Busselton Firebreak and Fuel Hard Reduction Notice (which may be subject to review from time to time). The Developer is required to maintain grasses within the Lot under 10 cm in height, as per the Firebreak Notice. |



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### 1.1.1 Method 2 Calculation

The following data was used for the Method 2 calculations for Plot 1.

**Climate Data**

- The default Fire Danger Index for Western Australia (Table 2.1 - AS 3959-2018) of 80 was used in this calculation.
- 45 km/h wind speed default was used in this calculation.

**Fuel Loadings**

- The Class A Forest classification has been used for the Method 2 Calculation. This determines which bushfire model is most appropriate to the landscape and vegetation.
- The slope under the classified vegetation was calculated as Upslope/Flat. This was measured in the field for this vegetation plot using the Nikon Forestry Pro.

**Flame Length Calculations**

The intensity, rate of spread and flame length calculations using AS 3959 -2018 are deemed overly conservative for the Site due to the narrowing of the vegetation, limiting the potential head fire width that the adjacent areas will be exposed to. AS3959-2018 uses a default 100 m square fire panel in its modelling. Using an ellipse-shaped fire model as proposed by Alexander (2005) is more appropriate to this situation.

The simplest fire pattern from a single ignition point on flat terrain and under calm conditions, will spread out at an equal rate in all directions from the starting point, in a circular fashion, with the origin at the approximate centre. As time increases and with the influences of wind and slope or both, the fire shape assumes a roughly elliptical shape provided wind is consistent. In this model, the flanks of the fire make up an increasing greater portion of the total perimeter, hence the standard 'panel' fire models of AS3959-2018 can be significantly overstated.

The Department of Fire and Emergency Services (DFES) has prepared a draft Short Fire Run Model for these situations. These calculate a potential Head Fire Width based on the total fire length. The calculations for this Site are shown in Table 1.

*Table 1 Short Fire Run & Head Fire Width Calculations - Forest Corridor (DFES 2016)*

| Transect | Fire Run (m) | FDI | Surface Fuel (t/ha) | Slope (°) | Total Fire Length (m) | Head Fire Width (m) |
|---|---|---|---|---|---|---|
| 1 | 18 | 80 | 25 | 0 | 18.60 | 6.59 |



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The flame length for the vegetation is calculated by inputting this data into the Method 2 model:

- An appropriate fire behaviour equation to determine the forward rate of spread of a fire;
- A correction for the forward rate of spread based on the effective slope;

The fire behaviour model is McArthur (1973) and Noble *et al* (1980), as shown in Table B1: AS 3959 is:

**R: 0.0012*FDi*w**

Where R is the rate of spread in Km/h;

FDI is the McArthur Fire Danger Index; and

w is the surface fuel load (t/ha)

**Radiant Heat Flux**

Other elements included in the calculations are:

- Flame Width (Table 1);
- Elevation of receiver (this is the level at which the site will receive the incident radiant heat flux); and
- The radiation heat flux is determined from the flame emissive power, the view factor, and the atmospheric transmissivity.

Based on the above parameters, Table 2 shows parameters used and resulting Radiant Heat Flux (RHF). Appendix C shows full details of the calculations for the transect.



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*Table 2 Method 2 Calculation Inputs and Results*

| Method 2 Calculation | Plot 1 |
|---|---|
| Transect | 1 |
| Flame Width (m) | 7 |
| RoS (Km/h) | 2.4 |
| Flame Length (m) | 19.8 |
| Flame Angle (degrees) | 23, 27, 32, 41 & 59 |
| Flame Temp (K) | 1,090 |
| Intensity (kW/m) | 43,400 |
| Min distance to <40kW/m$^2$ | 12.5m |
| **Min distance to <29kW/m$^2$** | **13.8m** |
| Min distance to <19kW/m$^2$ | 15.8m |
| Min distance to < 12.5 kW/m$^2$ | 18.3m |
| Min distance to <10kW/m$^2$ | 19.9m |



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*Figure 2 Map of Vegetation Class and Effective Slope - Current Extent*



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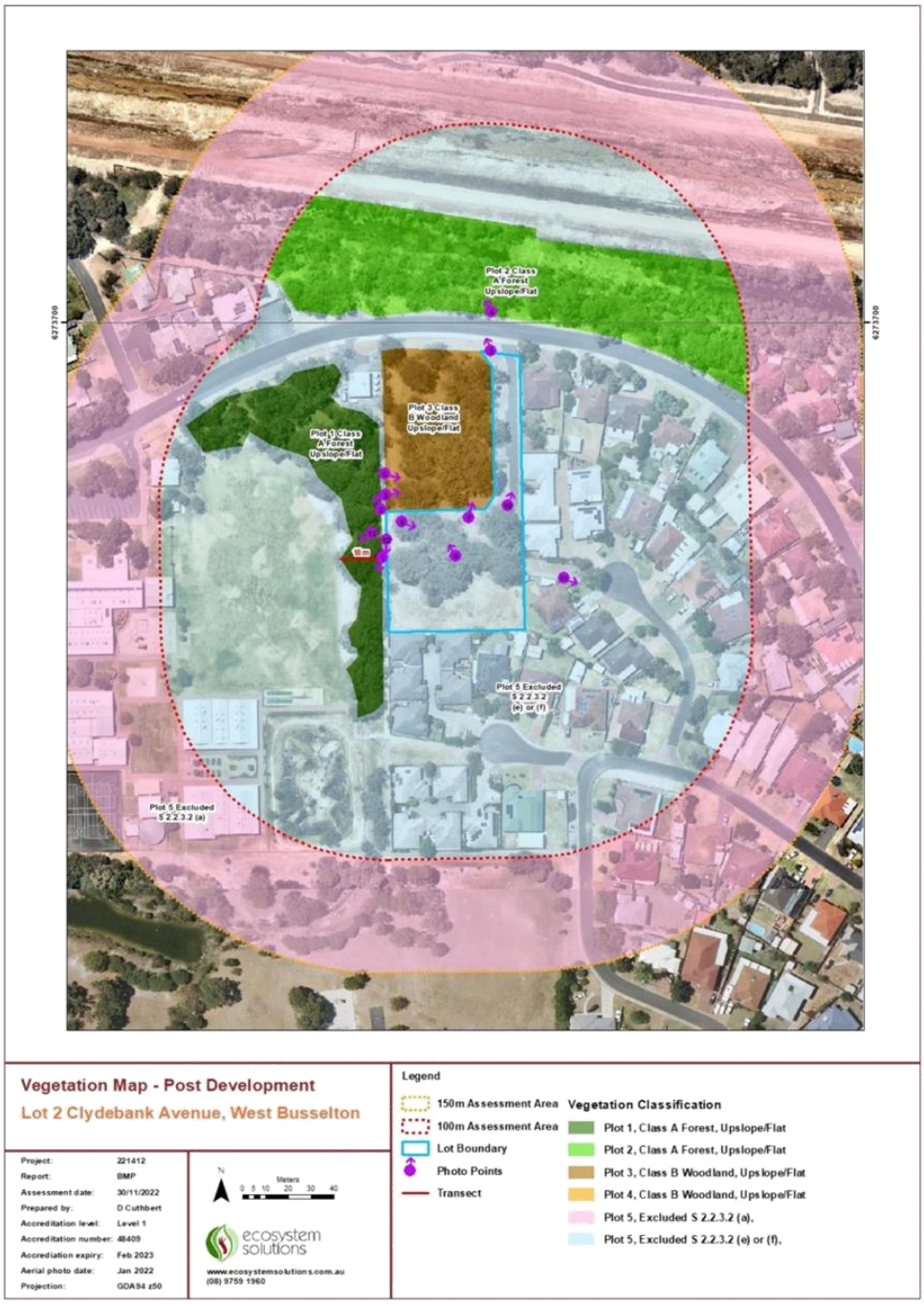


*Figure 3 Map of Vegetation Class and Effective Slope - Post Development*



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## 1.2 Assessment Outputs

The results from the Site assessment are provided in Table 3. The Determined Bushfire Attack Level (highest BAL) for the Site has been determined in accordance with clause 2.2.6 of AS 3959-2018 with maps provided in Figures 4 & 5.

*Table 3 Site Assessment Results*

| BAL Determination | | | | |
|---|---|---|---|---|
| Fire Danger Index - 80 (AS3959-2018 Table 2.1) | | | | |
| **Plot** | **Vegetation Classification** | **Effective Slope Under the Classified Vegetation (degrees)** | **Separation Distance to the Classification Vegetation (metres)** | **Bushfire Attack Level** |
| 1 | Class A Forest | Upslope / Flat | Min 14 m* (Method 2) | BAL-29 |
| 2 | Class A Forest | Upslope / Flat | Min 21 m* | BAL-29 |
| 3 | Class B Woodland | Upslope / Flat | Min 14m* | BAL-29 |
| 4 | Class B Woodland | Upslope / Flat | Min 14m** | BAL-29 |
| 5 | Excluded Clause 2.2.3.2 (a), (e) & (f) | N/A | N/A | BAL-LOW |
| **Determined Bushfire Attack Level** | | | | **BAL-29** |

* These are minimum distances required to meet BAL-29 setbacks. A lower BAL rating may be achieved based on an increased separation distance from the classified vegetation, if there is adequate area available within the proposed lots.

** This plot is located within the proposed lot and will be cleared to establish a house or managed to Asset Protection Zone Standards as a requirement of this Bushfire Management Plan. Therefore, the area is excluded in Figure 3.



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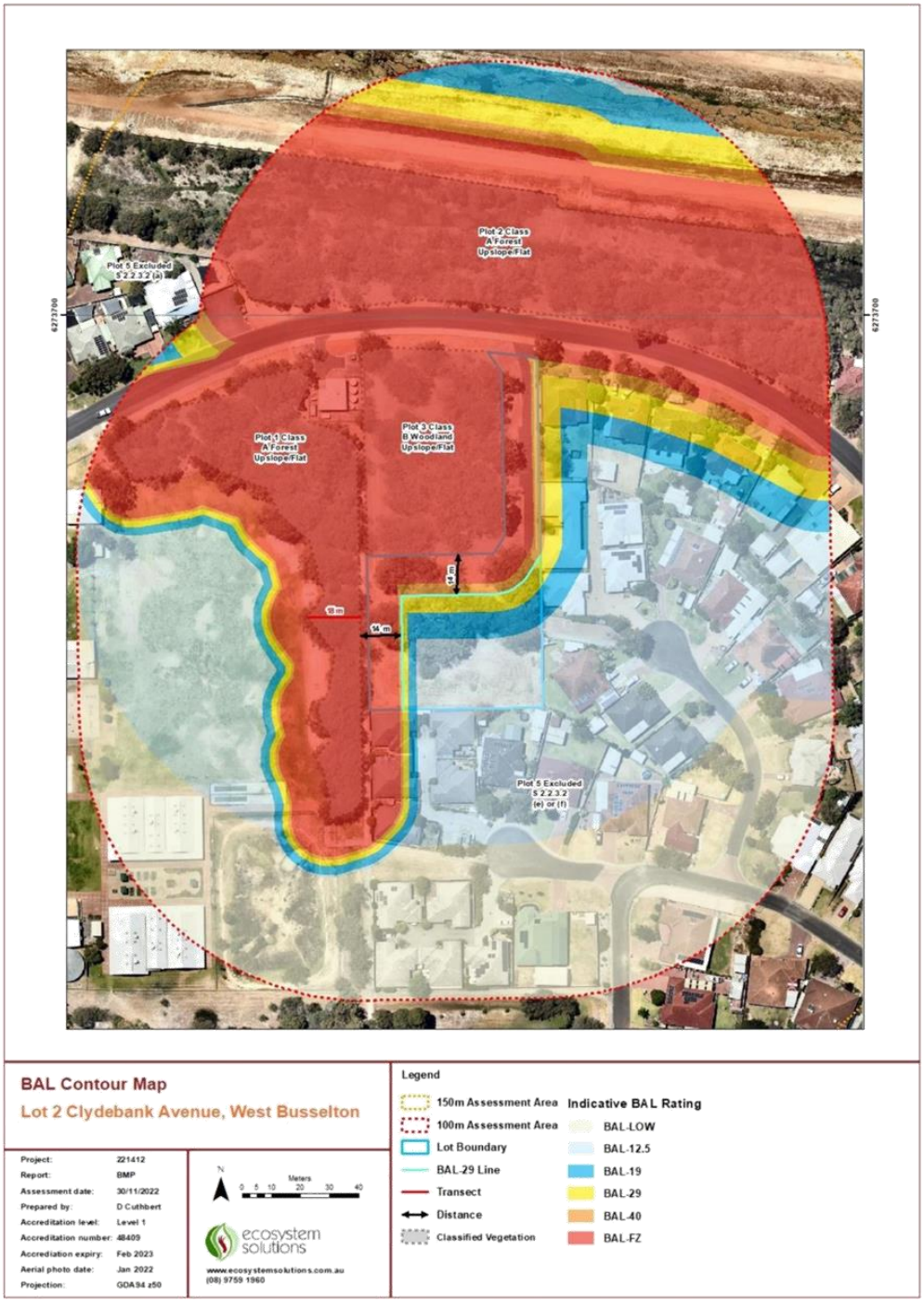


*Figure 4 Map of Bushfire Attack Level Assessment*



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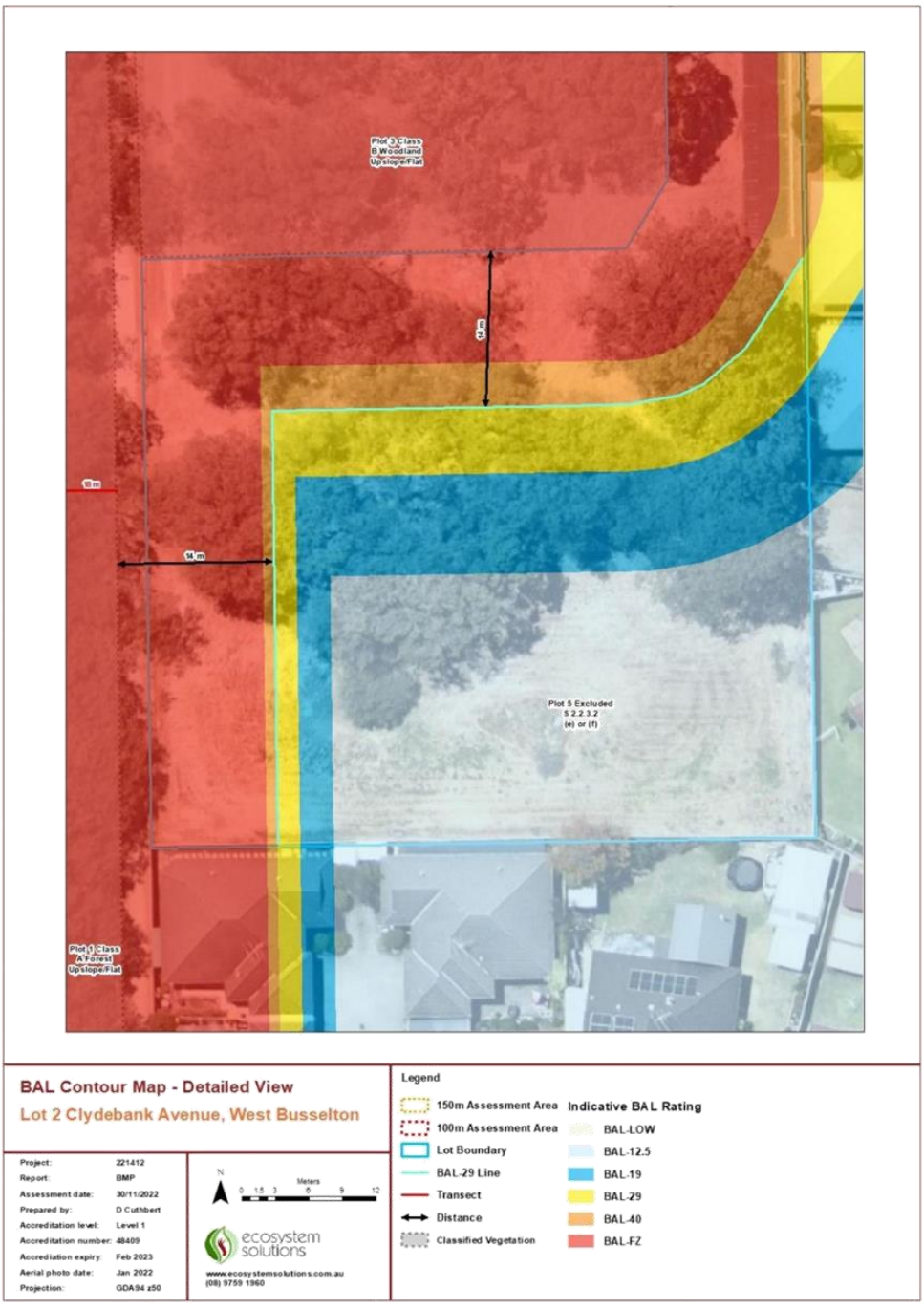


*Figure 5 Map of Bushfire Attack Level Assessment - Detailed View*



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# Environmental Considerations

## 2.1 Native Vegetation – modification and clearing

The Site contains areas of remnant native vegetation. Modification of this vegetation will be required within the Site to establish a low fuel state.

Existing trees are can be retained within the habitable building setback area, if the trunks at maturity are 6 metres from all elevations of a habitable building, branches at maturity do not touch or overhang a building, lower branches are removed to a height of 2 metres above the ground or surface vegetation and canopy cover is less than 15%, with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

This bushfire assessment assumes that relevant government approvals for any vegetation modification will be achieved prior to the commencement of any clearing.

The area has been assessed for environmental values using a simple desktop review (Table 4) for values under the *Environment Protection and Biodiversity Act 1999* (Cmth). Protected Matters Search Tool identifies four Threatened Ecological Communities and declared rare flora species or species habitat likely to occur within the area.

*Table 4 Proposed native vegetation clearing within environmental valued areas*

| Environmental Value | Yes or No | If Yes - describe |
|---|---|---|
| Conservation Covenants | No | Not applicable |
| Bushfire Forever Sites | No | Not applicable |
| Conservation Category Wetlands and Buffer | No | Not applicable |
| Threatened Ecological Communities (TECs) | Yes | Banksia Woodlands of the Swan Coastal Plain ecological community, Tuart Woodlands and Forests of the Swan Coastal Plan ecological community and Claypans of the Swan Coastal Plain ecological community may occur within the area. |
| Threatened Flora | Yes | There are a number of Threatened flora species of species habitat that are known to occur within the area. |



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| Environmental Value | Yes or No | If Yes - describe |
|---|---|---|
| Threatened Fauna | Yes | There are a number of Threatened fauna species or species habitat that are known to occur within the area including the Western Ringtail Possum (Critically Endangered) and three Black Cockatoo species (Endangered/ Vulnerable). |
| Significant through Local Planning or Biodiversity Strategy | No | Not applicable |

## 2.2 Re-vegetation / Landscape Plans

No active revegetation is required. Any future planting of vegetation, or failure to maintain the Asset Protection Zones to the standard detailed in this BMP, can change the BAL rating significantly.



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# Assessment Against the Bushfire Protection Criteria

## 3.1 Compliance with the Acceptable Solutions for each Element

| Bushfire Protection Criteria - Element 1 - Location | | |
|---|---|---|
| **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. | | |
| **Acceptable Solution** | **Compliance** | **Assessment Statements** |
| **A1.1 Development location**<br>*The strategic planning proposal, subdivision and development application is located in an area that is or will, on completion, be subject to either a moderate or low bushfire hazard level, or BAL-29 or below.* | Compliance with this element is achieved. | The BAL Contour for the Site (Figure 4 & 5) shows the areas on the Lot where BAL-29 or a lower rating can be achieved.<br>Any subdivision will be designed to ensure all residential lots achieve a BAL-29 or lower rating. Habitable building setbacks may be required to ensure that no habitable building is constructed in an area of BAL-40 or BAL-FZ.<br>At subdivision stage, the entire Site will be established and maintained in a low fuel state by the Landowner/Developer, with grass managed under 10 cm in height, as a requirement of this Bushfire Management Plan. |



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| Bushfire Protection Criteria - Element 2 - Siting and Design | | |
|---|---|---|
| **Intent:** To ensure that the siting and design of development minimises the level of bushfire impact. | | |
| **Acceptable Solution** | **Compliance** | **Assessment Statements** |
| **A2.1 Asset Protection Zone (APZ)**<br>*Every habitable building is surrounded by, and every proposed lot can achieve, an APZ depicted on submitted plans, which meets the following requirements:*<br>• *Width: Measured from any external wall or supporting post or column of the proposed building, and of sufficient size to ensure the potential radiant heat impact of a bushfire does not exceed 29kW/m² (BAL-29) in all circumstances.*<br>• *Location: 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 (see explanatory notes).*<br>• *Management: the APZ is managed in accordance with the requirements of 'Standards for Asset Protection Zones.'* (Appendix B). | Compliance with this element is achieved. | Asset Protection Zones surrounding each habitable building that eventuate within the Site will be established and maintained in perpetuity to meet the criteria in the Guidelines(Appendix B) with the following minimum distance required to achieve BAL-29;<br>• 21 m from the Class A Forest Upslope/Flat, or to the lot boundary, whichever is closer;<br>• 14 m to the Class B Woodland Upslope/Flat, or to the lot boundary, whichever is closer.<br>Depending on the final lot layout, some APZ's may overlap lot boundaries. To ensure any dwelling constructed within the Site can achieve BAL-29 or a lower rating, the Developer must establish and maintain the Lot in a low fuel state at subdivision stage. As individual lots are sold, management for each lot will become the responsibility of the individual landowner.<br>In addition to the requirements of the Guidelines, the City of Busselton's Firebreak Notice (which is subject to review from time to time, Appendix A) must be complied with. This includes Urban Lots over 2,024m² (Category 2) being required to maintain grasses at under 10 cm in height and removal of all dead branches from trees and shrubs. This management will ensure the area remains in a low fuel state in perpetuity. |



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| Bushfire Protection Criteria - Element 3 - Vehicular Access | | |
|---|---|---|
| **Intent:** To ensure that the vehicular access serving a subdivision/development is available and safe during a bushfire event. | | |
| **Acceptable Solution** | **Compliance** | **Assessment Statements** |
| **A3.1 Public Roads**<br>*Public roads are to meet the minimum technical requirements in Table 6, Column 1.*<br>*The trafficable (carriageway /pavement) width is to be in accordance with the relevant class of road in the Local Government Guidelines for Subdivisional Development (IPWEA Subdivisional Guidelines), Liveable Neighbourhoods, Austroad standards and/or any applicable standards for the local government area.* | Not applicable to this Site. | The Developer will construct any public roads to meet the requirements of the relevant class of road in the Local Government Guidelines for Subdivisional Developments, Liveable Neighbourhoods, Austroads standards and/or applicable standards for the local government.<br>Existing public roads in proximity to the Site are in good condition. |
| **A3.2a Multiple access routes**<br>*Public road access is to be provided in two different directions to at least two different suitable destinations with an all-weather trafficable surface (two-way access).*<br>*If the public road access to the subject site is via a no-through road which cannot be avoided due to demonstrated site constraints, the road access is to be a maximum of 200 metres from the subject lot(s) boundary to an intersection where two-way access is provided.*<br>*The no-through road may exceed 200 metres if it is demonstrated that an alternative access, including an emergency access way, cannot be provided due to site constraints and the following requirements are met:*<br>• *The no-through road travels toward a suitable destination; and*<br>• *The balance of the no-through road, that is greater than 200 metres from the subject site, is wholly within BAL-LOW, or is within a residential built-out area - Figure 24.* | Compliance with this element is achieved. | The subject site is accessed via Clydebank Avenue, which is an existing through road.<br>The entry to the Site is via a battle-axe leg, which is existing, and a legacy of past planning approvals.<br>The no through access is approximately 75m in length, and therefore complies with this acceptable solution. |



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| Bushfire Protection Criteria - Element 3 - Vehicular Access | | |
|---|---|---|
| **A3.2b Emergency Access Way** | Not applicable to this Site. | Not applicable to this Site. |
| **A3.3 Through-Roads**<br>*All public roads should be through roads. No-through roads should be avoided and should only be considered as an acceptable solution where:*<br>• *It is demonstrated that no alternative road layout exists due to site constraints;*<br>• *The no-through road is a maximum length of 200 metres to an intersection providing two-way access unless it satisfies the exemption provisions in A3.2a of this table.*<br>*A no-through road is to meet all the following requirements:*<br>• *Requirements of a public road (Table 6, Column 1, Figure 6); and*<br>• *Turn-around area as shown in Figure 24.* | Compliance with this element is achieved | The Site is accessed via a no-through access leg, which is approximately 75 m in length and satisfied the exemption provisions in A3.2a above. This access is a legacy of past planning approvals and cannot be avoided. |
| **A3.4a Perimeter roads** | Not applicable to this Site. | Not applicable to this Site. |
| **A3.4b Fire Service access route** | Not applicable to this Site. | Not applicable to this Site. |
| **A3.5 Battle-axe access legs**<br>*There are no battle-axe technical requirements where the point of the battle-axe access leg joins the effective area of the lot, is less than 50 metres from a public road in a reticulated area.* | Compliance with this element is achieved. | The existing battle-axe leg is approximately 75 m in length and 10m in width. The access through this battle axe leg is required to be constructed to meet the requirements of the relevant class of road in the Local Government Guidelines for Subdivisional Developments, Liveable Neighbourhoods, Austroads standards and/or applicable standards for the local government. |



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| Bushfire Protection Criteria - Element 4 - Water | | |
|---|---|---|
| **Intent:** To ensure that water is available to the subdivision, development, or land use to enable people, property, and infrastructure to be defended from bushfire. | | |
| **Acceptable Solution** | **Compliance** | **Assessment Statements** |
| **A4.1 Provision of water for firefighting purposes**<br>*Where a reticulated water supply is existing or proposed, hydrant connection(s) should be provided in accordance with the specifications of the relevant water supply authority.* | Compliance with this element is achieved. | The Site is located within a reticulated water supply area, with a fire hydrant.<br>Reticulated water is required to be supplied to the Site in accordance with the Water Corporation's No. 63 Water Reticulation Standards. |



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## 3.2 Performance Based Solutions

The Site assessment was conducted in accordance with AS 3959-2018 Simplified Procedure (Method 1) and a Detailed Procedure for Plot 1 only (Method 2) due to the limited width of vegetation and potential head fire that could impact the Site. The Proposal meets all the compliance requirements for the four Bushfire Protection Criteria Elements. There are no performance-based solutions proposed.

## 3.3 Summary of the Assessment Outcomes

This plan provides acceptable solutions and responses to the performance criteria outlined in the *Guidelines for Planning in Bushfire Prone Areas* (WAPC, Dec 2021).

The layout and design of the development will be designed as such that no structure will be required to be exposed to a radiant heat flux in excess of 29 kW/m$^2$ (BAL-29) provided the management as outlined in the plan is adopted.

Any class 1,2, 3 or associated 10a structures that are to be constructed, or additions planned to existing dwellings shall be designed and built to conform with Australian Standards AS3959-2018:

- BAL-29 - sections 3 & 7;
- BAL-19 - sections 3 & 6; and
- BAL-12.5 - sections 3 & 5.

A summary of the Bushfire Management Strategies to be implemented is provided in Figure 6. The developable area shows the area within the Lot where a BAL-29 or lower rating can be achieved. A lower BAL rating may be achieved, depending on the exact location of the dwelling within the Lot.



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## Spatial representation of the proposed risk management measures




**NOTES**

The lot layout will be designed to ensure any dwelling eventuating within the Lot can achieve BAL-29 or lower rating. The Developable Area is illustrated in this map, a Habitable Building Exclusion Zone may be required at subdivision state to ensure that no dwelling eventuates within an area of BAL-40 or BAL-FZ.

The developer will establish and maintain the Site in a low fuel state at the subdivision stage, until individual lots are sold, where the responsibility becomes the individual lot owners.

Any public roads will be constructed according to the Guidelines.

Reticulated water and fire hydrants will be provided in accordance with the Water Corporations No.63 Water Reticulation Standard.

The design of the lot layout and establishment of water supply and access are the responsibility of the developer.

**LEGEND**

- Lot Boundary
- Hydrant
- Classified Vegetation
- Developable Area
- Distance

**PROPERTY / ASSESSMENT DETAILS**

Property Address: Lot 2 Clydebank Ave, West Busselton
Project No: 221412
Prepared by: D Cuthbert
Accreditation Level: Level 1
Accreditation Number: 48409
Accreditation Expiry Date: 02/23

N
0 15 30
Meters
ecosystem solutions
www.ecosystemsolutions.com.au
(08) 9759 1960

*Figure 6 Map of Bushfire Management Strategies*



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# Responsibilities for Implementation and Management of the Required Bushfire Measures

The responsibilities for the Developer, Landowner/Occupier and Local Government are outlined in Table 5 and Table 6 respectively.

*Table 5 Developer Responsibilities*

| Number | Action | Due | Completed |
|---|---|---|---|
| 1 | Design the lot layout to ensure any dwelling eventuating within the Site can achieve a BAL-29 or lower rating. | At subdivision application stage | ☐ |
| 2 | Design all roads to the standards of Element 3 in accordance with the relevant class of road in the Local Government Guidelines for Subdivisional Development, Liveable Neighbourhoods, Austroad Standards and/or any applicable standards for the local government area. | At subdivision application stage | ☐ |
| 3 | Design the reticulated water and fire hydrants in accordance with the Water Corporation's No. 63 Water Reticulation Standards. | At subdivision application stage | ☐ |
| 4 | Provide a copy and obtain endorsement of this Bushfire Management Plan by those with responsibility under this plan including Builders, Landowners/Occupiers and City of Busselton. | Post planning approval and prior to lot sale | ☐ |
| 5 | Place a notice on the Certificate of Title, advising of the existence of this Bushfire Management Plan and associated maintenance obligations. | Creation of titles and deposited plan | ☐ |



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*Table 6 City of Busselton Responsibilities*

| Number | Action | Due |
|---|---|---|
| 1 | Monitor landowner compliance with the annual firebreak notice. | Ongoing |
| 2 | Develop and maintain district bushfire fighting services and facilities. | Ongoing |
| 3 | Promote education and awareness of bushfire prevention and preparation measures though the community. | Ongoing |
| 4 | Administer the requirements of the *Bush Fires Act 1954*, *Planning and Development Act 2005* and the *Building Act 2011*. | Ongoing |



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# Appendix A City of Busselton Firebreak & Fuel Hazard Reduction Notice



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## PERMITS TO BURN

**Permits to Burn** are required for the whole of the Restricted Burning Times and can only be obtained from the Fire Control Officer for your area

A list of Fire Control Officers is available on the **Fire and Emergency Services** page on the City's website

Most of our Fire Control Officers are volunteers, make sure you **plan ahead** if you intend to apply for a Permit to Burn

A Permit to Burn must be obtained before any burning takes place and the permit holder **must be in possession** of the permit throughout the duration of the burn

The permit holder shall ensure **all conditions** of the permit, as shown on the permit, are **fully complied** with

## NOTIFY DFES COMMUNICATIONS CENTRE

**DFES Communications Centre (9395 9209)** are to be advised whenever the holder of a permit **commences burning**; and/or whenever a person is carrying out burning activities **outside of the Prohibited and Restricted Burning Times**

## HARVEST VEHICLE MOVEMENT BANS

The City may declare **Harvest Vehicle Movement Bans** (HVMBs) at any time. For further information or to receive notification of HVMBs please visit the **Fire and Emergency Services** page on the City's website

The new Australian Fire Danger Rating System




**Moderate: plan and prepare**

**High: be ready to act**

**Extreme: take action now to protect life and property**

**Catastrophic: for your survival, leave bushfire risk areas**

## GENERAL INFORMATION

**Burning of Garden Refuse:** pursuant to section 24G(2) of the *Bush Fires Act 1954*, the burning of garden refuse is prohibited throughout the District during Prohibited Burning Times, and prohibited in urban areas of the District during Restricted Burning Times

During Restricted Burning Times, a Permit to Burn is required for the burning of garden refuse in Rural Residential or Rural areas

**Camping and/or Cooking Fires:** pursuant to section 25(1a) of the *Bush Fires Act 1954*, the lighting of fires in the open for the purpose of camping and/or cooking is prohibited throughout the District during Prohibited Burning Times

The lighting of fires in the open for the purpose of camping and/or cooking is prohibited at all times when the **Fire Danger Rating** for the District is ***High or above** without the written approval of the City

**Fire Pits, Chimineas, and/or Braziers:** the lighting of fire pits, Chimineas and/or braziers is prohibited during Prohibited Burning Times, and otherwise prohibited if the **Fire Danger Rating** for the District is ***High or above**

**Conditions for the Lighting and Extinguishing of Fires in the Open:** when burning garden refuse; or lighting camping and/or cooking fires; or when lighting fire pits, Chimineas and/or braziers the space of ground around the site of the fire, having a radius of at least 3 metres from the site at the centre, shall be clear of all vegetation and other flammable materials

The person who lit the fire, or a person left in attendance at the fire as the case may be, shall completely extinguish the fire by the application of water and/or earth before that person leaves the site unattended

**The new Australian Fire Danger Rating System (AFDRS) will go live on 1 September 2022. The Australia wide system uses current science that significantly improves the ability to predict fire behaviour*

*Work is underway at a State level to amend legislation to reflect the new AFDRS. Importantly, these changes will not affect the requirement for landowners or occupiers of land to fully comply with this Notice*

*For more information about the AFDRS visit*

www.afac.com.au/initiative/afdrs

## KEY DATES

Dates **may change due to seasonal fire conditions** in which case details will be published in local newspapers and on the City's website

**PROHIBITED BURNING TIME**
(BURNING IN THE OPEN IS PROHIBITED)

1 December 2022 to 28 February 2023

**RESTRICTED BURNING TIMES**
(BURNING PERMITS ARE REQUIRED)

15 October 2022 to 30 November 2022
and 1 March 2023 to 30 April 2023
**(Burning on Public Holidays Prohibited)**

## COMPLIANCE DATES

**Rural Residential / Urban / Industrial Land**

Compliance with this Notice must be achieved no later than 15 November 2022 and maintained until 30 April 2023

**Rural Land**

Compliance with this Notice must be achieved no later than 15 December 2022 and maintained until 30 April 2023

## FIREBREAK INSPECTIONS AND RIGHT OF ENTRY

The City will commence its annual firebreak inspection program on 15 November 2022

Rangers are appointed Bush Fire Control Officers under the provisions of the *Bush Fires Act 1954* and carry out annual inspections

**Under the provisions of the Act, Bush Fire Control Officers may in the performance of their duties, enter any land or building including private property**

## FIREBREAK VARIATIONS

Where there are valid environmental and/or on-ground considerations that prevent full compliance with this Notice, landowners may apply to the City for a firebreak variation. A variation must be lodged in writing on an Application for Variation form that is available on the City's website.

Applications for variation must be submitted by 31 October 2022

City of Busselton
Geographe Bay

# FIREBREAK AND FUEL HAZARD REDUCTION NOTICE

## 2022/2023 BUSH FIRE SEASON

## FIRST AND FINAL NOTICE

Take notice that pursuant to Part 3 Division 6 Section 33 of the ***Bush Fires Act 1954***, landowner(s) or occupier(s) of land shall construct firebreaks and carry out fire prevention work in accordance with this Notice

Failure to comply with this Notice may result in a fine of up to

**$5,000**

**This year the City will be prioritising the inspection of properties that were issued Work Orders during the 2021/2022 bush fire season**

Should you require assistance or clarification of the requirements of this Notice, please contact the City's Ranger Services on 9781 0444

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# FIREBREAK CATEGORY CODE AND SUMMARY OF REQUIREMENTS



**ALL REQUIREMENTS IN THIS NOTICE ARE TO BE MAINTAINED THROUGHOUT THE ENTIRE DURATION OF THE FIRE SEASON**

**FAILURE TO COMPLY MAY RESULT IN A $5,000 FINE**

PLEASE BE ADVISED THAT YOUR PROPERTY MUST COMPLY WITH CATEGORY REQUIREMENTS AS NOTED BY A TICK IN COLUMN A, B, C OR D



| CATEGORY<br>*It is the land owner's responsibility to identify the category that relates to their property and to ensure the necessary fire prevention works are completed on time. Please contact the City if you are unsure of your category.* | A | B | C | D |
|---|---|---|---|---|
| **CATEGORY 1**<br>**RURAL**<br>Except plantations and vineyards (for tourist chalets, refer to Estate Fire Management Plan or Individual Fire Management Plan)<br>Sections A, C and D apply to this category. | ✓ | | ✓ | ✓ |
| **CATEGORY 2**<br>**URBAN RESIDENTIAL & INDUSTRIAL - COMMERCIAL**<br>Sections A, B, D and E1 Trees, apply to this category. Refer to section E - Interpretation and Additional Requirements (E1 Trees). | ✓ | ✓ | | ✓ |
| **CATEGORY 3 & 4**<br>**PLANTATIONS**<br>Fire Management Plan applies | N/A | N/A | N/A | N/A |
| **CATEGORY 5**<br>**PROTEA PLANTATIONS / VINEYARDS**<br>(For tourist chalets, refer to Estate Fire Management Plan or Individual Fire Management Plan)<br>Sections A, B, C and D apply to this category. | ✓ | ✓ | ✓ | ✓ |
| **CATEGORY 6**<br>**RURAL RESIDENTIAL - LOTS WITH INDIVIDUAL (MINERAL EARTH) BOUNDARY BREAKS**<br>Sections A, B, C and D apply to this category unless the property is subject to Estate Fire Management Plan or Individual Fire Management Plan | ✓ | ✓ | ✓ | ✓ |
| **CATEGORY 7**<br>**RURAL RESIDENTIAL - LOTS WITH A STRATEGIC FIREBREAK ON ONE OR MORE BOUNDARIES**<br>Sections A, B, C and D apply to this category unless the property is subject to Estate Fire Management Plan or Individual Fire Management Plan | ✓ | ✓ | ✓ | ✓ |
| **CATEGORY 8**<br>**RURAL RESIDENTIAL - LOTS WITHIN A STRATEGIC FIREBREAK AREA WITH NO STRATEGIC FIREBREAKS ON THE LOT BOUNDARIES**<br>Sections B, C and D apply to this category unless the property is subject to Estate Fire Management Plan or Individual Fire Management Plan | | ✓ | ✓ | ✓ |

## A - Firebreak

**– The term firebreak includes a mineral earth firebreak. A mineral earth firebreak means a 3 metre wide area of the owner(s)/occupiers(s) land, cleared and maintained totally clear of all vegetation material (living or dead) so there is only mineral earth left. Any overhanging trees and other vegetation must be pruned to a height of 5 metres above the ground level of a mineral earth firebreak.**

**Category 1 – Rural:** A mineral earth **FIREBREAK** shall be constructed **3 metres** wide, except in pasture or crop areas where a **FIREBREAK** shall be **2 metres** wide. **FIREBREAKS** shall be located adjacent to all external boundaries of the land. Where the land area exceeds 120 hectares, an additional **FIREBREAK** must divide the land into areas of not more than 120 hectares with each part completely surrounded by a **FIREBREAK.**

**Category 2 - Urban Residential and Industrial-Commercial:** Where the area of land exceeds 2024m² (½ acre) a mineral earth **FIREBREAK** shall be constructed and maintained at least **3 metres** wide and within **6 metres** of the inside of all external boundaries of the land. Where the area of land is 2024m² (½ acre) or less, hazardous material must be removed in accordance with section **B - Fuel Reduction (refer to B1).**

**Category 5 - Protea Plantations/Vineyards:** A mineral earth **FIREBREAK** shall be 3 metres wide. A low fuel area is to be maintained in accordance with section **B - Fuel Reduction (refer to B2).**

**Category 6 and 7 - Rural Residential:** A mineral earth **FIREBREAK** shall be constructed **3 metres** wide. On Category 6 Rural Residential land with pasture or crop, a **FIREBREAK** shall be **2 metres** wide and located within **6 metres** of all external boundaries of the land. For Category 7 Rural Residential land, free access along a Strategic **FIREBREAK** is to be maintained at all times and including across the boundary of a lot, by means of a **3.5 metres wide field gate** in the adjoining lot boundary fence.

## B - Fuel Reduction

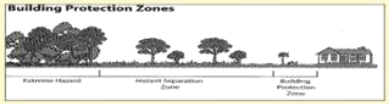
1) **Category 2 - Urban Residential and Industrial-Commercial:** Where the area of land is 2024m² (½ acre) or less, **ALL HAZARDOUS MATERIAL** must be removed from the whole of the land except living trees. In the area remaining, vegetation is to be maintained to a height of no greater than **10 centimetres**; this includes piles of timber, branches and other vegetation. Trees shall be pruned in accordance with section **E – Interpretation and Additional Requirements (refer to E1).**
2) **Category 5 - Protea Plantations/Vineyards:** A **5 metre** low fuel area is to be maintained between the **3 metre FIREBREAK** and the plantation/vineyard area. In this area, vegetation is to be maintained to a height of no greater than **10 centimetres**; this includes piles of timber, branches and other vegetation.
3) **Category 6, 7 and 8 - Rural Residential:** Parkland clearing must be carried out in all open paddocks and along the boundary of the property. Clearing means that all dead vegetation and dry grasses (excluding approved crops, pasture areas and living trees/shrubs) including piles of timber and disused materials must be maintained to a height of no greater than **10 centimetres**.

## C - Building Protection Zones (BPZ) - This is a modified area of reduced fuel immediately surrounding a building

**BPZ's starve the fire by reducing the fuel levels around your house. These requirements are designed to reduce the fire's intensity and minimise the likelihood of flame contact with buildings. The BPZ gives more protection to families should a fire threaten suddenly and they cannot leave. It also provides extra protection for fire fighters and property owners who may decide to stay with their property.**

A BPZ shall be provided for buildings in bush fire prone areas. The surroundings of buildings must comply with the following requirements:

1) The BPZ for existing buildings must be at least 20 metres from any external wall of the building unless varied under an approved Fire Management Plan (FMP) in accordance with section **E - Interpretation and Additional Requirements (refer to E4).**
2) The minimum BPZ for buildings constructed after 1 November 2011, in all cases shall be 25 metres.
3) The BPZ must be located within the boundary of the lot that the building is situated on.
4) Hazardous/flammable materials must not exceed the maximum fuel load specified in Point 5 below with grass areas not exceeding a height greater than 10 cm.
5) Fuel loads must be reduced and maintained at 2 tonne per hectare.
6) Isolated trees and shrubs may be retained, however, the first 5 metres around all buildings is to be clear of all hazardous/flammable materials.
7) Reticulated gardens in the BPZ shall be maintained to a height of no greater than 500 millimetres.
8) Wood piles must be at least 10 metres away from habitable dwellings.
9) Trees in the BPZ must comply with section **E - Interpretation and Additional Requirements (refer to E1).**
10) Where the land has an approved FMP, compliance must be achieved in accordance with the FMP. The FMP may vary the above BPZ requirements.
11) A Hazard Separation Zone (HSZ) is also recommended in the absence of a Fire Management Plan. **Section E - Interpretation and Additional Requirements (refer to E3).**




## D – Fuel Storage & Haystack Protection Zones

A **3 metre** mineral earth **FIREBREAK** shall be located within **6 metres** of fuel storage tanks, sheds, gas cylinders and haystacks. The mineral earth firebreak shall be maintained so that it is totally clear of all material (living or dead).

## E – Interpretation and Additional Requirements

1) **Trees** On **Urban, Industrial, Rural,** and **Rural Residential** land, all tree branches must be removed or pruned to ensure a clear separation of at least **3 metres** back from the eaves of all buildings and **5 metres** above the top of the roof. Branches that may fall on the house must also be removed. In the **BPZ** the following is 'recommended'; the spacing of individual or groups of trees should be 15 metres apart to provide for a 5 metres separation between tree crowns. There is also a requirement of 2.5 metres between trees and power lines so they do not come into contact and start a fire or bring down a power line.
2) **Hazardous and Flammable Materials** means the accumulation of fuel including burn piles (living or dead) such as leaf litter, twigs, trash, bush, dead trees and scrub capable of carrying a running fire, but excludes standing living trees and isolated shrubs. **NOTE**: All remaining vegetation, piles of timber, branches and other living vegetation must be maintained to a height of no greater than 10 centimetres. To measure and determine fuel loads use DFES's *Visual Fuel Load Guide* at http://www.dfes.wa.gov.au/safetyinformation/fire/bushfire/pages/publications.aspx#S and select *Visual Fuel Load Guide Swan Coastal (Part 1 & 2)*. Surface bush fire fuels should be kept low to the ground.
3) **Hazard Separation Zones (HSZ)** A HSZ is a modified area of reduced fuel load outside of the BPZ and is recommended to assist in reducing the fires intensity when flames are approaching buildings. Both the BPZ and the HSZ are essential strategies for the protection of buildings. A HSZ covers the area 75 metres outside the BPZ.
   The HSZ should be modified to have a maximum fuel load of 6-8 tonne per hectare. This can be implemented by fuel reduction methods such as burning, mowing and slashing to remove the hazard. This should not require the removal of living trees or shrubs. **REMEMBER:** reduce the fuel level of the fire to lower the intensity of the blaze. Further information on fuel loading can be found in the *Visual Fuel Load Guide* available by calling DFES or via their website at www.dfes.wa.gov.au
4) **Fire Management Plan (FMP)** A FMP is a comprehensive plan for the prevention and control of bushfires which may apply to individual land holdings. A notification, pursuant to the Transfer of Land Act 1893 (as amended) may be placed on the Certificate(s) of Title of the land for medium to long term fire management to reduce the occurrence and minimise the impact of uncontrolled bush fires, thereby reducing the threat to life, property and the environment. The land owner must comply with the FMP. **Building in bush fire prone areas**, new dwellings and other forms of accommodation, as well as additions to existing buildings are to be constructed in accordance with in *Australian Standard 3959-2009*. In designated bush fire prone areas, the minimum BPZ in all cases shall be 25 metres. Further information on this and other information relating to fire safety issues can be found on the City's website www.busselton.wa.gov.au

# Appendix B Technical Requirement of the Guidelines for Planning in Bushfire Prone Areas



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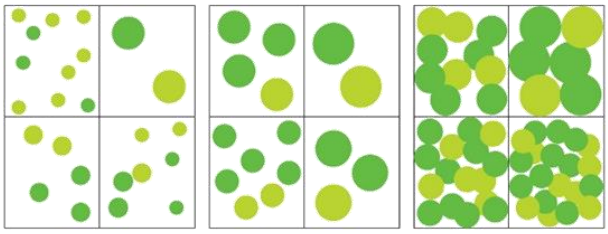
## ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT

### SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES

| OBJECT | REQUIREMENT |
|---|---|
| Fences within the APZ | • Should be constructed from non-combustible materials (for example, iron, brick, limestone, metal post and wire, or bushfire-resisting timber referenced in Appendix F of AS 3959). |
| Fine fuel load (Combustible, dead vegetation matter <6 millimetres in thickness) | • Should be managed and removed on a regular basis to maintain a low threat state.<br>• Should be maintained at <2 tonnes per hectare (on average).<br>• Mulches should be non-combustible such as stone, gravel or crushed mineral earth or wood mulch >6 millimetres in thickness. |
| Trees* (>6 metres in height) | • Trunks at maturity should be a minimum distance of six metres from all elevations of the building.<br>• Branches at maturity should not touch or overhang a building or powerline.<br>• Lower branches and loose bark should be removed to a height of two metres above the ground and/or surface vegetation.<br>• Canopy cover within the APZ should be <15 per cent of the total APZ area.<br>• Tree canopies at maturity should be at least five metres apart to avoid forming a continuous canopy. Stands of existing mature trees with interlocking canopies may be treated as an individual canopy provided that the total canopy cover within the APZ will not exceed 15 per cent and are not connected to the tree canopy outside the APZ.<br><br>**Figure 19:** Tree canopy cover – ranging from 15 to 70 per cent at maturity<br>  <br>15% 30% 70% |
| Shrub* and scrub* (0.5 metres to six metres in height). Shrub and scrub >6 metres in height are to be treated as trees. | • Should not be located under trees or within three metres of buildings.<br>• Should not be planted in clumps >5 square metres in area.<br>• Clumps should be separated from each other and any exposed window or door by at least 10 metres. |
| Ground covers* (<0.5 metres in height. Ground covers >0.5 metres in height are to be treated as shrubs) | • Can be planted under trees but must be maintained to remove dead plant material, as prescribed in 'Fine fuel load' above.<br>• Can be located within two metres of a structure, but three metres from windows or doors if >100 millimetres in height. |

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## ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT

### SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES

| OBJECT | REQUIREMENT |
|---|---|
| Grass | • Grass should be maintained at a height of 100 millimetres or less, at all times.<br>• Wherever possible, perennial grasses should be used and well-hydrated with regular application of wetting agents and efficient irrigation. |
| Defendable space | • Within three metres of each wall or supporting post of a habitable building, the area is kept free from vegetation, but can include ground covers, grass and non-combustible mulches as prescribed above. |
| LP Gas Cylinders | • Should be located on the side of a building furthest from the likely direction of a bushfire or on the side of a building where surrounding classified vegetation is upslope, at least one metre from vulnerable parts of a building.<br>• The pressure relief valve should point away from the house.<br>• No flammable material within six metres from the front of the valve.<br>• Must sit on a firm, level and non-combustible base and be secured to a solid structure. |

** Plant flammability, landscaping design and maintenance should be considered – refer to explanatory notes*




Table 6: Vehicular access technical requirements

| TECHNICAL REQUIREMENTS | 1 Public roads | 2 Emergency access way[1] | 3 Fire service access route[1] | 4 Battle-axe and private driveways[2] |
|---|---|---|---|---|
| Minimum trafficable surface (metres) | In accordance with A3.1 | 6 | 6 | 4 |
| Minimum horizontal clearance (metres) | N/A | 6 | 6 | 6 |
| Minimum vertical clearance (metres) | 4.5 | | | |
| Minimum weight capacity (tonnes) | 15 | | | |
| Maximum grade unsealed road[3] | As outlined in the IPWEA Subdivision Guidelines | 1:10 (10%) | | |
| Maximum grade sealed road[3] | | 1:7 (14.3%) | | |
| Maximum average grade sealed road | | 1:10 (10%) | | |
| Minimum inner radius of road curves (metres) | | 8.5 | | |

Notes:

[1] To have crossfalls between 3 and 6%.

[2] Where driveways and battle-axe legs are not required to comply with the widths in A3.5 or A3.6, they are to comply with the Residential Design Codes and Development Control Policy 2.2 Residential Subdivision.

[3] Dips must have no more than a 1 in 8 (12.5% -7.1 degree) entry and exit angle.




## EXPLANATORY NOTES

### E3.6 Private driveways

In areas serviced by reticulated water, where the road speed limit is not greater than 70 km/h, and where the distance from the public road to the further part of the habitable building is no greater than 70 metres, emergency service vehicles typically operate from the street frontage.

In the event the habitable building cannot be reached by hose reel from the public road, then emergency service vehicles will need to gain access within the property. Emergency service vehicles will also need to gain access within the property, where access to reticulated water (fire hydrants) is not possible. In these situations, the driveway and battle-axe (if applicable) will need to be wide enough for access for an emergency service vehicle and a vehicle to evacuate.

Turnaround areas should be available for both conventional two-wheel drive vehicles of residents and Type 3.4 fire appliances. Turn-around areas should be located within 30 metres of habitable buildings. Circular and loop driveway design may also be considered.

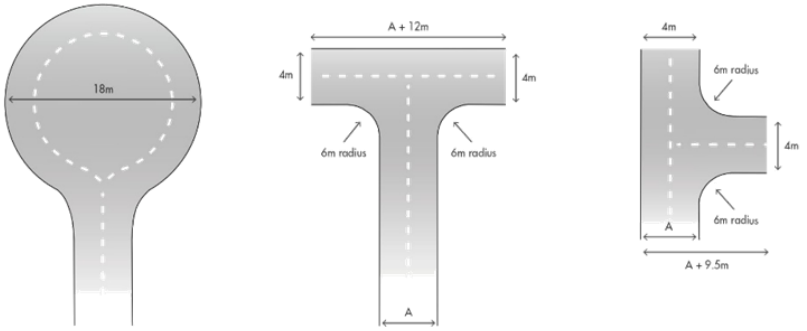



Figure 28: Design requirements for a turn-around area for a private driveway or battle-axe

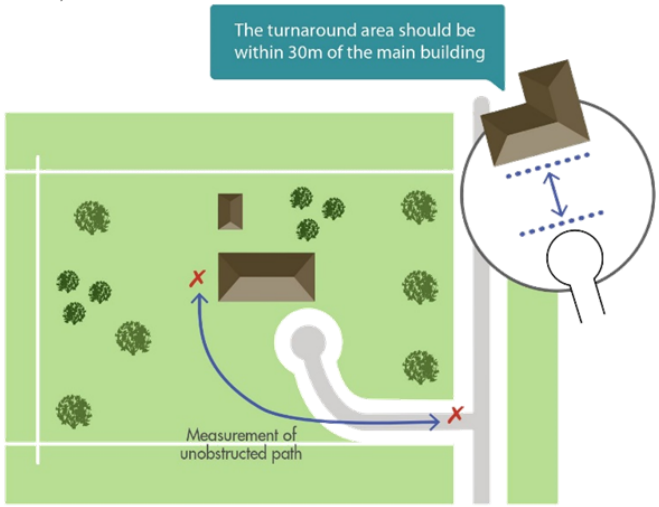



Figure 29: Design requirements for a private driveway where required under A3.6




## SCHEDULE 2: WATER SUPPLY DEDICATED FOR BUSHFIRE FIREFIGHTING PURPOSES

### 2.1 Water supply requirements

Water dedicated for firefighting should be provided in accordance with Table 7 below, and be in addition to water required for drinking purposes.

Table 7: Water supply dedicated for bushfire firefighting purposes

| PLANNING APPLICATION | NON-RETICULATED AREAS |
|---|---|
| Development application | 10,000L per habitable building |
| Structure Plan / Subdivision: Creation of 1 additional lot | 10,000L per lot |
| Structure Plan / Subdivision: Creation of 3 to 24 lots | 10,000L tank per lot **or** 50,000L strategic water tank |
| Structure Plan / Subdivision: Creation of 25 lots or more | 50,000L per 25 lots or part thereof Provided as a strategic water tank(s) or 10,000L tank per lot |

### 2.2 Technical requirements

#### 2.2.1 Construction and design

An above-ground tank and associated stand should be constructed of non-combustible material. The tank may need to comply with AS/NZS 3500.1:2018.

Below ground tanks should have a 200mm diameter access hole to allow tankers or emergency service vehicles to refill direct from the tank, with the outlet location clearly marked at the surface. The tank may need to comply with AS/NZS 3500.1:2018. An inspection opening may double as the access hole provided that the inspection opening meets the requirements of AS/NZS 3500.1:2018. If the tank is required under the BCA as part of fire hydrant installation, then the tank will also need to comply with AS 2419.

Where an outlet for an emergency service vehicle is provided, then an unobstructed, hardened ground surface is to be supplied within four metres of any water supply.

#### 2.2.2 Pipes and fittings

All above-ground, exposed water supply pipes and fittings should be metal. Fittings should be located away from the source of bushfire attack and be in accordance with the applicable section below, unless otherwise specified by the local government.

##### 2.2.2.1 Fittings for above-ground water tanks:

- Commercial land uses: 125mm Storz fitting; or
- Strategic water tanks: 50mm or 100mm (where applicable and adapters are available) male camlock coupling with full flow valve; or
- Standalone water tanks: 50mm male camlock coupling with full flow valve; or
- Combined water tanks: 50mm male camlock coupling with full flow valve or a domestic fitting, being a standard household tap that enables an occupant to access the water supply with domestic hoses or buckets for extinguishing minor fires.

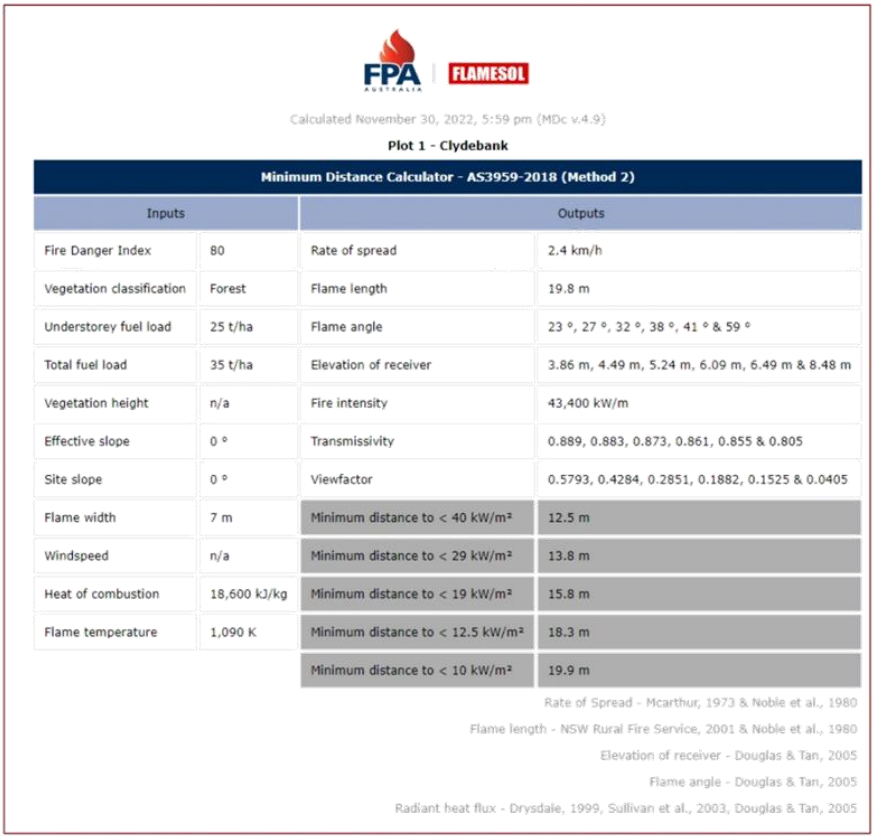
##### 2.2.2.2 Remote outlets

In certain circumstances, it may be beneficial to have the outlet located away from the water supply. In such instances in which a remote outlet is to be used, the applicant should consult the local government and DFES on their proposal.

# Appendix C Method 2 Calculations



Document Set ID: 5036932
Version: 1, Version Date: 18/01/2023



FPA AUSTRALIA | FLAMESOL

Calculated November 30, 2022, 5:59 pm (MDc v.4.9)

**Plot 1 - Clydebank**

**Minimum Distance Calculator - AS3959-2018 (Method 2)**

| Inputs | | Outputs | |
|---|---|---|---|
| Fire Danger Index | 80 | Rate of spread | 2.4 km/h |
| Vegetation classification | Forest | Flame length | 19.8 m |
| Understorey fuel load | 25 t/ha | Flame angle | 23 °, 27 °, 32 °, 38 °, 41 ° & 59 ° |
| Total fuel load | 35 t/ha | Elevation of receiver | 3.86 m, 4.49 m, 5.24 m, 6.09 m, 6.49 m & 8.48 m |
| Vegetation height | n/a | Fire intensity | 43,400 kW/m |
| Effective slope | 0 ° | Transmissivity | 0.889, 0.883, 0.873, 0.861, 0.855 & 0.805 |
| Site slope | 0 ° | Viewfactor | 0.5793, 0.4284, 0.2851, 0.1882, 0.1525 & 0.0405 |
| Flame width | 7 m | Minimum distance to < 40 kW/m² | 12.5 m |
| Windspeed | n/a | Minimum distance to < 29 kW/m² | 13.8 m |
| Heat of combustion | 18,600 kJ/kg | Minimum distance to < 19 kW/m² | 15.8 m |
| Flame temperature | 1,090 K | Minimum distance to < 12.5 kW/m² | 18.3 m |
| | | Minimum distance to < 10 kW/m² | 19.9 m |

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005



Document Set ID: 5036932
Version: 1, Version Date: 18/01/2023

13.2 PROPOSED AMENDMENT 59 TO LOCAL PLANNING SCHEME 21 LOT 200 (NO 1676) CAVES ROAD DUNSBOROUGH - CONSIDERATION FOR INITIATION FOR ADVERTISING

| | |
|---|---|
| **STRATEGIC THEME** | LIFESTYLE - A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing |
| **STRATEGIC PRIORITY** | 2.8 Plan for and facilitate the development of neighbourhoods that are functional, green and provide for diverse and affordable housing choices. |
| **SUBJECT INDEX** | Local Planning Scheme 21 Amendments |
| **BUSINESS UNIT** | Development Services |
| **REPORTING OFFICER** | Planning Officer - Justin Biggar |
| **AUTHORISING OFFICER** | Director Planning and Development Services - Paul Needham |
| **NATURE OF DECISION** | Legislative: adoption of "legislative documents" such as local laws, local planning schemes and local planning policies |
| **VOTING REQUIREMENT** | Simple Majority |
| **ATTACHMENTS** | Attachment A Scheme Amendment Map<br>Attachment B Location Plan<br>Attachment C JDAP Approved Plans November 2021<br>Attachment D Strata Plan 50936 |

**OFFICER RECOMMENDATION**

**That the Council:**

1. **In pursuance of the *Planning and Development Act (Local Planning Schemes) Regulations 2015* (the Regulations) initiates Amendment No. 59 to the City of Busselton Local Planning Scheme 21 (the Scheme) for community consultation for the purposes of:**

   **(a) Inserting the following particulars in 'Schedule 3 - Special Provisions Areas' of the Scheme;**

| No. | Particulars of land | Zone | Special Provisions |
|---|---|---|---|
| SP76 | Lot 200 (No 1676) Caves Road Dunsborough | Tourism | 1. Notwithstanding any other provisions of the Scheme, unrestricted length of stay shall be permitted for a 'chalet' on strata lots 6-13 and 48-51 as shown on Strata Plan 50936. |

2. **Pursuant to Regulation 35(2) determine that Amendment No. 59 is a 'standard amendment' as it is:**

   **(a) An amendment that is consistent with the objectives of the Tourism Zone as set out within Local Planning Scheme 21.**

   **(b) An amendment that is consistent with a Local Planning Strategy for the Scheme that has been endorsed by the Commission.**

3. **That as the amendment is in the opinion of Council, consistent with Part V of the *Planning and Development Act 2005* (the Act) and the Regulations made pursuant to the Act, that upon preparation of the necessary documentation, refer the amendment to the Environmental Protection Authority (EPA) and upon receipt of a response that the amendment is not subject to formal environmental assessment, advertise the proposal for a period of 42 days. Where the EPA determines the amendment is to be subject to formal environmental assessment, the assessment is to be prepared prior to advertising of the draft amendment.**

**EXECUTIVE SUMMARY**

The Council is requested to consider initiating Scheme Amendment No. 59 for Lot 200 (No 1676) Caves Road Dunsborough for the insertion of an additional provision within Schedule 3 (Special Provision Areas) to permit unrestricted length of stay for 12 strata lots within the proposed 51 unit strata development. By land use definition, 'chalets' are ordinarily restricted to short term stays of no longer than 3 months within a 12 month period.

The proposed Amendment, as detailed on the amendment map provided at Attachment A, is consistent with the objectives of the 'Tourism' zone and the Local Tourism Planning Strategy (2011) which provides for unrestricted length of stay to a maximum of 25% where appropriate on Non-Strategic Tourism sites. Accordingly, the Amendment is recommended to be adopted for the purposes of public advertising.

**BACKGROUND**

The site, shown on the location plan provided at Attachment B, was subject of a JDAP approval issued 9 November 2021 for a 51 chalet 'tourist accommodation' development. This varied the original JDAP approval issued on 9 October 2020 for 57 chalets. Through the JDAP assessment process a range of relevant issues were assessed by the City in its statutory role as the responsible authority, including built form, bushfire safety, car parking and fauna and flora protection. The current development approval plans are provided at Attachment C.

Subsequent to the 2020 JDAP decision, the applicant lodged a survey strata subdivision application with the Western Australian Planning Commission (WAPC). As a referral agency, the City recommended for the development to be constructed to plate height prior to titles being issued however this was not supported by the WAPC with subdivision approval being issued in June 2021. A modified survey strata plan reflecting the revised November 2021 layout was issued by the WAPC shortly after the JDAP decision without referral to the City. The modified Strata Plan 50936 which informs the location of the unrestricted length of stay accommodation is provided at Attachment D.

It is noted the site has previously received approval in 2004 for a chalet development which was subject to approved modifications in 2007 and 2009. A single chalet was constructed in accordance with the 2004 approval which is proposed to be incorporated into the latest approved development as a caretakers dwelling.

**OFFICER COMMENT**

Lot 200 (No 1676) Caves Road is zoned 'Tourism' and is within a 'Landscape Value Area' under Local Planning Scheme 21 (the Scheme). Located approximately 1km west of the Dunsborough 'Centre,' the lot is heavily vegetated with a steep incline running south to north. There is a single chalet and unsealed vehicle access tracks on site with a cleared area in the northwest corner that is currently being used for informal storage by the neighbouring property. Dugalup Brook, a seasonal creek, traverses the property west to east before discharging into a dam near the eastern boundary. The site is bound by Cape Villa tourist accommodation (Lot 30), Country Life Farm petting zoo (Lot 4) and Caves Road to the south. Both of the neighbouring lots are included in the 'Tourism' zone.

The two properties north of the site, Lot 9008 and Lot 10 are zoned 'Rural' with Lot 9008 being vacant and used for agricultural purposes (sheep grazing) and Lot 10 containing a single house and ancillary structures. The land located to the south is zoned 'Rural Residential.' Detailed comments on the proposal and assessment against the relevant elements of the planning framework are provided below.

**Local Planning Framework**

As per the objectives at Part 3 of the Scheme, the 'Tourism' zone is intended to promote and provide for tourism opportunities while also allowing for 'limited residential opportunities where appropriate.' The combination of residential and tourism uses within a tourism development is supported by the objectives and strategies outlined in the Local Planning Strategy (LPS or the Strategy) and the Local Tourism Planning Strategy (LTPS or Tourism Strategy).

A strategy of Theme 2 (Activity centres and economy) within the LPS is *"(in order) to facilitate re-investment and the progressive updating of accommodation product, consider permitting unrestricted length of stay components for new development on Tourism zoned land within the Busselton-Vasse Urban Area and the Dunsborough Urban Area."*

While the site is located marginally outside (500m) the 'Dunsborough Urban Area,' as identified on the LPS mapping, the site is considered to meet the wider design and development principles identified in the LTPS for when it is appropriate to permit unrestricted length of stay within tourism sites.

The lot is identified as a 'non-strategic tourist site' in the LTPS which can be considered for unrestricted length of stay occupation to a maximum of 25% of the overall units. The building design and layout as approved presents as an integrated tourist development with the residential units being indistinct from the tourism component as recommended by the Tourism Strategy. The proposed unrestricted length of stay units are clustered in two groupings on the eastern and western wings of the site, effectively bookending the tourist development.

**State Planning Framework**

The overarching state planning framework provides support for limited residential accommodation of tourism sites where appropriate, consistent with the approach adopted by the City's strategic documents. Clause 5.1 (General measures) of the Draft Position Statement: Planning for Tourism (2021) states:

> *"The inclusion of any land uses other than tourism land uses on tourism zoned land should be considered on a case-by-case basis. Consideration should include whether there is appropriate infrastructure and a planning framework that supports uses other than tourism on tourism zoned sites. The inclusion of permanent residential uses requires close consideration to ensure tourism remains the primary use of a site and a quality tourism outcome is achieved in conjunction with any residential component."*

Being located a short distance from the urban area, the site has existing access to necessary infrastructure, including water, sewer and power while the local planning framework supports a limited residential component on site as recommended by the position statement.

**Delivery of Tourism Development**

Where a similar unrestricted length of stay exemption has been initiated for Lots 1-42 Little Colin Street, Broadwater (SP56) and Units 6-15/700 Caves Road, Marybrook (SP58), the tourist accommodation was constructed prior to adoption of the special provision. As such, the preferred tourism outcome was secured with the unrestricted length of stay serving as a complementary land use.

It is noted that in granting unrestricted length of stay for an undeveloped site, there is a risk of the identified strata lots being developed for permanent accommodation without the tourism portion of the project being delivered. Such an outcome would prejudice the objectives of the underlying 'Tourism' zoning. However, having consideration to a number of factors this likelihood is sufficiently low.

Due to the scale of works required, including Main Roads WA (MRWA) required access upgrades, extensive earthworks and services provision, the project would likely be economically unviable if reduced to the construction of the unrestricted length of stay units only. In discussions with the proponent, it is intended to deliver the project in two stages beginning from the western end, with the first stage involving the construction of 16-20 chalets, including eight unrestricted length of stay (lots 6-13). The remaining four unrestricted length of stay chalets, being located on the eastern edge of the development, would be delivered at the final stage.

It is further noted the conditions of the JDAP approval and the related WAPC subdivision approval secure the ongoing use of the majority of the chalets for short stay uses through notifications on title and adoption of specific strata by laws. Together with these requirements, the amendment wording is simple yet sufficiently robust to deliver tourism accommodation in conjunction with the unrestricted length of stay component, consistent with the zoning objectives and Strategy elements.

**Bushfire Risk**

The subject land is identified as 'bushfire prone' on the 'Map of Bushfire Prone Areas' developed by the Office of Bushfire Risk Management (OBRM) and as such bushfire protection requirements apply. Bushfire considerations were assessed during the JDAP process with the Bushfire Management Plan provided in support of the application being assessed and approved by the City and the Department of Fire and Emergency Services (DFES). The proposal to permit unrestricted length of stay for 25% of the units does not alter the findings or validity of the supporting BMP document.

**Vegetation Protection**

Due to the extensive clearing required to accommodate bushfire protection and the development footprint, an Environmental Assessment Report (EAR) was submitted in support of the JDAP application. Through the assessment process, the EAR was referred to the Department of Water and Environmental Regulation (DWER) and the Department of Biodiversity, Conservation and Attractions (DBCA) for state agency comment. Advice was received from DWER that the proposed clearing is exempt under state legislation, with DBCA recommending trees for retention being marked to prevent mistaken removal and a fauna spotter being present on site during clearing.

Due to the removal of western ringtail possum (WRP) habitat, the application was referred to the Federal Department of Agriculture, Water and the Environment (DAWE) under the requirements of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) with advice being received in December 2020 the proposal was not a controlled action and did not require federal approval. As discussed above, the proposed amendment to allow 25% permanent stay does not alter the design and layout of the chalet development and the extent of vegetation removal.

**Statutory Environment**

The key statutory documents relevant to this proposal include the *Planning and Development Act 2005,* the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the relevant objectives and provisions of the City of Busselton *Local Planning Scheme No. 21*. Each is discussed below under appropriate subheadings.

***Planning and Development Act 2005***

The *Planning and Development Act 2005* outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this Amendment.

***Planning and Development (Local Planning Schemes) Regulations 2015***

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), which came into operational effect on 19 October 2015, identify three different levels of amendments – basic, standard and complex. The resolution of the local government is to specify the level of the amendment and provide an explanation justifying this choice. This Amendment is considered to be a 'standard' amendment for reasons outlined in the recommended council resolution.

**Local Planning Scheme No. 21**

The proposal is consistent with the provisions of the 'Tourism' zone as defined by the Scheme, the objectives of which are to promote and provide for tourism opportunities while also allowing for 'limited residential opportunities where appropriate.'

**Relevant Plans and Policies**

The key policies relevant to the proposal are:

- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- State Planning Policy 6.1 – Leeuwin Naturaliste Ridge
- Draft Position Statement: Planning for Tourism (2021)
- City of Busselton Local Planning Strategy (2019)
- City of Busselton Local Commercial Planning Strategy (2011)

**State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) and Guidelines for Planning in Bushfire Prone Areas**

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as 'bushfire prone' by the Fire and Emergency Services Commissioner as highlighted on the 'Map of Bush Fire Prone Areas'. The accompanying *Guidelines for Planning in Bushfire Prone Areas* provide supporting information to assist in the interpretation of the objectives and policy measures outlined in SPP 3.7, providing advice on how bushfire risk is to be addressed when planning, designing or assessing a planning proposal within a designated bushfire prone area.

**State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (SPP 6.1)**

SPP 6.1 was formulated by the Western Australian Planning Commission (WAPC), the City of Busselton and the Shire of Augusta Margaret River to provide a regional strategic framework to better protect the unique ecological, social and landscape values of the policy area. The subject site is located on a Travel Route Corridor within Natural Landscape Significance (Caves Road) as per the policy.

The design merit of the proposal and its regard for the value of the landscape has been assessed during the JDAP assessment phase. The approved design was supported by a Visual Analysis which demonstrated the proposal would not impact on the visual integrity of the travel route corridor. It is noted the proposed amendment does not alter the approved design and layout.

**Draft Position Statement: Planning for Tourism**

The intent of the position statement is to provide a strategic approach to the sustainable development of tourism land uses to better protect amenity, environmental and landscape values and address potential land use conflict. As discussed above, the proposed amendment is considered consistent with the strategic outcomes outlined in the position statement, specifically clause 5.2 – General measures.

**Local Planning Strategy (LPS)**

The LPS sets the broad planning direction for the City of Busselton and provides the strategic rationale for decisions related to the progressive review and amendment of LPS21. The LPS supports the type of development proposed in proximity to the Urban Area as per the strategies outlined in Theme 2: Activity centres and economy. The allowance of complementary residential uses on a non-strategic tourism site will ideally assist in facilitating investment in the tourism product.

**Local Tourism Planning Strategy (LTPS)**

The LTPS was prepared to provide the local government with a decision making framework for tourism proposals and to inform the development of the broader Local Planning Strategy and the Local Planning Scheme.

The LTPS classifies tourism sites into the following three categories – strategic tourism sites, non-strategic tourism sites and tourist zoned land where alternative zonings may be considered. As discussed above, the subject site is a non-strategic site where an unrestricted length of stay component may be supported if appropriate.

**Financial Implications**

There are no direct financial implications associated with the officer recommendation.

**Stakeholder Consultation**

If Council resolves to initiate the Amendment, the relevant documentation will be referred to the EPA for formal assessment under Part IV of the *Environmental Protection Act 1986.* Where the EPA resolves that the Amendment does not require formal assessment, the document will be advertised for 42 days in accordance with clause 47 of the Regulations.

**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. Resolve to decline the request to initiate the Amendment in its entirety and provide a reason for such a decision; or
2. Resolve to seek further information before making a decision; or
3. Resolve to initiate the Amendment subject to further modification(s) as required and justified.

It is not considered that any of the above options would be warranted in this instance.

**CONCLUSION**

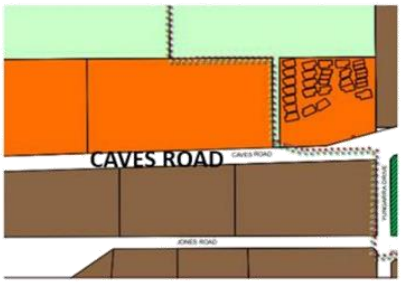
Officers consider the proposal is consistent with the aims and objectives of the state and local planning framework and recommend Amendment 59 be initiated for public consultation.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

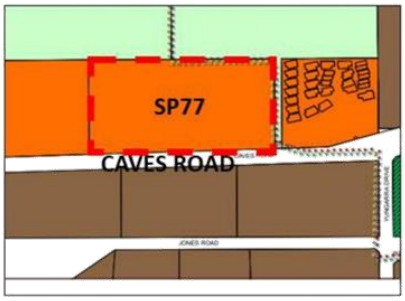
The implementation of the officer recommendation will occur within 28 days, being advising the applicant of the Council resolution and commencing the advertising process as per the requirements of the Regulations.

## Scheme Map

**Existing Zoning**




**Proposed Zoning**




**LEGEND**

**Local Scheme Zones**

- Bushland Protection
- Centre
- Conservation
- Industrial Development
- Light Industry
- LC Local Centre
- RC Regional Centre
- Residential
- Rural
- Rural Landscape
- Rural Residential
- Service Commercial
- Special Use
- Tourism
- Urban Development
- Viticulture/Tourism

**Other Categories**

- Dunsborough and Quindalup
- Rural Remainder
- SP1 Special Provision Area




City of Busselton
Geographe Bay

Disclaimer: Every effort has been made to make the information displayed here as accurate as possible. This process is ongoing and the information is therefore ever changing and cannot be disseminated as accurate. Care must be taken not to use this information as correct or legally binding. To verify information contact the City of Busselton office.

10/02/2023

1:4000 @ A3L


Caves Rd
Caves Rd
© City of Busselton 2021
0 10 20 30 40 m
City of Busselton
Geographe Bay
Disclaimer: Every effort has been made to make the information displayed here as accurate as possible. This process is ongoing and the information is therefore ever changing and cannot be disseminated as accurate. Care must be taken not to use this information as correct or legally binding. To verify information contact the City of Busselton office.
10/02/2023
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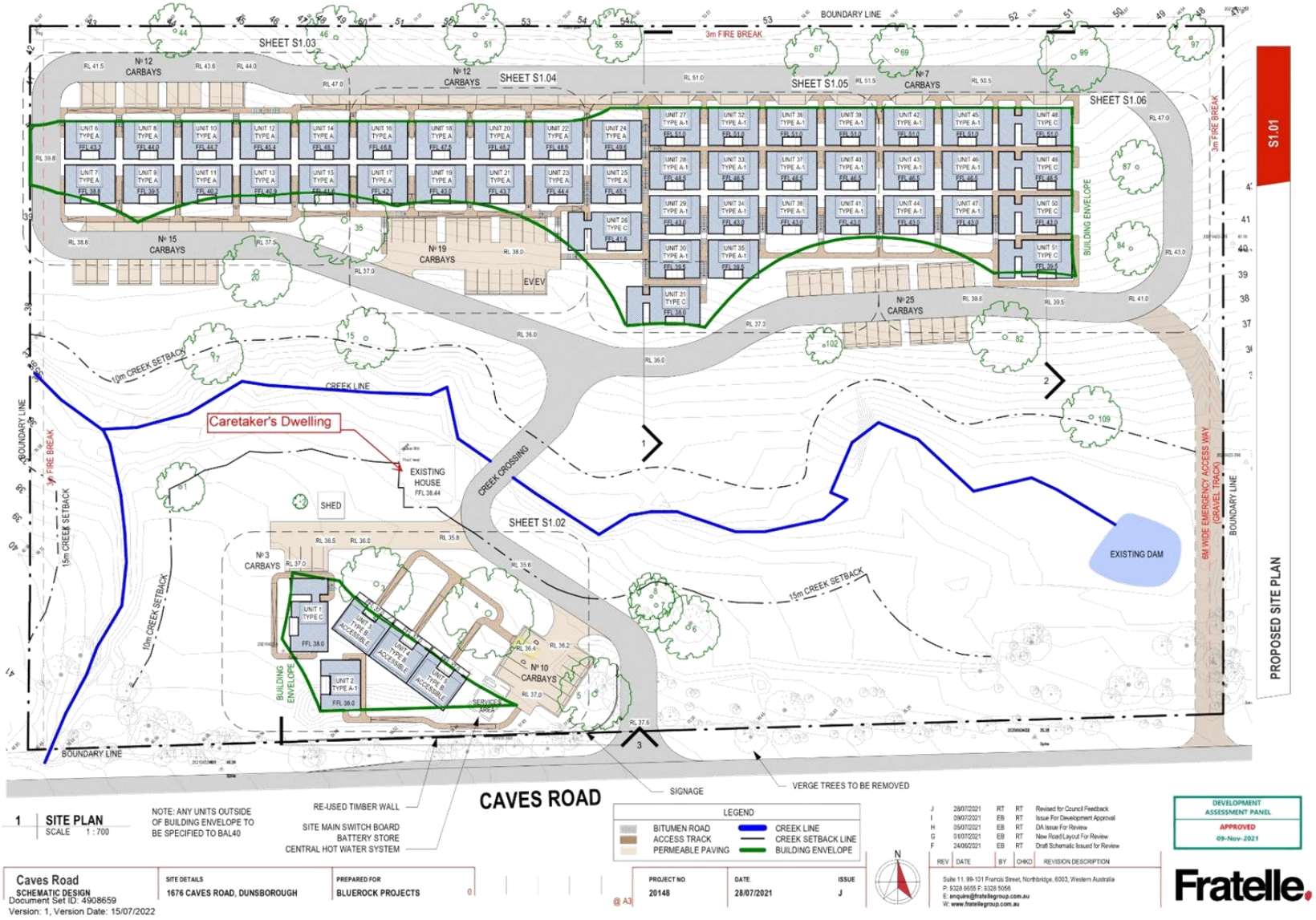
BOUNDARY LINE
SHEET S1.03
SHEET S1.04
SHEET S1.05
SHEET S1.06
SHEET S1.02
3m FIRE BREAK
№12 CARBAYS
№7 CARBAYS
№15 CARBAYS
№19 CARBAYS
№25 CARBAYS
№3 CARBAYS
№10 CARBAYS
BUILDING ENVELOPE
10m CREEK SETBACK
15m CREEK SETBACK
CREEK LINE
CREEK CROSSING
Caretaker's Dwelling
EXISTING HOUSE FFL 38.44
SHED
EXISTING DAM
6M WIDE EMERGENCY ACCESS WAY (GRAVEL TRACK)
S1.01
PROPOSED SITE PLAN
CAVES ROAD
SIGNAGE
VERGE TREES TO BE REMOVED
RE-USED TIMBER WALL
SITE MAIN SWITCH BOARD
BATTERY STORE
CENTRAL HOT WATER SYSTEM
LEGEND
BITUMEN ROAD
ACCESS TRACK
PERMEABLE PAVING
CREEK LINE
CREEK SETBACK LINE
BUILDING ENVELOPE
1 SITE PLAN
SCALE 1 : 700
NOTE: ANY UNITS OUTSIDE OF BUILDING ENVELOPE TO BE SPECIFIED TO BAL40
Caves Road
SCHEMATIC DESIGN
Document Set ID: 4908659
Version: 1, Version Date: 15/07/2022
SITE DETAILS
1676 CAVES ROAD, DUNSBOROUGH
PREPARED FOR
BLUEROCK PROJECTS
PROJECT NO.
20148
DATE
28/07/2021
ISSUE
J
@ A3
DEVELOPMENT ASSESSMENT PANEL
APPROVED
09-Nov-2021
Fratelle.


1 ENLARGEMENT 1
SCALE 1 : 200
Nº3 CARBAYS
RL 37.0
RL 36.5
RL 36.0
RL 35.8
RL 35.6
S3.02
S1.02
LOT 326 m²
LOT 262 m²
LOT 338 m²
LOT 398 m²
LOT 436 m²
RL 36.5
SLOPE 1:20
RL 37.0 RAMP 1:14
RL 38.5
RL 36.2
RL 36.4
UNIT 1 TYPE C FFL 38.0
FFL 38.0
UNIT 3 TYPE B ACCESSIBLE
UNIT 4 TYPE B ACCESSIBLE
UNIT 5 TYPE B ACCESSIBLE
FFL 37.0
UNIT 2 TYPE A-1 FFL 38.0
Nº10 CARBAYS
SERVICES AREA
RL 37.0
RL 38.0
RL 37.5
37.93
37.60
39.56
39.09
38.72
Service pole
ENLARGEMENT 1
S3.01
2
3
LEGEND
UNIT TYPE A
UNIT TYPE A-1
UNIT TYPE B
UNIT TYPE C
ENTRY SIGNAGE
DEVELOPMENT ASSESSMENT PANEL
APPROVED
09-Nov-2021
DRAFT
3 RECYCLED TREE WALL
A2-02 SCALE 1 : 200
ELEVATION SHOWN INDICATIVELY
BOUNDARY SCREEN CREATED USING RECYCLED TREE TRUCKS AND TIMBER FROM THE SITE PREPARATION
SCREEN PROVIDES ACOUSTIC AND VISUAL SEPARATION FROM THE ROAD, AS WELL AS AN ENTRY STATEMENT
TRUKS ARE PLACED CLOSER TOGETHER AS REQUIRED FOR ACOUSTIC / VISUAL SCREENING
I 09/07/2021 EB RT Issue For Development Approval
H 05/07/2021 EB RT DA Issue For Review
F 24/06/2021 EB RT Draft Schematic Issued for Review
E 21/06/2021 EB RT Draft Schematic Issued for Review
REV DATE BY CHKD REVISION DESCRIPTION
Caves Road
SCHEMATIC DESIGN
Document Set ID: 4908659
Version: 1, Version Date: 15/07/2022
SITE DETAILS
1676 CAVES ROAD, DUNSBOROUGH
PREPARED FOR
BLUEROCK PROJECTS
0 2 4 6 8 10m
@ A3
PROJECT NO.
20148
DATE
09/07/2021
ISSUE
I
N
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Nº 12
CARBAYS
Nº 6
CARBAYS
RL 41.5
RL 43.6
RL 44.0
RL 47.0
RL 38.6
RL 37.5
S3.03
S3.01
S1.03
ENLARGEMENT 2
UNIT 6 TYPE A FFL 43.3
UNIT 8 TYPE A FFL 44.0
UNIT 10 TYPE A FFL 44.7
UNIT 12 TYPE A FFL 45.4
UNIT 14 TYPE A FFL 46.1
UNIT 7 TYPE A FFL 38.8
UNIT 9 TYPE A FFL 39.5
UNIT 11 TYPE A FFL 40.2
UNIT 13 TYPE A FFL 40.9
UNIT 15 TYPE A FFL 41.6
LOT 148 m²
LOT 157 m²
LOT 165 m²
LOT 149 m²
DEVELOPMENT ASSESSMENT PANEL
APPROVED
09-Nov-2021
DRAFT
1 ENLARGEMENT 2
SCALE 1 : 200
LEGEND
UNIT TYPE A
UNIT TYPE A-1
UNIT TYPE B
UNIT TYPE C
Caves Road
SCHEMATIC DESIGN
Document Set ID: 4908659
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S3.04
2
1
S1.04
ENLARGEMENT 3
UNIT 16 TYPE A FFL 46.8
UNIT 18 TYPE A FFL 47.5
UNIT 20 TYPE A FFL 48.2
UNIT 22 TYPE A FFL 48.9
UNIT 24 TYPE A FFL 49.6
UNIT 17 TYPE A FFL 42.3
UNIT 19 TYPE A FFL 43.0
UNIT 21 TYPE A FFL 43.7
UNIT 23 TYPE A FFL 44.4
UNIT 25 TYPE A FFL 45.1
UNIT 26 TYPE B FFL 41.6
LOT 157 m²
LOT 149 m²
LOT 142 m²
LOT 307 m²
RL 38.0
Nº 19 CARBAYS
RL 37.0
SERVICES AREA
DEVELOPMENT ASSESSMENT PANEL
APPROVED
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LEGEND
UNIT TYPE A
UNIT TYPE A-1
UNIT TYPE B
UNIT TYPE C
DRAFT
1 ENLARGEMENT 3
SCALE 1 : 200
Caves Road
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UNIT 24 TYPE A FFL 49.6
UNIT 25 TYPE A FFL 45.1
UNIT 26 TYPE C FFL 41.6
UNIT 27 TYPE A-1 FFL 51.0
UNIT 28 TYPE A-1 FFL 46.5
UNIT 29 TYPE A-1 FFL 43.0
UNIT 30 TYPE A-1 FFL 39.5
UNIT 31 TYPE C FFL 36.0
UNIT 32 TYPE A-1 FFL 51.0
UNIT 33 TYPE A-1 FFL 46.5
UNIT 34 TYPE A-1 FFL 43.0
UNIT 35 TYPE A-1 FFL 39.5
UNIT 36 TYPE A-1 FFL 51.0
UNIT 37 TYPE A-1 FFL 46.5
UNIT 38 TYPE A-1 FFL 43.0
UNIT 39 TYPE A FFL 51.0
UNIT 40 TYPE A FFL 46.5
UNIT 41 TYPE A-1 FFL 43.0
LOT 139 m²
LOT 126 m²
LOT 130 m²
LOT 179 m²
LOT 298 m²
LOT 336 m²
Nº 25 CARBAYS
RL 37.0
S1.05
ENLARGEMENT 4
DEVELOPMENT ASSESSMENT PANEL
APPROVED
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LEGEND
UNIT TYPE A
UNIT TYPE A-1
UNIT TYPE B
UNIT TYPE C
DRAFT
1 ENLARGEMENT 4
SCALE 1 : 200
Caves Road
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S3.05
UNIT 42 TYPE A-1 FFL 51.0
UNIT 45 TYPE A-1 FFL 51.0
UNIT 48 TYPE C FFL 51.0
UNIT 43 TYPE A-1 FFL 46.5
UNIT 46 TYPE A-1 FFL 46.5
UNIT 49 TYPE C FFL 46.5
UNIT 44 TYPE A-1 FFL 43.0
UNIT 47 TYPE A-1 FFL 43.0
UNIT 50 TYPE C FFL 43.0
UNIT 51 TYPE C FFL 39.5
LOT 139 m²
LOT 137 m²
LOT 126 m²
LOT 124 m²
LOT 179 m²
LOT 179 m²
LOT 361 m²
LOT 361 m²
LOT 363 m²
LOT 367 m²
RL 47.0
RL 43.0
RL 38.6
RL 39.5
RL 41.0
S3.02
S3.05
S1.06
ENLARGEMENT 5
3m FIRE BREAK
2021042
DEVELOPMENT ASSESSMENT PANEL
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DRAFT
LEGEND
UNIT TYPE A
UNIT TYPE A-1
UNIT TYPE B
UNIT TYPE C
1 ENLARGEMENT 5
SCALE 1 : 200
Caves Road
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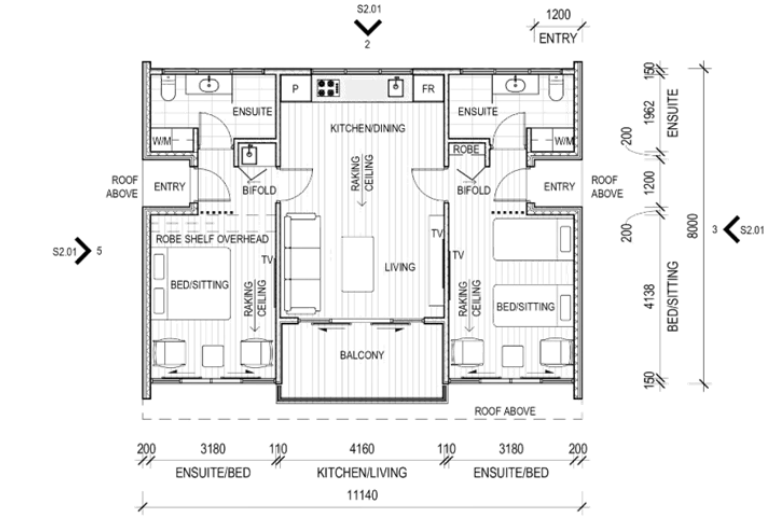
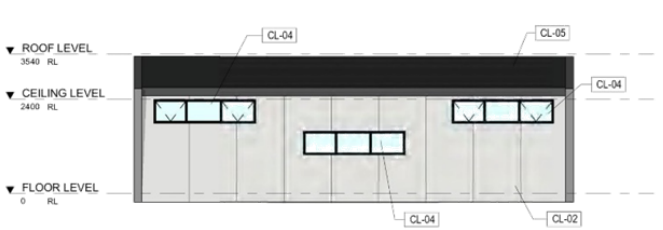
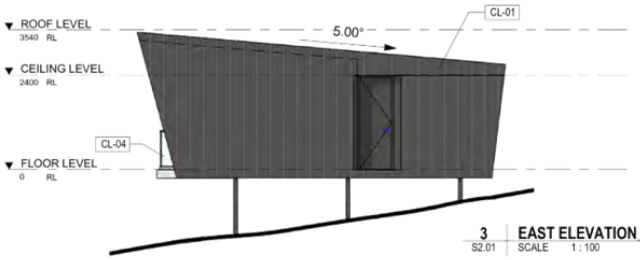



1 FLOOR PLAN_UNIT TYPE A
SCALE 1 : 100



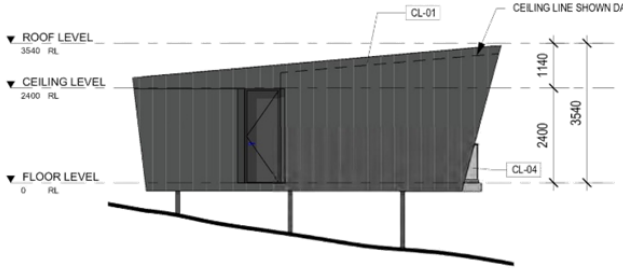

2 NORTH ELEVATION_UNIT TYPE A
S2.01 SCALE 1 : 100




3 EAST ELEVATION_UNIT TYPE A
S2.01 SCALE 1 : 100




4 SOUTH ELEVATION_UNIT TYPE A
S2.01 SCALE 1 : 100




5 WEST ELEVATION_UNIT TYPE A
S2.01 SCALE 1 : 100

UNIT TYPE A MATERIAL LEGEND

| MARK | DESCRIPTION | FINISH/COLOUR |
|---|---|---|
| CL-01 | Standing Metal Seam Cladding | Monument |
| CL-02 | 1200W Compressed Fibre Cement Panels - Vertical Joints | Clear Coat For Concrete Look |
| CL-03 | Glazing | Clear |
| CL-04 | Glazing | Frosted |
| CL-05 | Colorbond Custom Orb | Monument |
| CL-06 | Villaboard Soffit | Painted White |

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S2.01
TYPE A

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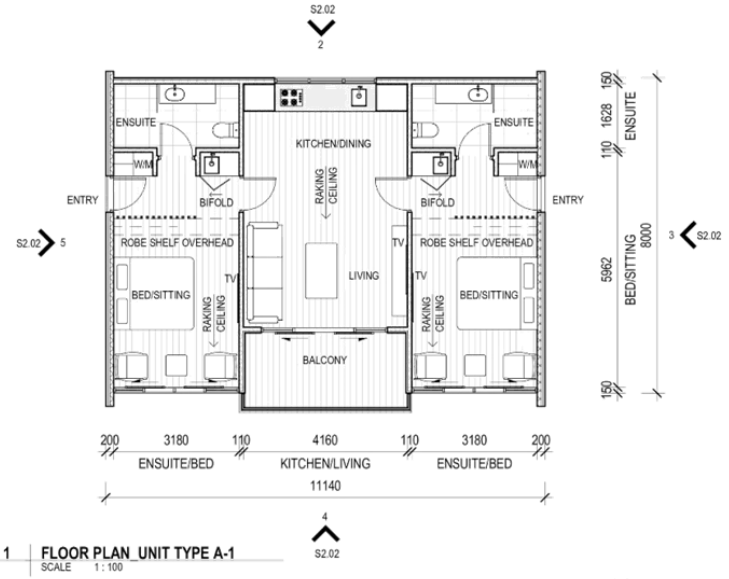
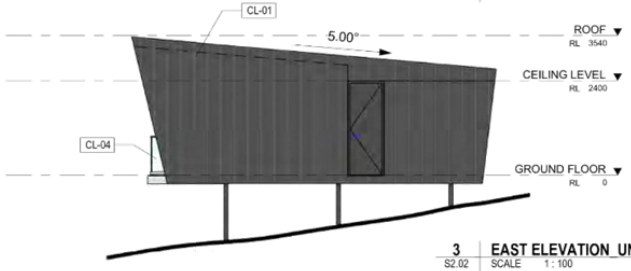


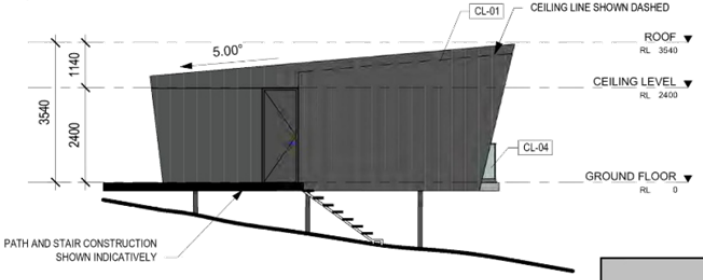

1 FLOOR PLAN_UNIT TYPE A-1
SCALE 1 : 100




2 NORTH ELEVATION_UNIT TYPE A-1
S2.02 SCALE 1 : 100




3 EAST ELEVATION_UNIT TYPE A-1
S2.02 SCALE 1 : 100




5 WEST ELEVATION_UNIT TYPE A-1
S2.02 SCALE 1 : 100




4 SOUTH ELEVATION-UNIT TYPE A-1
S2.02 SCALE 1 : 100

S2.02

TYPE A-1

**UNIT TYPE A-1 MATERIAL LEGEND**

| MARK | DESCRIPTION | FINISH/COLOUR |
|---|---|---|
| CL-01 | Standing Metal Seam Cladding | Monument |
| CL-02 | 1200W Compressed Fibre Cement Panels - Vertical Joints | Clear Coat For Concrete Look |
| CL-03 | Glazing | Clear |
| CL-04 | Glazing | Frosted |
| CL-05 | Colorbond Custom Orb | Monument |
| CL-06 | Villaboard Soffit | Painted White |

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Caves Road
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APPROVED
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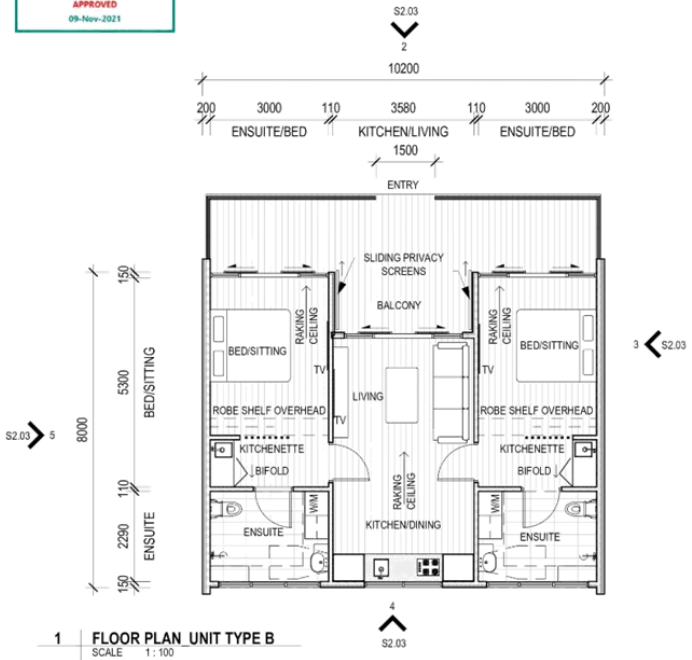
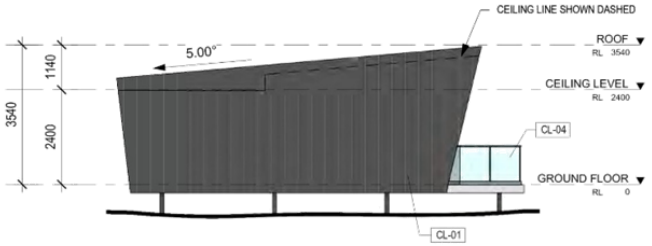



1 FLOOR PLAN_UNIT TYPE B
SCALE 1 : 100

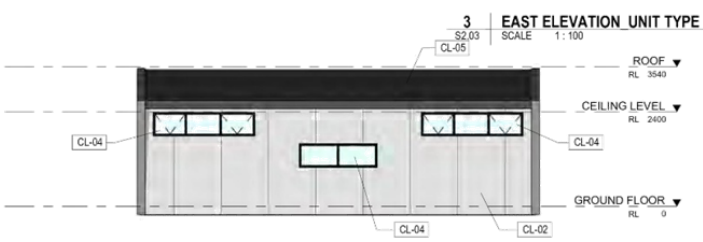



2 NORTH ELEVATION_UNIT TYPE B
S2.03 SCALE 1 : 100




3 EAST ELEVATION_UNIT TYPE B
S2.03 SCALE 1 : 100




4 SOUTH ELEVATION_UNIT TYPE B
S2.03 SCALE 1 : 100

5 WEST ELEVATION_UNIT TYPE B
S2.03 SCALE 1 : 100

S2.03
TYPE B

UNIT TYPE B MATERIAL LEGEND

| MARK | DESCRIPTION | FINISH/COLOUR |
|---|---|---|
| CL-01 | Standing Metal Seam Cladding | Monument |
| CL-02 | 1200W Compressed Fibre Cement Panels - Vertical Joints | Clear Coat For Concrete Look |
| CL-03 | Glazing | Clear |
| CL-04 | Glazing | Frosted |
| CL-05 | Colorbond Custom Orb | Monument |
| CL-06 | Villaboard Soffit | Painted White |

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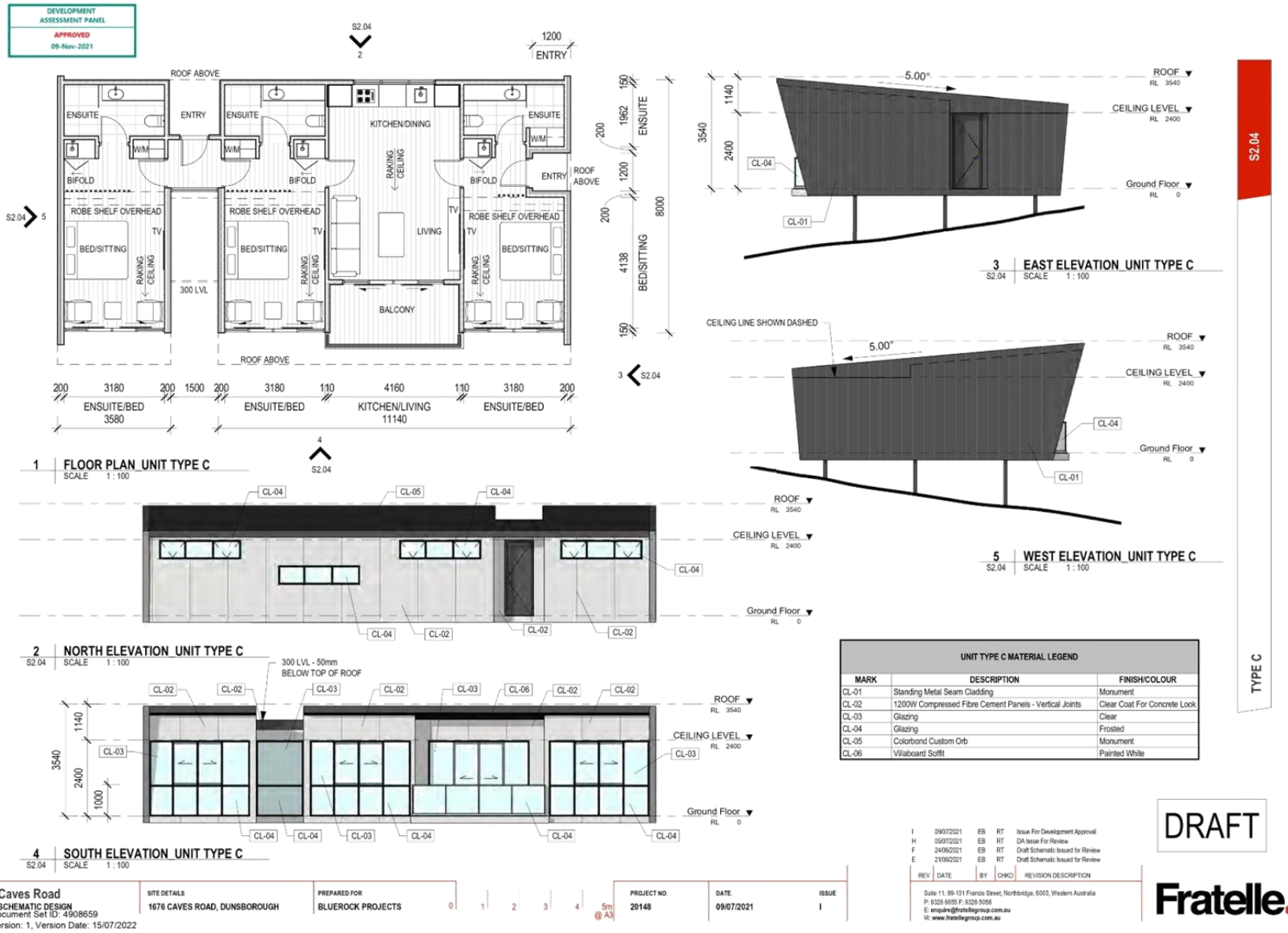


| UNIT TYPE C MATERIAL LEGEND | | |
|---|---|---|
| MARK | DESCRIPTION | FINISH/COLOUR |
| CL-01 | Standing Metal Seam Cladding | Monument |
| CL-02 | 1200W Compressed Fibre Cement Panels - Vertical Joints | Clear Coat For Concrete Look |
| CL-03 | Glazing | Clear |
| CL-04 | Glazing | Frosted |
| CL-05 | Colorbond Custom Orb | Monument |
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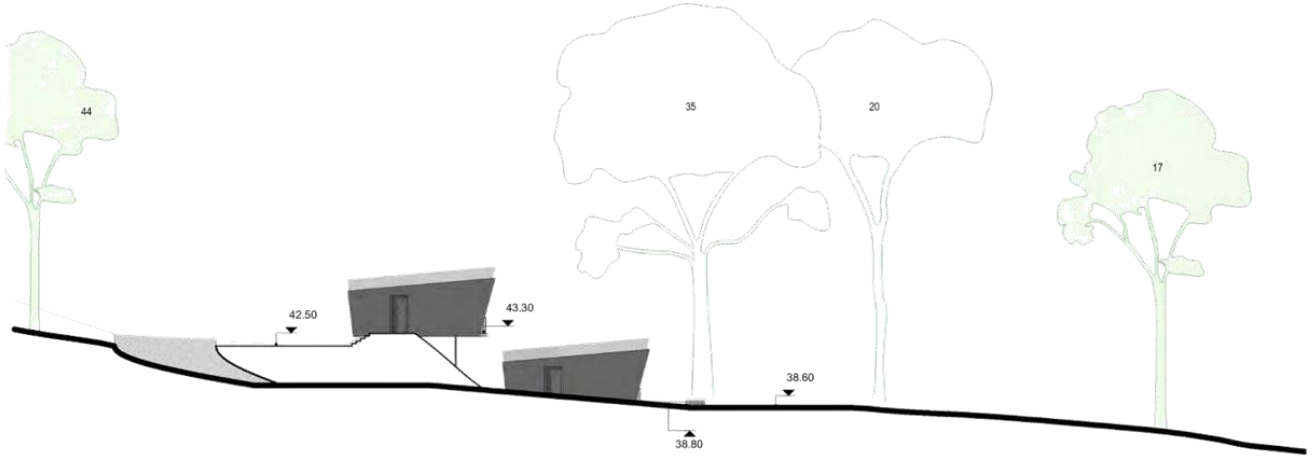


1 WEST ELEVATION
A2-02 SCALE 1 : 250




2 WEST ELEVATION CONTINUED
A2-02 SCALE 1 : 250

S3.01

WEST ELEVATIONS

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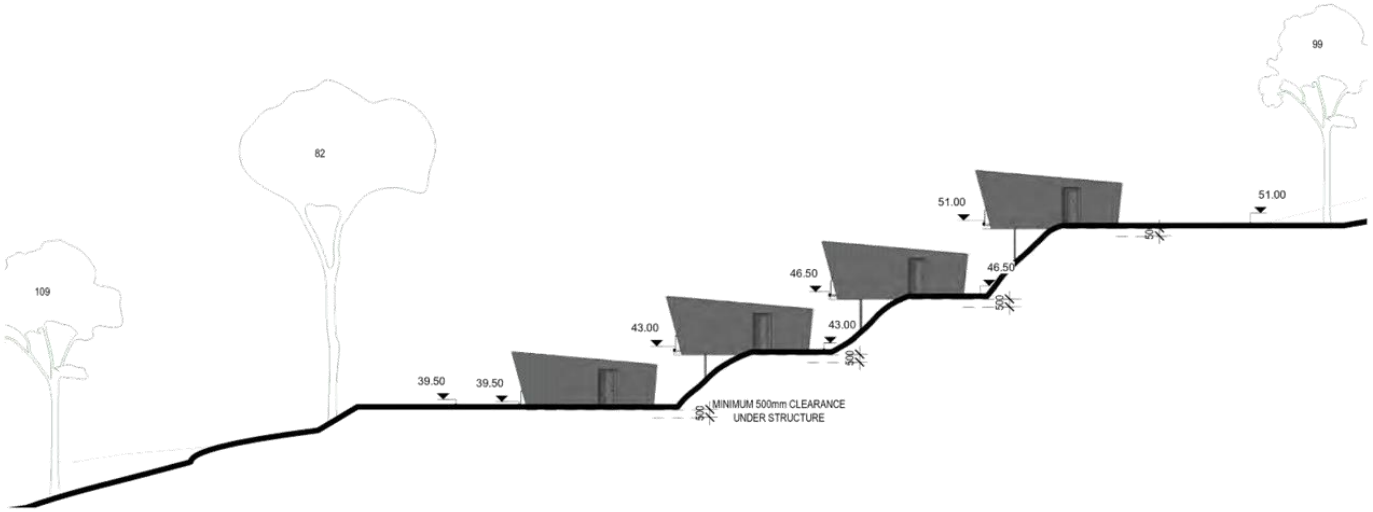


2 EAST ELEVATION
A2-02 SCALE 1 : 250




1 NORTH ELEVATION
A2-02 SCALE 1 : 250

S3.02

ELEVATIONS

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3 NORTH ELEVATION 1
A2-02 SCALE 1 : 250




1 SOUTH ELEVATION 1
A2-02 SCALE 1 : 250

S3.03

NORTH_SOUTH ELEVATIONS 1

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2 NORTH ELEVATION 2
A2-02 SCALE 1 : 250




1 SOUTH ELEVATION 2
A2-02 SCALE 1 : 250

S3.04

NORTH_SOUTH ELEVATIONS 2

DEVELOPMENT ASSESSMENT PANEL
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2 NORTH ELEVATION 3
A2-02 SCALE 1 : 250




1 SOUTH ELEVATION 3
A2-02 SCALE 1 : 250

S3.05

NORTH_SOUTH ELEVATIONS 3

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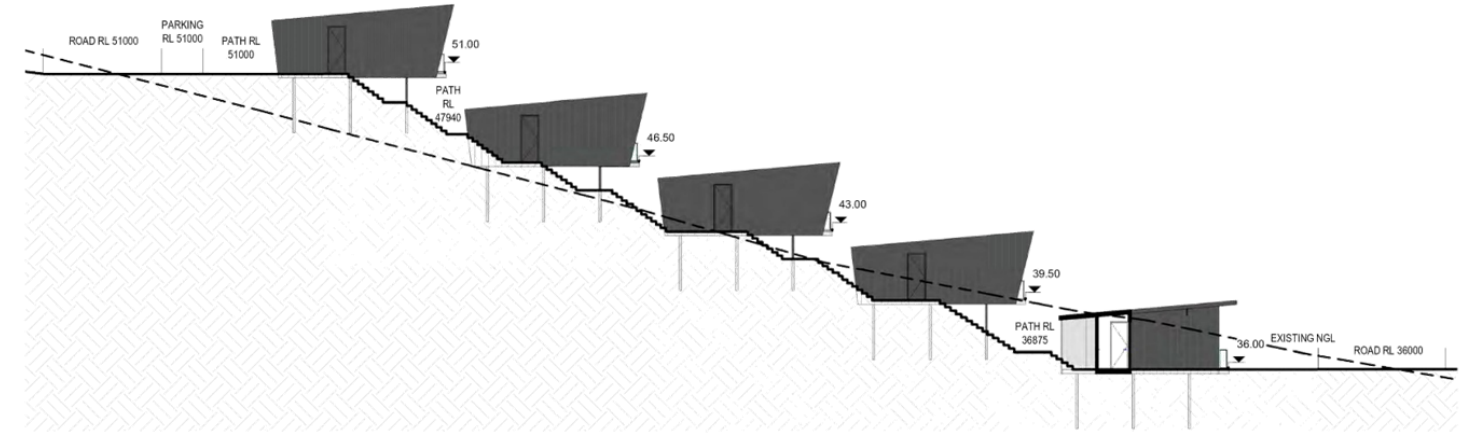
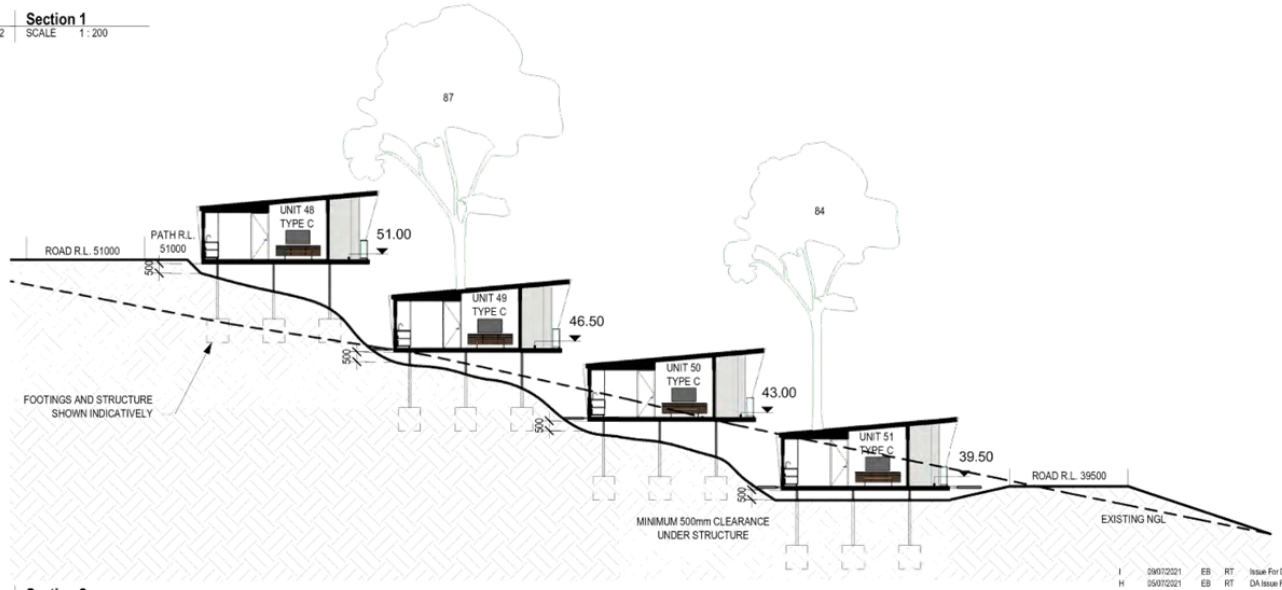



1 Section 1
A2-02 SCALE 1 : 200




2 Section 2
A2-02 SCALE 1 : 200

S3.06
SECTIONS

DEVELOPMENT ASSESSMENT PANEL
APPROVED
09-Nov-2021

DRAFT

| REV | DATE | BY | CHKD | REVISION DESCRIPTION |
|---|---|---|---|---|
| I | 09/07/2021 | EB | RT | Issue For Development Approval |
| H | 05/07/2021 | EB | RT | DA Issue For Review |
| F | 24/06/2021 | EB | RT | Draft Schematic Issued for Review |
| E | 21/06/2021 | EB | RT | Draft Schematic Issued for Review |

Caves Road
SCHEMATIC DESIGN
Document Set ID: 4908659
Version: 1, Version Date: 15/07/2022

| SITE DETAILS | PREPARED FOR | PROJECT NO. | DATE | ISSUE |
|---|---|---|---|---|
| 1676 CAVES ROAD, DUNSBOROUGH | BLUEROCK PROJECTS | 20148 | 09/07/2021 | I |

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@ A3

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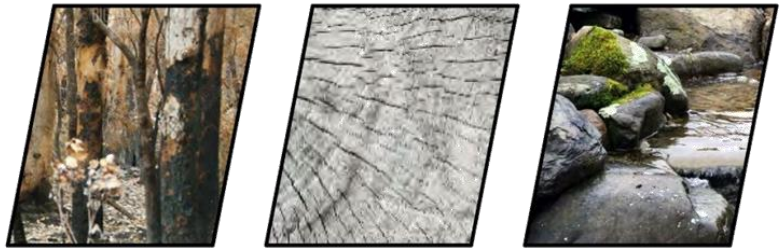
## NATURAL CONNECTION

INSPIRATION FOR MATERIALS HAS BEEN TAKEN FROM THE SURROUNDING NATURAL ENVIRONMENT







S4.01

MATERIALITY

DEVELOPMENT ASSESSMENT PANEL
APPROVED
09-Nov-2021

DRAFT

| REV | DATE | BY | CHKD | REVISION DESCRIPTION |
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@ A3

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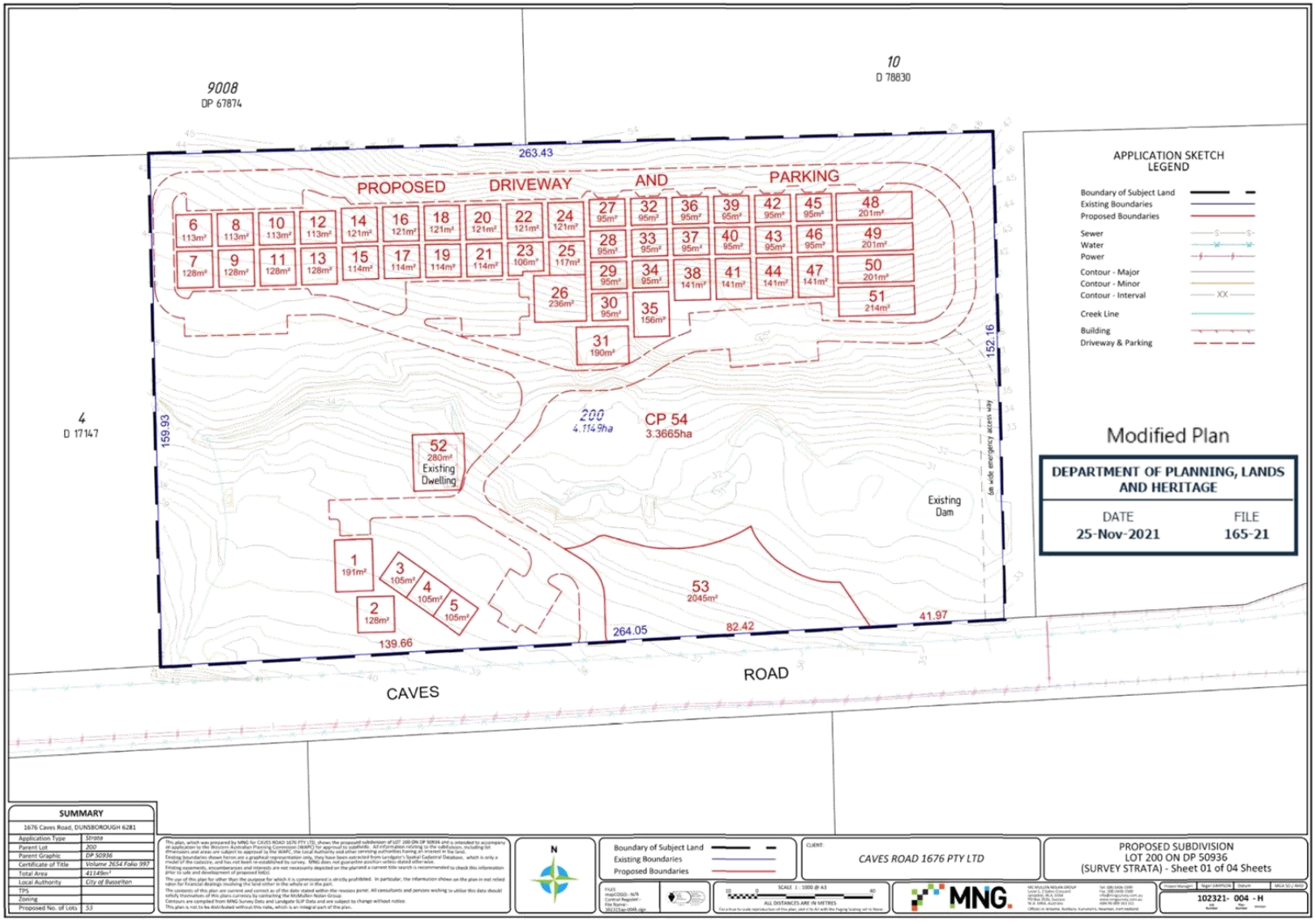
9008
DP 67874
10
D 78830
4
D 17147
263.43
152.16
159.93
PROPOSED DRIVEWAY AND PARKING
6 113m²
8 113m²
10 113m²
12 113m²
14 121m²
16 121m²
18 121m²
20 121m²
22 121m²
24 121m²
7 128m²
9 128m²
11 128m²
13 128m²
15 114m²
17 114m²
19 114m²
21 114m²
23 106m²
25 117m²
26 236m²
27 95m²
28 95m²
29 95m²
30 95m²
31 190m²
32 95m²
33 95m²
34 95m²
35 156m²
36 95m²
37 95m²
38 141m²
39 95m²
40 95m²
41 141m²
42 95m²
43 95m²
44 141m²
45 95m²
46 95m²
47 141m²
48 201m²
49 201m²
50 201m²
51 214m²
200
4.1149ha
CP 54
3.3665ha
52
280m²
Existing Dwelling
Existing Dam
53
2045m²
1 191m²
2 128m²
3 105m²
4 105m²
5 105m²
6m wide emergency access way
139.66
264.05
82.42
41.97
CAVES ROAD
APPLICATION SKETCH LEGEND
Boundary of Subject Land
Existing Boundaries
Proposed Boundaries
Sewer
Water
Power
Contour - Major
Contour - Minor
Contour - Interval
Creek Line
Building
Driveway & Parking
Modified Plan
DEPARTMENT OF PLANNING, LANDS AND HERITAGE
DATE 25-Nov-2021
FILE 165-21
SUMMARY
1676 Caves Road, DUNSBOROUGH 6281
Application Type Strata
Parent Lot 200
Parent Graphic DP 50936
Certificate of Title Volume 2654 Folio 997
Total Area 4.1149m²
Local Authority City of Busselton
TPS
Zoning
Proposed No. of Lots 53
N
Boundary of Subject Land
Existing Boundaries
Proposed Boundaries
CLIENT: CAVES ROAD 1676 PTY LTD
PROPOSED SUBDIVISION
LOT 200 ON DP 50936
(SURVEY STRATA) - Sheet 01 of 04 Sheets
ALL DISTANCES ARE IN METRES
MNG
102321- 004 - H

13.3 AMENDMENT 40 TO LOCAL PLANNING SCHEME 21 AND AMENDMENTS TO THE LEEUWIN-NATURALISTE SUB-REGIONAL STRATEGY - CONCERNS WITH RECENT DECISIONS OF THE HON. MINISTER FOR PLANNING AND WESTERN AUSTRALIAN PLANNING COMMISSION

| | |
|---|---|
| **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** | Land Use & Planning Control |
| **BUSINESS UNIT** | Planning and Development Services |
| **REPORTING OFFICER** | Director Planning and Development Services - Paul Needham |
| **AUTHORISING OFFICER** | Director Planning and Development Services - Paul Needham |
| **NATURE OF DECISION** | Advocacy: to advocate on its own behalf or on behalf of its community to another level of government/body/agency |
| **VOTING REQUIREMENT** | Simple Majority |
| **ATTACHMENTS** | Attachment A Minister's Amendment 40 Decision<br>Attachment B WAPC LNSRS Report - October 2021 |

**OFFICER RECOMMENDATION**

**That the Council, with respect to Amendment 40 and modifications to the Leeuwin-Naturaliste Sub-Regional Strategy (LNSRS) -**

1. **Indicate that, in both cases, it has significant concerns in relation to elements of both the substantive planning decisions and/or the processes by which the decisions were made.**
2. **With respect to the Ministerial decision in relation to Amendment 40 –**
   - **A. Indicate that the key concerns relate to -**
     - **i. The Minister not agreeing to depart from the State's model definition for Bulky Goods Showroom, and the related decisions to not support inclusion of a new clause 3.5.3 (e), and the decision to make Bulky Goods Showroom a prohibited use in the Light Industry Zone; and**
     - **ii. The Minister requiring an additional modification to create an Additional Use designation (A84) for a 'Convenience Store' on Lot 178, Bussell Highway.**
   - **B. Seeks an urgent meeting to discuss the matter with the Minister.**
   - **C. Note that FOI requests related to this matter have been submitted by the City.**
   - **D. Following completion of points B and C above (including a meeting with the Minister, if such a meeting is agreed to), consider initiation of a further, more targeted amendment to the Scheme, seeking Ministerial approval for one or more of the following things –**
     - **i. Approval of an alternative, more targeted, definition of 'Bulky Goods Showroom' and/or a capacity to split that land use category into two separate land use categories, one of which is more targeted than the existing model definition;**
     - **ii. Making the more targeted land use classification permissible in the Light Industry Zone; and**
     - **iii. Deletion of A84.**
   - **E. Note that, notwithstanding the above, the City will proceed with Gazettal of Amendment 40.**

**3. With respect to the WAPC decision related to LNSRS modifications –**

**A. Indicate that the key concerns relate to –**

**i. The fact there was no opportunity for community consultation or formal consultation with the City before amendments were made to the LNSRS, in particular with respect to the Dunsborough Planning Investigation Area;**

**ii. The direction for Vasse North; and**

**iii. The direction for Vasse South.**

**B. Request that the WAPC re-consider the LNSRS modifications, in light of the Council's concerns; and**

**C. Given that the report considered by the WAPC in October 2021 was released to the City following an FOI request, ask that the WAPC to identify the basis on which the report, and reports of that kind, are not generally available to the public (with personal or other confidential information redacted as necessary).**

**EXECUTIVE SUMMARY**

The Council is asked to consider some recent decisions of the Hon. Minister for Planning and the Western Australian Planning Commission (WAPC). It is recommended that the Council indicate that it has significant concerns with aspects of those decisions, and seek further considerations of the issues by the Minister and WAPC.

**BACKGROUND**

The Council is asked to consider recent decisions of the Hon. Minister for Planning and WAPC. Specifically: (1) a recent decision of the Hon. Minister for Planning with respect to final adoption of Amendment 40 (A40) to the *City of Busselton Local Planning Scheme 21* (Scheme); and (2) a late 2021 decision of the WAPC to amend the *Leeuwin-Naturaliste Sub-Regional Strategy* (LNSRS).

***Amendment 40***

A copy of the Minister's decision with respect to A40 is provided as Attachment A. The next step with A40 is Gazettal, following which A40 will be incorporated into the Scheme and the amendment process complete. Further background information with respect to A40 is set out in the agenda and minutes for the Ordinary Council Meeting of 24 November 2021.

The main purpose of A40 is to implement key strategies of the City's Council and WAPC endorsed *Local Planning Strategy*, which requires that shop retail, office and other kinds of 'town centre' land uses predominantly occur in existing and planned 'activity centres', especially the Busselton City Centre and Dunsborough Town Centre, rather than occurring in service commercial or light industrial areas. The underlying aim of those strategies is to support the continuing vitality of existing centres, as well as supporting further investment in both existing and planned centres, so that the centres remain and develop as the hearts of their growing communities, and as walkable, pedestrian friendly centres.

A40 seeks to achieve that purpose through reviewing permissibilities for a range of land uses within the Zoning Table of the Scheme, along with a limited number of associated modifications to other Scheme provisions – all of which seek to ensure that town centre uses are permissible only in the various 'Centre' Zones, whilst still ensuring that genuine bulky goods retailing, as well as other kinds of retailing appropriate to service commercial or light industrial areas, continue to be permissible in the Service Commercial and Light Industrial Zones.

The Minister has supported final adoption of A40, including supporting some of the Council's recommended modifications. The Minister has, however, not supported some modifications and also required several additional modifications, as follows –

1. A proposed change to the definition of 'Bulky Goods Showroom' was not supported, and the Minister required an additional modification to remove that proposal from A40 – see Modification 8;
2. The proposed introduction of a new clause 3.5.3 (e) was also not supported, and the Minister required an additional modification to remove that proposal from A40 – the new clause had sought to better define the types of retail activity that could be supported outside of existing and planned activity centres – see Modifications 1, 2 and 3;
3. An additional modification to make Bulky Goods Showroom a 'X' (i.e. prohibited) land-use in the Light Industry Zone was required by the Minister – see Modifications 4 and 9; and
4. An additional modification to create a new Additional Use designation (A84) for a 'Convenience Store' on Lot 178, Bussell Highway (a lot within the 'Power Centre' development, which also currently includes the Aldi, K-Mart and Origins tenancies) was also required by the Minister – see Modification 11.

The Act provides that the Minister may direct the local government to modify a town planning amendment, and regulations outline how a decision on an amendment is to be given effect. There is no opportunity for the Council or the Minister to alter the Minister's decision. That is one of the reasons why final Gazettal is usually organised by City officers, rather than following formal consideration by the Council.

It should also be noted that, despite the aspects of the Minister's decision outlined above, final adoption of most aspects of A40 has been supported by the Minister. As such, it is recommended that the Council resolve to proceed with Gazettal of A40.

City officers do, however have significant concerns with the aspects of the Minister's decision outlined above. Those concerns, as well as options and recommendations in relation to addressing the concerns, are set out in the Officer Comment section of this report.

***LNSRS modifications***

In October and December 2021, the WAPC resolved to make a range of changes to the LNSRS, with the changes relevant to the City of Busselton being –

1. Replacement of the 'Abbey Planning Investigation Area' with the designation of specific areas as either 'Urban' or 'Open Space Investigation' instead;
2. Replacement of the 'Vasse North Planning Investigation Area' with the designation of specific areas as either 'Urban' or 'Open Space Investigation' instead;
3. Deletion of the 'Vasse South Planning Investigation Area';
4. Replacement of the 'Dunsborough Planning Investigation Area' with the designation of specific areas as 'Urban' instead.

The changes to the LNSRS were made without any formal consultation with the community or the City and, in the case of the decisions for Vasse North and Vasse South, were inconsistent with the position of the City, established via a series of resolutions of the Council relating to both the development of the LNSRS, as well as development of the *City of Busselton Local Planning Strategy* (LPS). WAPC consideration of the changes to the LNSRS occurred behind closed doors, with the reports considered by the WAPC also being kept confidential.

City officers had requested further information in relation to the WAPC decisions, including copies of the reports considered by the WAPC, but access to that information had been refused. The City then made a formal freedom-of-information (FOI) request, seeking access to the report considered by the WAPC in October 2021. The City received notification of the outcome of its FOI request in January 2023, with the outcome being that the report was released, in mainly un-redacted form. A copy of the report in the form released to the City is provided as Attachment B.

Having reviewed the report, City officers continue to have significant concerns with the WAPC's decisions with respect to Vasse North and Vasse South. Whilst there are not such significant concerns with the substantive planning decision with respect to Dunsborough, there are significant concerns with the process by which that decision was made. Those concerns, as well as options and recommendations in relation to addressing the concerns, are set out in the Officer Comment section of this report.

**OFFICER COMMENT**

As set out in the Background section of this report, City officers have significant concerns with the Ministerial and WAPC decisions with respect to A40 and the LNSRS respectively. Those concerns relate variously to both the substantive planning decisions and/or the processes by which the decisions were made. In the case of both A40 and the LNSRS, the City does not have any formal review or appeal right. The concerns with the decisions are, however, considered to be sufficient that they should be placed on the public record, and the Council given a formal opportunity to consider what, if any, action the City should take with respect to the concerns.

In the case of both A40 and the LNSRS, there are concerns that changes to what are very important planning documents have not been undertaken in a sufficiently transparent fashion, and that important stakeholders, including the City, did not have an opportunity to comment on information considered as part of the decision-making process. That was clearly the case with the LNSRS and, from the context of one of the Minister's additional modifications to A40, may also be inferred to be a possibility with respect to A40. Concerns about outcome and process with respect to both A40 and the LNSPS are outlined and discussed in more detail below.

***Amendment 40***

Key concerns with respect to A40 are essentially twofold –

1. The Minister not agreeing to depart from the State's model definition for Bulky Goods Showroom, and the related decisions to not support inclusion of a new clause 3.5.3 (e), and the Minister's decision to make Bulky Goods Showroom a 'X' (i.e. prohibited) use in the Light Industry Zone is also of concern ('Bulky Goods Issue'); and
2. The Minister requiring an additional modification to create an Additional Use designation (A84) for a 'Convenience Store' on Lot 178, Bussell Highway ('A84 Issue').

*Bulky Goods Issue*

The reason that the Minister has given for not supporting the Council's proposed Bulky Goods Showroom definition is as follows –

> *There is no evidence that the current definition of bulky goods showroom or how the land use definitions are implemented, since the Regulations came into effect, has resulted in 'out of centre' large format shop uses or subsequent impacts on the primacy of retail centres, and therefore requires specific provisions included within schemes to depict specific retail items.*

There are considered to be several key problems with this rationale –

1. It does not recognize that, in comparison with the City of Busselton, in some other parts of the State, including much of the Perth Metropolitan Region, there has been a relatively liberal approach taken, either in law or in a *de facto* sense, including prior to the State's current model definition being introduced, to identifying what types of retail activity should occur in existing or planned activity centres, and what can occur in service commercial or light industrial areas. There is in fact extensive evidence in those areas of 'out-of-centre' large format retailing selling goods that are not, in fact, of a bulky nature. That has also resulted in either the slowing or stalling of investment, or the overall decline, of planned and existing activity centres.

2. It seems to indicate that, before the State will consider the issue further, there needs to be direct evidence that the definition has created a problem. Even if one accepts the erroneous assumption that there is currently no evidence of a problem, the rationale suggests that unless and until a problem arises, steps to address the problem should not be taken. Once a problem of the kind envisaged has emerged, however, it would too late. The development would continue to be lawful, even if the Scheme was subsequently changed, as it would enjoy non-conforming use rights. The generally liberal approach taken by courts and tribunals to interpreting and applying non-conforming use rights would accentuate that problem.

3. The State's model definition of Bulky Goods Showroom could be interpreted to allow sale of certain types of goods which are clearly not bulky, and for those to be the only types of goods sold, even from very small premises. The State's model definition could also be interpreted to allow any kinds of goods to be sold if the premises are large. Whilst courts and tribunals appear to have taken a narrower perspective to date, there is considered to be significant risk that courts and tribunals may take a broader approach in future. The State's insistence on adherence to the existing model definition essentially means that local governments in WA are faced with a choice between: (1) allowing Bulky Goods Showrooms as a permissible land use, knowing that could result in more generalised retail activity than strategic planning documents indicate should be supported and which should be limited to activity centres (including the LPS and the State's own *State Planning Policy 4.2*); or (2) prohibiting even *genuine* bulky goods retailing to manage that risk. That binary choice is in significant contrast to the more nuanced approach that could be made possible through narrowing the definition, as proposed by the City, or simply splitting the Bulky Goods Showroom definition into two – one for *genuine* bulky goods retailing that often cannot practically occur in an activity centre, and a second, broader definition, being applicable where a more liberal approach is seen as being appropriate.

The Minister's decision with respect to the Bulky Goods Issue has significantly reduced the development potential of Light Industry Zoned land, whilst preserving the development potential of Service Commercial Zoned land. The Council's proposed approach to this issue would have preserved most of the development potential of Light Industry Zoned land, whilst also preserving the development potential of Service Commercial Zoned land.

It is unclear why the State seems so insistent on maintaining and imposing its Bulky Goods Showroom definition that it is prepared to so significantly reduce the development of Light Industry Zoned land – although it needs to be acknowledged the Council indicated that would be its preferred approach if its alternative definition was not supported. There do not, however, appear to be any real barriers to the adoption of a more nuanced approach proposed, such as that proposed by the Council, provided the State is willing to re-consider the issue.

In discussion of this issue, it is also worth outlining: (1) the Scheme's former 'Showroom' definition, which had quite effectively ensured that only relatively genuine 'bulky goods' retailing has been allowed in Service Commercial and Light Industry Zoned areas in the City of Busselton in the past; (2) the State's current model Bulky Goods Showroom definition, which the Minister has decided must be retained; and (3) the Council's proposed definition, incorporated into A40 as advertised –

1. City of Busselton Showroom definition (in place from Gazettal of Scheme 20 in 1999 until June 2019) –

   *'Showroom' means any building or part of a building used or intended for use for the purpose of displaying or offering for sale by wholesale or retail, automotive spare parts, carpets, large electrical appliances, furniture, hardware or bulky goods but does not include the sale by retail of foodstuffs, liquor or beverages, items of clothing or apparel, magazines, newspapers, books or paper products, china, glassware or domestic hardware, or items of personal adornment.*

2. State model Bulky Goods Showroom definition – bold added (set out by the State in 2015 and included in the City's Scheme in June 2019, at the direction of the Minister) –

   *'Bulky Goods Showroom' means premises –*

   *(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —*

   *(i) automotive parts and accessories;*

   *(ii) camping, outdoor and recreation goods;*

   *(iii) electric light fittings;*

   *(iv) animal supplies including equestrian and pet goods;*

   *(v) floor and window coverings;*

   *(vi) furniture, bedding, furnishings, fabrics, manchester and homewares;*

   *(vii) household appliances, electrical goods and home entertainment goods;*

   *(viii) party supplies;*

   *(ix) office equipment and supplies;*

   *(x) babies' and children's goods, including play equipment and accessories;*

   *(xi) sporting, cycling, leisure, fitness goods and accessories;*

   *(xii) swimming pools;*

   ***or***

   *(b) used to sell by retail goods and accessories by retail if —*

   *(i) a large area is required for the handling, display or storage of the goods; or*

   *(ii) vehicular access is required to the premises for the purpose of collection of purchased goods.*

3. Council's proposed Bulky Goods Showroom definition (as set out in A40) –

   *'Bulky Goods Showroom' means premises –*

   *(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —*

   *(i) automotive parts and accessories;*

   *(ii) camping, outdoor and recreation goods;*

   *(iii) electric light fittings;*

   *(iv) animal supplies including equestrian and pet goods;*

   *(v) floor and window coverings;*

   *(vi) furniture, bedding, furnishings, fabrics, manchester and homewares;*

   *(vii) household appliances, electrical goods and home entertainment goods;*

*(viii) party supplies;*

*(ix) office equipment and supplies;*

*(x) babies' and children's goods, including play equipment and accessories;*

*(xi) sporting, cycling, leisure, fitness goods and accessories;*

*(xii) swimming pools;*

***and***

*(b) used to sell by retail goods and accessories by retail if —*

*(i) a large area is required for the handling, display or storage of the goods; or*

*(ii) vehicular access is required to the premises for the purpose of collection of purchased goods.*

*A84 Issue*

Modification 11, which was an additional modification required by the Minister, appears to address an issue that was not identified through the formal consultation on A40 (noting that the affected landowner did make a submission on A40, but did not specifically raise the issue that Modification 11 seems designed to address). It also arose only after the Council had made its recommendation to the WAPC (in November 2021) and, in fact, it appears to have arisen only after the WAPC had made its recommendation to the Minister (in September 2022).

Modification 11 in fact, appears to specifically address an issue that arose only in November 2022. That was when the City advised the landowner that an application for development approval for a change of use of the land to a 'Convenience Store' (DA22/0615) was unlikely to be approved. That was in part because A40 proposed that the use become a prohibited use in the Zone (i.e. Service Commercial) and, as A40 had already been subject of a WAPC recommendation to the Minister, A40 was considered to be significantly certain and imminent that approval of the development application should not be contemplated. The applicant was invited to withdraw the application on that basis. The applicant declined that invitation.

The application was subsequently refused in January 2023, on the basis that the proposed use was, in fact, best classified as a 'Shop', which was already a prohibited use in the Zone. That reflected a close review and assessment of the application, resulting in the City identifying that the proposed use seemed to exceed the 300 square metre maximum floorspace allowable for a Convenience Store. The landowner has also recently verbally advised the City that they now, in fact, intend to accept the City's decision on the application.

The City officer understands that the landowner had sought to approach the Minister's office regarding the matter. The City has also been seeking a meeting with the Minister regarding A40. Whilst there had been some communication between the City and the Minister's office, the City had not been granted a meeting with the Minister.

With respect to A40 as a whole, the Minister's stated rationale for either not accepting the Council's proposed modifications, or requiring additional modifications, also seems to reflect a misunderstanding of some key issues. It is also certainly seen as regrettable that the Minister was not able to meet with the City to discuss A40.

*Amendment 40 overall*

It is considered that the City should set out what its key concerns relate to, seek an urgent meeting to discuss the matter with the Minister, and also submit further FOI requests to both the WAPC and Minister's office, seeking information with respect to the A40 decision. It is also recommended that same request be put to the Department of Planning, Lands & Heritage (DPLH), which provides advice and support to the WAPC in the exercise of its functions.

Following responses to those requests, it is also considered that the Council should consider initiation of a further, more targeted amendment to the Scheme, seeking Ministerial approval for one or more of the following things –

1. Approval of an alternative, more targeted, definition of 'Bulky Goods Showroom' and/or a capacity to split that land use category into two separate land use categories, one of which is more targeted than the existing model definition;
2. Making the more targeted land use classification permissible in the Light Industry Zone; and
3. Deletion of A84.

Given the fact that final adoption of most aspects of A40 has been supported by the Minister and there is no formal right of appeal or review, though, it is recommended that the Council note that the City will proceed with Gazettal of A40.

An alternative or additional step would be to lobby State Parliamentarians asking that a disallowance motion be moved, following Gazettal. That would, however, result in the disallowance of A40 as a whole – including both the bulk of the amendment that the Council supports, and the elements outlined above that the Council has not supported in the past. Given that, and noting also that the chances of successfully lobbying for a disallowance motion are considered low, it is considered that the initiation of a further, more targeted, amendment to the Scheme would be a more appropriate response to the Minister's decision than lobbying for a disallowance motion.

***LNSRS modifications***

Concerns with the LNSRS modifications are essentially threefold –

1. Deletion of the 'Vasse South Planning Investigation Area' – which appears to have been based in part on a misunderstanding of the size and location of that area, as previously supported by the Council, some erroneous assumptions about the nature of the area itself, as well as the application of criteria that do not appear to have been applied when considering either the Abbey or Vasse North Planning Investigation Areas ('Vasse South Issue');
2. The replacement of the 'Vasse North Planning Investigation Area' with the designation of specific areas as either 'Urban' or 'Open Space Investigation' instead – the rationale for which appears to be based on some unsound or at least untested assumptions, and some factors considered by the WAPC to be relevant and important to consideration of Vasse South do not appear to have been considered at all with respect to Vasse North ('Vasse North Issue'); and
3. The replacement of the 'Dunsborough Planning Investigation Area' with the designation of specific areas as 'Urban' instead – noting that the report considered by the WAPC notes the significant community interest in this matter, but does not further discuss that fact, including consideration of whether further community engagement would have been appropriate prior to making final decisions, and there also does not appear to be any clear rationale for how the boundaries of the area to be identified as Urban were identified ('Dunsborough Issue').

Before looking at the more specific issues, it is worth noting the position of the City on these issues as raised by the City with the WAPC prior to it making its decisions to modify the LNSRS, summarised as follows –

1. There should be an opportunity for community consultation before amendments are made to the LNSRS, in particular with respect to the Dunsborough Planning Investigation Area;

2. The direction for Abbey is supported (consistent with several Council decisions);
3. The direction for Vasse North is not supported, and the City (consistent with several Council decisions) does not consider the land to be a suitable location for urban development, in particular residential development – principally, as it would be a small residential area, unable to accommodate services or amenities within the area itself, is low-lying and environmentally constrained, and would mean that there would be urban development on both sides of the Vasse Bypass, contrary to many decades of consistent and largely successful planning direction to maintain natural and rural landscape qualities along the Busselton Bypass, Vasse Bypass and most of Bussell Highway; and
4. The direction for Vasse South is also not supported, and the City (consistent with several Council decisions) considers the land to be a suitable location for urban development, including residential development – and would be a logical extension to the Vasse Growth Area, once currently zoned areas have been developed.

*Vasse South Issue*

Page 166 of Attachment B includes a summary of findings with respect to Vasse South, against 12 criteria. Vasse South has been assessed as being suitable for future urban development with respect to 10 of those 12 criteria, unsuitable with respect to one, and it has been identified that there is insufficient information for assessment for one criteria.

City officers agree with the findings for the 10 criteria against which Vasse South has been deemed suitable. City officers do not, however, agree with the assessment against the other two criteria. Also, somewhat confusingly, Vasse North has only been assessed against ten criteria, with one of the 'missing criteria' being the one against which Vasse South has been considered unsuitable. The two criteria against which Vasse South was not considered suitable are as follows –

1. Unsuitable: Planning Investigation Area extent definition; and
2. Not able to be assessed: Basic raw materials demand (land fill to raise ground level).

With respect to the first of those criteria, a plan on page 170 of Attachment B identifies the WAPC's 'Enquiry area context illustration'. The plan identifies an area of 868 hectares, extending southwards from the Rendezvous/Florence Road alignment for a distance of over 2.5 kilometres, transected by the planned Busselton Outer Bypass alignment, and with an east-west dimension of over 3.5 kilometres. An area of that size might be expected to accommodate an ultimate population of over 5,000 people, possibly substantially more.

The area identified is much larger than the potential 'Vasse South' urban growth area that was identified in the draft LNSRS, and that the Council has in the past sought to include in the LPS – and which is still included in the LPS as the 'Vasse South Planning Investigation Area', albeit without clearly defined boundaries, due to earlier decisions of the WAPC. The area previously identified by the Council and in the draft LNSRS consisted of the north-western corner only of the area identified on page 170, restricted to land north of the planned Busselton Outer Bypass alignment only, with a total area of less than 160 hectares, and maximum dimensions of around 1.0 kilometre north to south, and 1.3 kilometres east to west.

Attachment B does not contain anything which explains why such a large area was considered to be part of the 'Vasse South Planning Investigation Area' for the purpose of that report. Also concerning is the seemingly implicit, but unexplained and somewhat unusual, assumption that it may make sense to plan a growth area that is transected by a major regional road (i.e. the future Busselton Outer Bypass). That is not something that the City has ever contemplated, as roads of that kind are very significant barriers to community integration.

If the intent was to assess the suitability of a larger area, with a view that it may be reduced as part of more detailed assessment, the approach also seems to be inconsistent with the approach taken for Dunsborough, where a larger area could have been considered, and potentially reduced following more detailed assessment. Abbey and Vasse North are different to Dunsborough, as there are, relatively speaking, fairly obvious boundaries to those areas on all sides – although at least arguably the same is true for Vasse South, if the reasonable position that the planned Busselton Outer Bypass alignment is an obvious boundary is accepted.

The WAPC has found, perhaps partly on the basis that Vasse South is a much larger area than the Council had ever envisaged, that there is insufficient demand within the identified 2039 planning time horizon to require the identification of Vasse South for urban development. The same, however, is true for Vasse North, but Vasse North does not appear to have been assessed against that criteria.

In addition, commencing on page 191 of Attachment B, the report contains only a fairly simplistic assessment of land supply and demand in Vasse, referring to what is understood to be an unpublished 'Land Assessment'. The report indicates that in the 10 years to 2020 an average of 74 dwellings per annum were completed in Vasse. That is significantly less than the current rate of development, with an average of 135 dwellings per annum having been approved in the Vasse and Kealy localities in the 2021 and 2022 calendar years.

Also problematic is that Vasse is treated as a unit for land supply planning purposes. The City has generally not considered Vasse on its own to be a land supply unit. Vasse is instead considered to be an important part of the larger 'Busselton-Vasse Urban Area' – but it is that larger unit that is considered the relevant one for land supply planning purposes.

It is also important to note that the City has not considered that there is a need from a land supply perspective to identify Vasse South for urban development in the nearer term, and the same is true for Vasse North. The City's position, however, has been that it should be identified for urban development in the medium term, signalling an intent and allowing planning of other areas and for other purposes to recognise the longer term potential, without supporting urban development in the immediate term. The approach that the WAPC seems to have taken with the LNSRS modifications is to remove the option of identifying medium- and longer-term growth areas, with areas either identified for urban development in the nearer term, or not at all.

Turning to the second criteria, that of basic raw material needs, starting on page 189 of Attachment B, there is a discussion of basic raw material requirements for development at Vasse South. The report identifies that there is insufficient information to assess the criteria for Vasse South, but also then notes that; "An analysis of available datasets has identified that it is likely that significant amounts of fill will be required to support development…". The same is, however, true for the other areas in the City assessed by the WAPC, and the report makes no attempt to identify or outline the nature of the 'available datasets'.

One dataset that would have been available, however, is data identifying existing ground levels for all of the areas assessed. Whilst high resolution data is generally not available, it is clear that essentially all of the Vasse South area is at or above 5.0 metres AHD, with significant parts of the larger area assessed by the WAPC at or above 10.0 metres AHD. That is in significant contrast to Vasse North, nearly all of which is below 2.0 metres AHD. Whilst height above sea level (i.e. AHD) is not the only factor to consider, the report neither identifies nor discusses the fact that existing levels at Vasse North are substantially lower than at Vasse South.

In addition to the matters related to the summary of findings at page 166 of Attachment B, there are also concerns with respect to the assessment of two other issues –

1. Visual/landscape management; and
2. Pattern of land ownership.

On page 183 of Attachment B, a comment is made that Vasse South; "is highly visible from the adjacent Travel Route Corridor". That is thought to be a reference to the visibility of the land from Bussell Highway, and possibly the future Busselton Outer Bypass. The land is, however, less visible and more easily screened from Bussell Highway than Vasse North would be from the Vasse Bypass section of Bussell Highway. Strangely, though, despite the comment on page 183, in the summary of findings on page 170, Vasse South has been identified as being suitable against the 'Landscape value protection' criteria.

Also, unlike Vasse North, if Vasse South was restricted to the area north of the Busselton Outer Bypass, as always envisaged by the Council, there would not be urban development on both sides of the regional road network. From a visual character perspective, it is considered important that there is a natural or rural landscape on at least one side of the regional road network – otherwise there is a risk of the 'sea of roofs' phenomena that one experiences driving along Perth's freeway network, or in parts of Greater Bunbury.

On page 187 of Attachment B, there is a discussion of the pattern of land ownership in the enquiry area, noting that ownership is quite fragmented. That is hardly surprising, given the extensive nature of the enquiry area for the purposes of the report. Most of the smaller area previously identified as Vasse South by the Council, however, is currently in a single ownership.

In summary, there are significant concerns that the WAPC has excluded Vasse South from the LNSRS on the basis, at least in part, of incorrect or unsupported assumptions, and that the principles applied to the assessment of Vasse South have been inconsistent with those applied to the assessment of Vasse North.

*Vasse North Issue*

A number of concerns with the assessment of Vasse North have already been set out above in considering Vasse South. In particular, the report at Attachment B indicates that additional urban land at Vasse South is not needed to meet future land supply requirements, and that forms part of the rationale for removing Vasse South from the LNSRS - but the report does not even consider that issue for Vasse North, and City officers consider there is no reason to consider that Vasse North is any more necessary than Vasse South to meet future land supply requirements. There are, however, further specific concerns with the Vasse North assessment.

On page 65 of Attachment B, there is a summary of findings with respect to Vasse North, against 10 criteria. City officers are concerned about the findings for the assessment of Vasse North against five of those criteria –

1. Drainage;
2. Flood risk;
3. Landscape value protection;
4. Visual landscape separation between Vasse and Busselton; and
5. Basic raw materials demand (land fill to raise ground level).

With respect to criteria 1, 2 and 5 above, it is noted again that, according to publicly available datasets, most of the land at Vasse North is at less than 2.0 metres AHD, with some areas at less than 1.5 metres AHD. The City's CHRMAP identifies, however, that the area may be subject of coastal flooding risk, and that consideration should be given to setting minimum finished floor levels to a minimum of 2.7 metres AHD in this area. On page 83 of Attachment B, however, the report asserts that the area is not included in the CHRMAP area.

Also, the recommendation of the CHRMAP that proposes a 2.7 metre AHD minimum finished floor level assumes that the eastern bank of the Buayanyup Drain can be upgraded/managed to prevent larger coastal flooding events impacting Vasse North. In the absence of that investment – which at this stage has not been subject of any design, feasibility or costing work – then the minimum finished floor level may need to be higher, perhaps 3.4 metres AHD.

The report does not appear to contain any consideration of these issues. Instead, at page 92 it references a 'consultant report', a copy of which was not attached and the details of which have been redacted, which apparently set out that; "approximately 900mm of fill is likely to be required".

With respect to criteria 3 and 4, the key concerns of City officers have already been identified in discussing Vasse South above. Something not specifically considered in the report, however, is that the Vasse Bypass involves a bridge over the Buayanyup Drain, the land to the north of the Vasse Bypass is visible when crossing that bridge. Whilst a reasonable job has been done managing the visual impact of the residential component of the existing Vasse development to the south of the Vasse Bypass, it is visible when crossing the bridge but, at this stage, urban development is only visible on one side of the road.

If Vasse North is developed for predominantly residential purposes, Vasse will be the only location in the City of Busselton where a 'sea of roofs' may be visible on both sides of the regional road network – undermining decades of consistent and fairly successful policy to encourage and maintain a rural or natural character to the land on at least one side of the regional road network, and there is nowhere where a 'sea of roofs' effect has been created. If Vasse North were developed for lower density development, in terms of built form density, including institutional uses such as schools, hospitals or other similar facilities, in a 'campus-like' setting, the visual and landscape impacts would be lower and more easily managed. Such uses could also be accommodated within the current zoning applicable to the land.

Also noteworthy is the fact that identification of Vasse North for urban development did not form part of the draft LNSRS, when the LNSRS was subject of community consultation. Vasse North was only added after consultation. That fact, combined with the more recent identification of Vasse North for urban development as part of the LNSRS modifications, means that the community has not at any stage been invited to comment on the concept of urban/residential development at Vasse North. Landowners in that area now, however, essentially have a right to progress more detailed planning, and, provided the various detailed/technical issues that must be addressed can be, rezoning, subdivision and subsequent development can occur.

In summary, there are significant concerns that the WAPC has identified Vasse North for urban development in the LNSRS on the basis, at least in part, of incorrect or unsupported assumptions, and that the principles applied to the assessment of Vasse North have been inconsistent with those applied to the assessment of Vasse South.

*Dunsborough Issue*

The City, including the Council, has consistently supported planning for urban growth in broadly the area identified by the WAPC in the modified LNSRS. The rationale for that position is set out in some detail in a report considered by the Council at its Ordinary Meeting of 13 December 2017 – the agenda and minutes of which can be viewed on the City's website. The City has, in fact, in the past supported identification of the same area as is now identified in the LNSRS.

Since 2017, there has been substantial development in and around Dunsborough, and the land supply and demand equation has changed, such that there is less future land supply identified (because some land has been developed) and there has been an increase in demand. The report at Attachment B, though, does not outline why the boundaries of the identified 'Dunsborough Urban' area were drawn where they were drawn – but the report does find that the 'enquiry area' happens to be sized appropriately to meet future demand for the anticipated planning time horizon (i.e. 2039).

In the originally adopted version of the LNSRS, the WAPC did not identify a specific area (the draft had identified a specific area, but it was smaller than the area now identified). The originally adopted LNSRS instead left identification of the specific area for expansion to later processes, including the proposed development of an overall 'Dunsborough Townsite Strategy'. It was certainly understood by the City that the process of developing that strategy would have involved an open process of engaging and consulting with the community and other stakeholders.

In amending the LNSRS, however, the WAPC has created a situation in that the area where urban development may occur has been identified without that consultation or engagement. Further, whilst there was some informal consultation with City officers, the City in general, and the Council in particular, had no formal opportunity to provide input into the decision, or to comment on or critique information and assumptions that informed the decision. The City had and took an opportunity to provide a deputation to the WAPC meeting where the decision was made, but without the benefit of seeing the report or recommendation that was being considered by the WAPC. Landowners in that area now, however, essentially have a right to progress more detailed planning, and, provided the various detailed/technical issues that must be addressed can be, rezoning, subdivision and subsequent development can occur.

On page 7 of Attachment B, however, it is identified that; "The future of Dunsborough, including possible urban expansion, is locally contested. There are advocacy and interest groups that are concerned urban expansion of Dunsborough will harm the aesthetics and amenities of the town and the sub-region more broadly. DPLH has been approached by consultants representing landowners and an advocacy group representing the Dunsborough PIA". There does not, however, appear to be any further discussion about the community interest in the issue, including any consideration of whether, given the level of interest, there should be further consultation and engagement before the LNSRS was modified in such a way that landowners now essentially have a right to progress more detailed planning.

*LNSRS modifications overall*

Review of the report provided as Attachment B has resulted in City officers continuing to have significant concerns about both the outcomes of and processes that led to the WAPC decisions to modify the LNSRS.

Review of the documents has also resulted in City officers considering that a further FOI request should be submitted to obtain the minutes relating to consideration of the October 2021 report, as well as seeking copies of the report and associated minutes of the WAPC's December 2021, where the LNSRS modifications were further considered.

Also, whilst the October 2021 report was provided in mainly un-redacted form, with all of the redactions relating to names of DPLH officers or third party information, which had been agreed to by the City in the FOI request, on reflection it is considered that some of that information should be requested, as its release may be in the public interest.

In particular, there is a name redacted on page 6 of Attachment B. The context of the redaction on page 6 would suggest that the redacted name is not that of a DPLH officer. It is considered that this information should be requested.

The names of landowners has also been redacted. That information is, however, known to the City in any case and, as such, there is not seen to be a need to seek release of that information. Prior to the release of the report under FOI, it was known to the City that the land at Vasse North, most of the identified land in Dunsborough and some of the land at Abbey was owned by parties that either are, or have relationships with, parties active as land developers in the City or elsewhere in the City or elsewhere in Western Australia. As set out in the report, at least some of those parties had approached the WAPC seeking consideration of the future planning status of their – it is probably reasonable to assume that was to indicate that identification of the land for urban development was sought by the landowners.

The land at Vasse South, however, is understood to not currently be owned by parties that either are, or have relationships with, parties active as land developers in the City or elsewhere in Western Australia. The same is true for some land to the south or south-east of the area identified at Dunsborough, but which may be more suitable for development than some of the land that has been identified for urban development. Landowners in those areas may not, and in fact probably did not, however, know that they had an opportunity to approach the WAPC with respect to the future planning status of their land.

Whilst the pattern of land ownership and tenure can often be relevant to strategic planning decisions, it is one of a number of factors that should be considered. It is considered by City officers that land should not be either included in or excluded from identification for future urban development on the basis of landownership status alone. Whilst it is not being suggested that is what has occurred with the LNSRS modifications, in the absence of clear and consistent rationales for those decisions, and with a more open and transparent process for the making of those decisions, it is considered reasonable to suggest that landownership status may have been a significant factor in the WAPC decisions.

More broadly, City officers are concerned that the WAPC has made significant decisions about the future planning of the District without sufficient involvement of the City or the community as a whole, and on the basis, at least in part, of incorrect or unsupported assumptions, and that consistent principles have not been applied to the assessment of different potential urban growth areas. It is considered that the WAPC should attach greater weight to feedback from local government and local communities when it comes to these kinds of decisions, especially outside the Perth Metropolitan Region. In the report at Attachment B, however, there does not appear to be any information setting out the views of the City, or the rationale for those views.

It is also considered that the decision-making processes of the WAPC with respect to these decisions could and should be more transparent. A local government Council would not be able to consider adoption of a local planning strategy behind closed doors – yet the WAPC is able to do so, even where the status and importance of the WAPC's decisions is greater than those of the local government Council.

Whilst receipt of further information under FOI may add some detail and context to City officer concerns with the LNSRS modifications, it is considered unlikely that it will either resolve existing concerns or result in significant new concerns. Given that, the Council is asked to consider whether it shares officer concerns, in whole or part, as well as considering whether it has any additional concerns.

The Council is also asked to consider what, if any, action should be taken by the City with respect to any concerns that the Council may hold. The following actions are recommended by officers –

1. Formally resolve that the Council has significant concerns related to the outcomes and process associated with the LNSRS modifications;
2. Identify what the Council's key concerns are;
3. Request that the WAPC re-consider the LNSRS modifications, in light of the Council's concerns; and
4. Given that the report considered by the WAPC in October 2021 was released to the City following an FOI request, ask that the WAPC identify the basis on which the report, and reports of that kind, are not generally available to the public (with personal or other confidential information redacted as necessary).

**Statutory Environment**

Key statutory environment is set out in the *Planning and Development Act 2005*.

**Relevant Plans and Policies**

The report relates to key plans and policies, namely the Scheme, LNSRS and LPS.

**Financial Implications**

There are no significant financial implications associated with the officer recommendation.

**Stakeholder Consultation**

No external stakeholder consultation was required or undertaken in relation to this matter. Implementation of the officer recommendation could, however, result in further consultation by the City and/or WAPC before any future substantive planning decisions are made.

**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. Whilst there are significant risks associated with the decisions that the Hon. Minister and WAPC have made, there are not considered to be significant risks associated with the City raising concerns about those decisions.

**Options**

As an alternative to the proposed recommendation the Council could:

1. Not take any action at all; or
2. Take different or additional action.

**CONCLUSION**

There are considered to be significant concerns with the Ministerial and WAPC decisions with respect to A40 and the LNSRS respectively. Those concerns relate variously to both the substantive planning decisions and/or the processes by which the decisions were made. In the case of both A40 and the LNSRS, the City does not have any formal review or appeal right. The concerns with the decisions are, however, considered to be sufficient that they should be placed on the public record, and actions taken to advise the Hon. Minister and WAPC of the City's concerns, and request that action be taken or supported to address those concerns.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Elements of the recommendation that can be undertaken by the City alone would be implemented within one month. Other elements, however, may only be able to be implemented if agreed to by the Minister and/or WAPC.

GOVERNMENT OF WESTERN AUSTRALIA

Western Australian Planning Commission

Your ref: AMD21/0040
Our ref: TPS/2717
Enquiries: Schemes Team

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

*Transmission via electronic mail to:* david.sands@busselton.wa.gov.au

Dear Sir/Madam

**LOCAL PLANNING SCHEME NO. 21 - AMENDMENT NO. 40**

The Western Australian Planning Commission (Commission) has considered Amendment No 40 and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has required the amendment to be modified in the manner specified in the attached schedule of modifications in accordance with section 87(2)(b) of the Act, before it is resubmitted under section 87(1).

In order for the amendment documents to be finalised in a timely manner, please ensure the following:

- the maps in the modified document accurately reflect the intentions of the amendment as detailed in the amending text; and
- in carrying out modification to the amendment document, previous Council resolutions pursuant to clauses 35(1), 41(3) and/or 50(3) are not to be modified.

Please forward two copies of the modified amendment document directly to the Perth office and email a modified text of the amendment, in word format, to localplanningschemes@dplh.wa.gov.au to assist in limiting Government Gazette publishing costs.

Please direct any queries about this matter to localplanningschemes@dplh.wa.gov.au.

Yours sincerely

Ms Sam Fagan
Secretary
Western Australian Planning Commission

6/02/2023

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ATTACHMENT 4

**SCHEDULE OF MODIFICATIONS**
**CITY OF BUSSELTON LOCAL PLANNING SCHEME NO. 21**
**AMENDMENT 40**

| No. | Local Government's Proposed Modifications | WAPC's Required Modifications | Reason |
|---|---|---|---|
| 1. | Modify proposed clause 3.5.3(e) to remove reference to the 'Service Commercial' zone.<br><br>*Local Government Note - This is only supported by the Council provided that the proposed change to the definition of 'Bulky Goods Showroom' is approved by the Minister.* | Modify the Amendment Document to remove all references to inserting a new sub-clause 3.5.3 (e). | The proposed clause may conflict with other land use definitions. For example, a Takeaway Food Outlet is a permissible land use in the Service Commercial Zone, whereas the proposed clause restricts the retail sale of foodstuffs and beverages. In addition, the clause may conflict with several provisions within the bulky goods showroom definition, with an example being "*furniture, bedding, furnishing, fabrics, manchester and homewares*" may conflict with the '*china, glassware or houseware retailing*' provision, providing uncertainty.<br><br>There is no evidence that the current definition of bulky goods showroom or how the land use definitions are implemented, since the Regulations came into effect, has resulted in 'out of centre' large format shop uses or subsequent impacts on the primacy of retail centres, and therefore requires specific provisions included within schemes to depict specific retail items. |
| 2. | Modify proposed clause 3.5.3(e) to replace the term "domestic hardware" with "houseware retailing". | Modify the Amendment Document to remove all references to inserting a new sub-clause 3.5.3 (e). | The proposed clause may conflict with other land use definitions. For example, a Takeaway Food Outlet is a permissible land use in the Service Commercial Zone, whereas the proposed clause restricts the retail sale of foodstuffs and beverages. In addition, the clause may conflict with several provisions within the bulky goods showroom definition, with an example being "*furniture, bedding,* |

ATTACHMENT 4

| No. | Local Government's Proposed Modifications | WAPC's Required Modifications | Reason |
|---|---|---|---|
| | | | *furnishing, fabrics, manchester and homewares*" may conflict with the '*china, glassware or houseware retailing*' provision, providing uncertainty.<br><br>There is no evidence that the current definition of bulky goods showroom or how the land use definitions are implemented, since the Regulations came into effect, has resulted in 'out of centre' large format shop uses or subsequent impacts on the primacy of retail centres, and therefore requires specific provisions included within schemes to depict specific retail items. |
| 3. | Modify proposed clause 3.5.3(e) to include, at the end of the clause, the words: *"or are ordinarily ancillary, subsidiary or incidental to the predominant use"*. | Modify the Amendment Document to remove all references to inserting a new sub-clause 3.5.3 (e). | The proposed clause may conflict with other land use definitions. For example, a Takeaway Food Outlet is a permissible land use in the Service Commercial Zone, whereas the proposed clause restricts the retail sale of foodstuffs and beverages. In addition, the clause may conflict with several provisions within the bulky goods showroom definition, with an example being "*furniture, bedding, furnishing, fabrics, manchester and homewares*" may conflict with the '*china, glassware or houseware retailing*' provision, providing uncertainty.<br><br>There is no evidence that the current definition of bulky goods showroom or how the land use definitions are implemented, since the Regulations came into effect, has resulted in 'out of centre' large format shop uses or subsequent impacts on the primacy of retail centres, and therefore requires specific provisions included within schemes to depict specific retail items. |

ATTACHMENT 4

| No. | Local Government's Proposed Modifications | WAPC's Required Modifications | Reason |
|---|---|---|---|
| 4. | Remove the change to permissibility of 'Bulky Goods Showroom' in the 'District Centre', 'Centre' and 'Service Commercial' zones, such that the use is retained as a 'P' use in these zones.<br>*(This is only supported by the Council provided that the proposed change to the definition of 'Bulky Goods Showroom' is approved by the Minister).* | Modify the permissibility of 'Bulky Goods Showroom' to:<br>1. a 'P' use in the Service Commercial Zone;<br>2. a 'X' use in the Light Industry Zone. | 1. The objectives of the Service Commercial zone are specifically tailored/suited for Bulky Goods Showroom land uses. The requirement to obtain development approval for a bulky good showroom land use for the City to determine whether the type of development falls within the bulky goods showroom definition does not streamline the development process. In addition, the City can enforce compliance action if a shop land use establishes in the service commercial zone.<br>2. As recommended by the City of Busselton, if a change to the model definition is not supported, they request that the permissibility of Bulky Goods Showroom as a 'X' use in the Light Industry zone. The restriction of Bulky Goods Showroom land uses within industrial zones ensures no bulky-retail leakage into industrial zones. |
| 5. | Modify proposed clause 4.19 accordingly:<br>*"4.19 BREWERIES AND WINERIES*<br>*4.19.1 The development of a Brewery or a Winery within the ~~Service Commercial,~~ Light Industry and General Industry zones shall be primarily for the production, storage and/or distribution of the product. The following restrictions shall apply –*<br>*(a) consumption of the product at the site shall be limited to* | Support proposed modification.<br><br>Modify the units from "mls" to "ml" to reflect the correct usage of the symbol for millilitre. | Remove reference to the 'Service Commercial' zone to reflect the intention of the Amendment for 'Brewery' and 'Winery' land uses to be 'not permitted' within this zone. The Environmental Protection Authority Guidance Statement (*Separation Distances between Industrial and Sensitive Land Uses* (GS 3)) requirement for buffer distances essentially discounts the ability for this use to be established within the Service Commercial zone. |

ATTACHMENT 4

| No. | Local Government's Proposed Modifications | WAPC's Required Modifications | Reason |
|---|---|---|---|
| | *tastings only, being incidental to the production of the product on site, with maximum serving sizes of:*<br>*(i) 50mls for wine;*<br>*(ii) 100mls for beer/cider; and*<br>*(iii) 15mls for spirits;*<br>*(b) no dining on the premises or the consumption or service of food shall take place;*<br>*(c) patronage at the site shall not exceed 30 people at any one time; and*<br>*(d) customers visiting the site for the purpose of tasting and/or sales are restricted to Monday to Sunday, including public holidays, between the hours of 12.00pm and 5.00pm."* | | |
| 6. | Amend Schedule 2 "Additional Uses" by inserting an Additional Use for 'Office' over Units 1 to 5 (Strata Plan 27226), No. 17 Bussell Highway, West Busselton. | Support proposed modification, however, include an Amending Map and Schedule within the Amending Text. | In response to concern over future use of these units. These strata units were originally approved and built for use as 'Showroom/Warehouse' in 1994. However, given the unit sizes range from 129sqm to 223sqm, the design has not proven to be suited to those uses – and to a significant degree, the size and layout of premises is better suited to low-intensity office use.<br>Relative to other premises in the area, most of |

ATTACHMENT 4

| No. | Local Government's Proposed Modifications | WAPC's Required Modifications | Reason |
|---|---|---|---|
| | | | the premises on the 17 Bussell Highway site also have less exposure to passing traffic on Bussell Highway – again, making them less suitable for use as showrooms and for bulky goods retailing.<br><br>The proposed Additional Use is not recommended to be extended across the full block due to the fact that the existing buildings do not have the same physical constraints, because of the significant effect that it could have on parking demand, and because of the presence of existing additional use rights on some other sites in the vicinity. |
| 7. | Amend the Zoning Table in relation to the use class 'Service Station', to replace the symbol 'D' with the symbol 'A' in the 'Local Centre' and 'Service Commercial' zones. | Support proposed modification. | Land in the 'Local Centre' and 'Service Commercial' zones can contain some relatively sensitive land-uses, and can also be in close proximity to residential areas.<br><br>The three recent development applications for 'Service Station' that have been proposed within these subject zones have been publicly advertised by the City, despite having the 'D' permissibility designation. The applications have been referred directly to nearby landowners and relevant external referral agencies. Each of these applications have received significant interest from the community.<br><br>Modifying the symbol 'D' with the symbol 'A' in the 'Local Centre' and 'Service Commercial' zones will help to alleviate the public's concerns that they will not be consulted with, in regards to any future 'Service Station' proposals. |

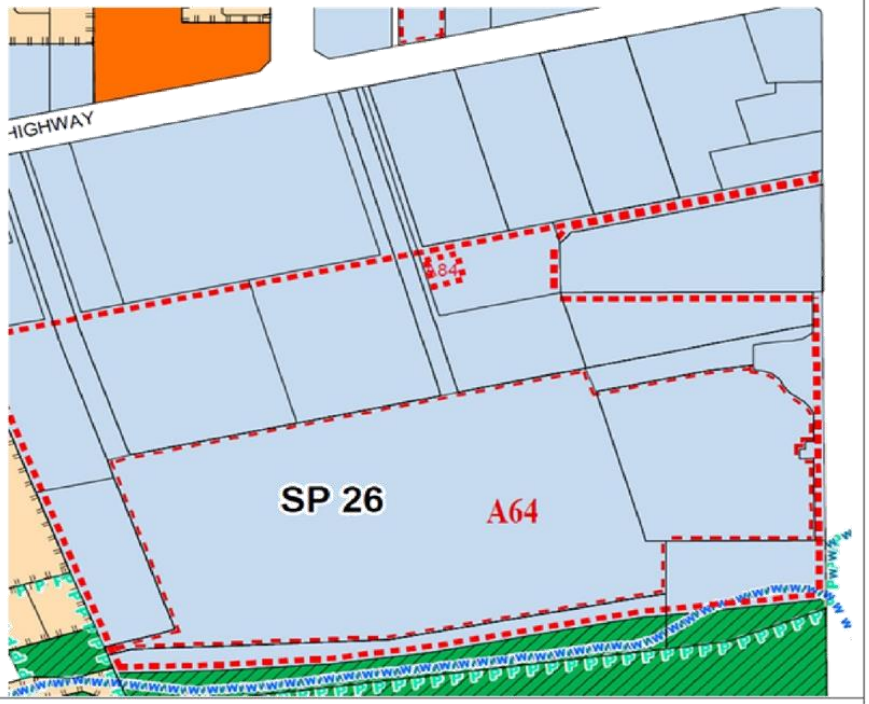
ATTACHMENT 4

| No. | Additional Required Modifications | Reason |
|---|---|---|
| 8. | Modify the Amendment Document to remove any reference to changing the land use definition of 'Bulky Goods Showroom'. | The current wording of Bulky Goods Showroom in LPS21 is model compliant and there is no evidence that the current definition within planning schemes approved since the Regulations came into effect, has resulted in 'out of centre' large format shop uses or subsequent impacts on the primacy of retail centres. |
| 9. | Modify the permissibility of 'Bulky Goods Showroom' to:<br>3. a 'P' use in the Service Commercial Zone;<br>4. a 'X' use in the Light Industry Zone. | 3. The objectives of the Service Commercial zone are specifically tailored/suited for Bulky Goods Showroom land uses. The requirement to obtain development approval for a bulky good showroom land use for the City to determine whether the type of development falls within the bulky goods showroom definition does not streamline the development process. In addition, the City can enforce compliance action if a shop land use establishes in the service commercial zone.<br>4. As recommended by the City of Busselton, if a change to the model definition is not supported, they request that the permissibility of Bulky Goods Showroom as a 'X' use in the Light Industry zone. The restriction of Bulky Goods Showroom land uses within industrial zones ensures no bulky-retail leakage into industrial zones. |
| 10. | Modify the Amendment Document to remove all references to inserting a new sub-clause 3.5.3 (e). | The proposed clause may conflict with other land use definitions. For example, a Takeaway Food Outlet is a permissible land use in the Service Commercial Zone, whereas the proposed clause restricts the retail sale of foodstuffs and beverages. In addition, the clause may conflict with several provisions within the bulky goods showroom definition, with an example being "*furniture, bedding,* |

ATTACHMENT 4

<table>
<tr><th>No.</th><th>Additional Required Modifications</th><th>Reason</th></tr>
<tr><td></td><td></td><td>furnishing,fabrics, manchester and homewares" may conflict with the 'china, glassware or houseware retailing' provision, providing uncertainty.<br><br>There is no evidence that the current definition of bulky goods showroom or how the land use definitions are implemented, since the Regulations came into effect, has resulted in 'out of centre' large format shop uses or subsequent impacts on the primacy of retail centres, and therefore requires specific provisions included within schemes to depict specific retail items.</td></tr>
<tr><td>11.</td><td>1. Include an Additional Use provision within Schedule 2 of the Scheme, specifying:<br><table><tr><th>No.</th><th>Particulars of Land</th><th>Land Use Permitted/Specified</th><th>Conditions</th></tr><tr><td>A84</td><td>Portion of Lot 178 on Deposited Plan 408348</td><td>Convenience Store</td><td>1. The Additional Use specified shall be deemed to be" D" use for the purposes of the Scheme.</td></tr></table></td><td>Provision for a 'stand alone' land use of this size and size and scale would:<ul><li>have negligible additional impact on the City Centre,</li><li>give scope to provide for a level of local convenience service expected within a Service Commercial area,</li><li>be generally consistent with the principles set out in SPP4.2 Activity Centres, and</li></ul></td></tr>
</table>

ATTACHMENT 4

| No. | Additional Required Modifications | Reason |
|---|---|---|
| | 2. Amend the Scheme Map by including an Additional Use A84 designation over the portion of Lot 178, generally in accordance with the below map.<br>  | • enable an application to be considered that was on foot at the time the amendment was considered. |

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Document No. 1

**DECISION SHEET**

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**Western Australian Planning Commission**

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**Western Australian Planning Commission**

**Agenda Number:** 9.5
**Title:** Leeuwin Naturaliste Sub-regional Strategy – Planning Investigation Area Preliminary Reports (PLH2021P0120/1)
**Date:** Wednesday, 27 October, 2021

---

*That the Western Australian Planning Commission resolves to:*

1. *endorse the recommendations of the Abbey, Vasse North, Dunsborough, Margaret River and Vasse South Planning Investigation Area Preliminary Reports (Attachments 1 to 5).*
2. *authorise DPLH to brief land owners with property that is identified as suitable for a change of land use designation in the Abbey, Vasse North and Dunsborough Planning Investigation Area Preliminary Reports (Attachments 1 to 5) of the findings and recommendations of those reports.*
3. *authorise DPLH to brief the Shire of Augusta-Margaret River and the City of Busselton on the findings and recommendations of the Abbey, Vasse North, Dunsborough, Margaret River and Vasse South Planning Investigation Area Preliminary Reports (Attachments 1 to 5).*
4. *authorise DPLH to consult with the Department of Water and Environmental Regulation (DWER) and the Department of Biodiversity and Conservation and Attractions (DBCA) to seek comment on the extent of the 'Open Space Investigation' area in the Vasse North and Abbey Planning Investigation Area Preliminary Reports (Attachments 1 to 2).*
5. *request DPLH to prepare an amendment to the Leeuwin-Naturaliste Sub-regional Strategy based on the endorsed recommendations of the Abbey, Vasse North, Dunsborough, Margaret River and Vasse South Planning Investigation Area Preliminary Reports (Attachments 1 to 5) for WAPC consideration to adopt.*

This decision sheet has been forwarded to you as the officer responsible for the report. It is your responsibility to commence any action required in relation to this decision including contacting any other officer who may need to action it.

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Document No. 2

Western Australian Planning Commission

| | | | |
|---|---|---|---|
| **REPORT TO** | Western Australian Planning Commission | | |
| **Meeting date** | 27 October 2021 | **File number** | PLH2021P0120/1 |
| **Subject** | Leeuwin Naturaliste Sub-regional Strategy – Planning Investigation Area Preliminary Reports | | |
| **Purpose** | Requires WAPC decision | | |
| **Title of Approving Officer** | Outside of Ambit | | |
| **Agenda Part for Reports (All parts are confidential unless otherwise stated)**<br>WAPC - Strategic Items for Decision | | | |
| **SITE-SPECIFIC DETAILS** | | | |
| **Region** | South West | | |
| **Local governments** | City of Busselton and Shire of Augusta-Margaret River | | |
| **Landowner/Consultant** | N/A | | |
| **Bushfire Prone Area** | YES | | |

**SUMMARY**

In May 2019 the WAPC published the *Leeuwin-Naturaliste Sub-regional Strategy* (the Strategy). The primary purpose of the Strategy is to manage and plan for growth of the sub-region and to inform a review of *State Planning Policy 6.1 Leeuwin-Naturaliste Ridge* (SPP 6.1). The Strategy was prepared in a collaborative manner with the City of Busselton, Shire of Augusta-Margaret River and the South West Development Commission.

The Strategy identifies five Planning Investigation Areas (PIAs). The Strategy describes a PIA as:

> *Land that will be subject to further planning investigation/s to consider its suitability, and the area of land to be identified, for a possible change of use.* (emphasis added)

The manner and form of PIA investigations and outcomes is not prescribed. At its 28 April 2021 meeting the WAPC provided guidance and direction on the preferred approach to progressing consideration of the PIAs. In response, five Preliminary Reports (Attachments 1 to 5) have been prepared. The reports investigate the suitability of the PIA for a change of land use designation in the Strategy. To ensure that they do not cross-over into associated legislative processes, the reports are limited in scope and rely on existing, available sources of data.

In summary, the reports recommend the Strategy be amended to remove all PIAs, and to change the land use designations, as outlined below:

| PIA | Recommended Strategy land use designation |
|---|---|
| Abbey | • Change Lots 12, 14, 15, 402 and the northern portion of Lot 4 from 'Rural and Landscape protection' to 'Urban'.<br>• Change the southern portion of Lot 4 from 'Rural and Landscape Protection' to 'Open Space Investigation'. |
| Vasse North | • Change Lots S19 and S20 from 'Rural and Landscape Protection' to 'Open Space Investigation'.<br>• Change Lots 9001 and 9010 from 'Rural and Landscape Protection' to 'Urban'. |
| Dunsborough | • Change six land parcels southeast of Dunsborough with a combined area of 142ha from 'Rural and Landscape Protection' to 'Urban'. |
| Vasse South | • No change. |
| Margaret River | • No change. |

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**DETAILS OF PROPOSAL**

The Preliminary Reports (Attachments 1 to 5) investigate key considerations defined in the Strategy.

In summary, for the purposes of the investigations, 'possible change of use' is interpreted to mean amending the Strategy to change the land use designation assigned to the land to 'Urban'. The definition of 'Urban' land use designation in the Strategy would be required to be expanded as a part of any amendment to the Strategy to include land that has been investigated and identified as being suitable for urban purposes in the future.

The Preliminary Reports have not been drafted to publication standard. A summary of the description, findings and recommendations detailed in the report for each PIA is outlined below.

**Abbey PIA (Attachment 1)**

*Description*

The Strategy defines the Abbey PIA as Lots 4, 12, 14, 15 and 402, bounded by the Bussell Highway to the east, Caves Road to the north and the Buayanup River to the west. The Vasse North PIA is located to the south.

The Abbey PIA is approximately 29.7ha in area. Lot 12 has no betterment other than boundary fences and currently has no identifiable land use activities. Lots 14, 15 and 402 have residential and some commercial buildings. Lot 4 is approximately 80% of the PIA land area (23.9ha). It is predominantly cleared of native vegetation, with scattered paddock trees. An unnamed creek that connects the Locke and Broadwater Nature Reserves winds through the Vasse North PIA, immediately to the south of Lot 4 (see discussion below).

The Abbey PIA may best be understood in two parts:

- Southern portion of Lot 4.
  - zoned 'Conservation' in LPS 21.
  - includes a floodway that spills from an adjacent creek on the Vasse North PIA.
  - no direct frontage to a constructed road.
- Lots 12, 14, 15, 402 and the northern portion of Lot 4
  - zoned 'Rural' in LPS 21.
  - Addresses Caves Road and Bussell Highway (Monaghan's Corner roundabout).
  - adjacent to existing residential uses.

The *City of Busselton Local Planning Strategy* (2019) defines the 'maximum population' of 'Busselton-Vasse' as '75,000+', noting an existing population of 25,000. The Local Planning Strategy has a 'long-term (25 years-plus)' time horizon.

*Findings*

Investigation of Lots 12, 14, 15 and 402 and the northern portion of Lot 4 indicate that the land is relatively unconstrained.

Investigation of the southern portion of Lot 4 indicates that the land is somewhat constrained by environmental considerations. The southern portion of Lot 4 has flood and drainage characteristics associated with the adjacent creek. However, that land has been largely cleared of vegetation, is owned in freehold and abuts land that is suitable for urban purposes.

It is possible that the creek and associated wetlands could be ceded as a reserve or integrated into any future urban development of the Abbey PIA as linear parkland, both of which would enable rehabilitation and prevent nutrient run-off from current agricultural uses.

The veracity of this possible future land use for the southern portion of Lot 4 in the Abbey PIA, and the northern portion of Vasse north PIA, would need further investigation if considered appropriate.

*Recommendation*

It is recommended that the Abbey PIA be deleted from the Strategy, and that the Strategy designate:

- Lots 12, 14, 15, 402 and the northern portion of Lot 4 as 'Urban'.

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- The southern portion of Lot 4 as 'Open Space Investigation'.

**Vasse North PIA (Attachment 2)**

*Description*

The Strategy defines the Vasse North PIA as Lots S19, S20, 9001 and 9010, bounded by the Bussell Highway to the east and south and the Buayanup Drain to the west. The Abbey PIA is located to the north.

The Vasse North PIA is approximately 53.6ha in area. The land is predominantly cleared of native vegetation, with scattered paddock trees and a stand of remnant vegetation (approximately 5,000m$^2$). The PIA has no betterment other than boundary fences and currently has no identifiable land use activities other than livestock grazing. An unnamed creek that connects the Locke and Broadwater Nature Reserves winds through Lots S19 and S20.

The Vasse North PIA may best be understood in two parts:

- Lots S19 and S20
  - transected by a creek.
  - zoned 'Conservation' in LPS 21.
  - no direct frontage to a constructed road.
- Lots 9001 and 9010
  - abutting Bussell Highway.
  - adjacent to Vasse.
  - zoned 'Rural' in LPS 21.

As noted above, the City of Busselton Local Planning Strategy (2019) defines the 'maximum population' of the 'Busselton-Vasse' as '75,000+', noting an existing population of 25,000.

*Findings*

Lots S19 and S20 are constrained by environmental considerations attributable to the creek, notably flood and drainage characteristics, and including threatened or priority ecological communities.

The current health of the creek was not able to be determined using available data. However, that land has been largely cleared of vegetation, is owned in freehold and abuts land that is suitable for urban purposes.

It is possible that the creek and associated wetlands could be ceded as a reserve or integrated into any future urban development of the Vasse North PIA as linear parkland, both of which would enable rehabilitation and prevent nutrient run-off from current agricultural uses.

The veracity of this possible future land use for the southern portion of Lot 4 in the Abbey PIA, and the northern portion of Vasse north PIA, would need further investigation if considered appropriate.

*Recommendation*

It is recommended that the Vasse North PIA be deleted from the Strategy, and that the Strategy:

- designate Lots 9001 and 9010 as 'Urban'.
- designate Lots S19 and S20 as 'Open Space Investigation'.
- add a definition for the 'Open Space Investigation' land use designation.

**Dunsborough PIA (Attachment 3)**

*Description*

The Strategy notionally identifies the Dunsborough PIA as being southeast of Dunsborough, requiring that the PIA boundary is to be determined as an outcome of investigations, if appropriate. To enable the investigations to be undertaken, the Dunsborough PIA Preliminary Report defines a 380ha 'enquiry area' to the southeast of Dunsborough. The enquiry area is the land broadly between Commonage Road, Genoli Road and Caves Road.

The enquiry area is zoned 'Rural' in LPS 21 and includes tourist uses (Dunsborough Lakes Resort, Toby's Inlet Lifestyle Village, Dunsborough Rail Carriages and Simmo's Ice Creamery). It has been

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predominantly cleared to enable agricultural pursuits, with pockets of remnant vegetation and two minor watercourses.

The enquiry area has been predominantly cleared. The City of Busselton Local Planning Strategy (2019) defines the 'maximum population' of Dunsborough as '15,000+', noting an existing population of 5,000.

*Findings*
Investigation of the enquiry area indicates that that land is generally free of constraints and is located in the logical urban growth front for Dunsborough, thereby enabling the cost-efficient provision of utility infrastructure.

The Leeuwin-Naturaliste Sub-region Residential Land Supply and Demand Assessment (Attachment 6) estimates the existing supply of residential land in Dunsborough is not sufficient to accommodate forecast dwelling demand to 2039. The residential land supply shortfall is forecast to be 900 dwellings. It is estimated that an additional 90ha of urban land would be required to accommodate 900 dwellings. Additionally, it is estimated that a further 50ha of land will be required for the incorporation of remnant vegetation and waterways in public open space, and for the potential provision of employment land and/or replacement playing fields.

A final PIA boundary comprised of six lots with a combined total land area of 142ha has been identified to facilitate forecast growth in Dunsborough to 2039. The remainder of the enquiry area is broadly suitable for urban use, and may be required for such purposes beyond the 2039 time horizon of the Strategy.

*Recommendation*
It is recommended that the Dunsborough PIA be deleted from the Strategy, and that the Strategy designate:

- Lots 2, 3, 11, 12, 22 and 726 as 'Urban'.

**Vasse South PIA (Attachment 4)**
*Description*
The Strategy notionally identifies the Vasse South PIA as being south of Vasse, requiring that the PIA boundary is to be determined as an outcome of investigations, if appropriate. To enable the investigations to be undertaken, the Vasse South PIA Preliminary Report defines a 868ha 'enquiry area' to the south of Vasse. The enquiry area is the land broadly bounded by the southern extent of Vasse (north), Bussell Highway and Marbellup Road (west), Franklin Road and property boundaries (south) and Boallia Road (east).

The enquiry area currently contains a mix of agricultural and other rural uses. Other than some 'Public Purposes' reserves, the enquiry area is zoned 'Rural' in LPS 21.

As noted above, the City of Busselton Local Planning Strategy (2019) is defines the 'maximum population' of the 'Busselton-Vasse' as '75,000+', noting an existing population of 25,000.

*Findings*
Investigation of the enquiry area indicates that the land is relatively unconstrained. It is noted that consideration of basic raw materials (BRM) demand could not be definitively determined with the available data.

The Leeuwin-Naturaliste Sub-region Residential Land Supply and Demand Assessment (Attachment 6) estimates the existing supply of residential land in Vasse is sufficient to accommodate forecast dwelling demand to 2039 (1,190 dwelling surplus). This indicates that land within the enquiry area is not required for urban purposes for the duration of the Strategy.

*Recommendation*
It is recommended that the Vasse South PIA be deleted from the Strategy and the land use designation over the enquiry area remain unchanged.

**Margaret River PIA (Attachment 5)**

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*Description*
The Strategy notionally identifies the Margaret River PIA as being south of Margaret River, requiring that the PIA boundary is to be determined as an outcome of investigations, if appropriate. To enable the investigations to be undertaken, the Margaret River PIA Preliminary Report defines a 814ha 'enquiry area' to the south of Margaret River. The enquiry area is the land generally bounded by Bussell Highway (east), Wilkes Road (north), Boodjidup Road (east) and Gnarawary Road (south). The enquiry area is a mix of vineyards, conservation/heritage uses and tourist facilities.

Broadly, the *Shire of Augusta-Margaret River Local Planning Scheme No. 1* classifies the land as follows:

- 'General Agriculture' zone (northern section)
- 'Priority Agriculture' zone (southern section)
- 'Bushland Protection', 'Parks and Recreation' and 'Public Purposes' reserves throughout.

*Findings*
Investigation of the enquiry area indicates the enquiry area is somewhat constrained. The WAPC's *State Planning Policy 2.5: Rural Planning* seeks to retain land identified as priority agricultural land for that purpose. Additionally, viewsheds across the enquiry area from Bussell Highway and Boodjidup Road are identified in SPP 6.1 as having aesthetic landscape values.

The Leeuwin-Naturaliste Sub-region Residential Land Supply and Demand Assessment (Attachment 6) estimates the existing supply of residential land in Margaret River is sufficient to accommodate forecast dwelling demand to 2039 (565 dwelling surplus). This indicates that land within the enquiry area is not required for urban purposes for the duration of the Strategy.

*Recommendation*
It is recommended that the Margaret River PIA be deleted from the Strategy and the land use designation over the enquiry area remain unchanged.

**BACKGROUND**

At its 28 April 2021 meeting the WAPC adopted the recommendations outlined in the 'Leeuwin-Naturaliste Sub-regional Strategy Implementation Report (April 2021), providing guidance and direction on preferred approaches to progressing consideration of the PIAs.

Recently released regional population data from the Australian Bureau of Statistics (ABS) shows that the Leeuwin-Naturaliste sub-region is sustaining very high levels of population growth. The City of Busselton average annual growth rate (AAGR) over the five year period to 2020 is 1.8 per cent. This is considered high, but is significantly less than the Shire of Augusta Margaret River 3.0 per cent AAGR for the same period. These both exceed the AAGR for Western Australia (0.9 per cent), the South West region (0.8 per cent) and the Perth metropolitan region (1.2 per cent).

Three of the top five localities/suburbs in regional Western Australia in terms of numbers of dwellings built between 1 January 2016 and 31 December 2020 are in the sub-region, being:

- Dunsborough (530 dwellings)
- Margaret River (415 dwellings)
- Vasse (340 dwellings).

The findings and recommendations of the Preliminary Reports have not been disclosed or discussed with local governments, state agencies, landowners or their representatives, or members of the public. DPLH staff have met at officer level with local government staff to broadly discuss the issues and background of the PIAs. DPLH staff have broadly discussed the issues and background of the PIAs with landowners and their representatives and members of the public.

Land owners and consultants with interests in the Abbey and Vasse North PIAs have approached the WAPC, via Outside of Ambit and DPLH advising that they consider those PIAs are suitable for urban purposes. DPLH has received data from the interested parties to inform the investigation of those PIAs.

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The future of Dunsborough, including possible urban expansion, is locally contested. There are advocacy and interest groups that are concerned urban expansion of Dunsborough will harm the aesthetics and amenities of the town and the sub-region more broadly. DPLH has been approached by consultants representing landowners and an advocacy group regarding the Dunsborough PIA.

| **KEY ISSUES** | | |
|---|---|---|
| **Consistency with WAPC Policies & Planning Framework** | State Planning Strategy 2050, South West RPIF and State Planning Policy 1 | Broadly consistent, some discretion required |
| **Government Considerations** | N/A | N/A |
| **Budget** | In-house (officer hours and incidentals) | N/A |
| **Consultation** | See comments above. | |

**PLANNING ASSESSMENT**

Balanced growth

The recommendations of the respective PIAs will facilitate the ongoing growth of the sub-region by ensuring an adequate and appropriate supply of urban land to meet forecast demand over the next 20 years.

Changing the land use designation of Abbey and Vasse North PIAs would round-off the urban form of Busselton to the west, and enable an improved environmental outcome for the creek that runs through that land.

The identification of 142ha of land to the southeast of Dunsborough would ensure sufficient land to meet the estimated shortfall of approximately 900 dwellings by 2039, as well as additional land for employment generating activities and/or community uses such as replacement playing fields.

Both Margaret River and Vasse have a sufficient supply of land in the urban development pipeline. Consequently, the Margaret River and Vasse South PIAs will not be required before 2039 based on forecast demand.

The overall approach to the PIAs – investigating a range of key considerations to ensure broad suitability for a change in use, and being informed by an empirical assessment of land supply and demand – is consistent with the Strategy's principle of balancing growth with environmental and social considerations.

*Land use designations*

The Strategy includes a relatively narrow range of land use designations, broadly similar to the zones found in a region scheme (noting that the sub-region is not covered by a region scheme). The Strategy uses a single land use ('Urban') to designate both land that is currently used for urban purposes, and land that has been identified for future urban development in a local planning strategy/scheme.

In comparison, the WAPC's Perth and Peel @ 3.5 million Sub-regional Frameworks include a broader range of land use designations, including the following urban-related land uses:

- Urban
- Urban Deferred
- Urban Expansion
- Urban Investigation

In the course of investigating the Leeuwin-Naturaliste PIAs, consideration was given to introducing new land use designations such as 'Urban Expansion' and 'Urban Investigation'. It was considered that introducing such designations would represent a significant shift in method from the Strategy as published and would require a thorough review to identify land that may match those definitions due to existing local planning scheme and local planning strategy classifications. This could significantly

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increase the scope of the review and the complexity a possible amendment to the Strategy. Simply referring to 'urban' offers clarity and legibility.

Although a variety of nuanced urban type definitions is not proposed with regard to the Leeuwin-Naturaliste PIAs, the recommended process for the Leeuwin-Naturaliste PIAs is broadly consistent with the process for the Perth and Peel PIAs.

*Recommended process*
The process, manner and form for an amendment to the Strategy is not prescribed.

The Preliminary Reports rely on existing available data, largely sourced from state agencies and authorities. It is recommended that the WAPC authorise DPLH to consult with state agencies and authorities to test and refine the Preliminary Reports.

Other than officer meetings to broadly discuss the PIAs, there has been no consultation with the City of Busselton or the Shire of Augusta-Margaret River during the preparation of the Preliminary Reports. It is recommended that the WAPC authorises DPLH to brief the local governments on the findings and recommendations of the Preliminary Reports.

Following further scrutiny and refinement, as above, it is recommended that PIA Reports with a final series of findings and recommendations be considered by the WAPC, with a view to amending the Strategy.

**RECOMMENDATION**

***That the Western Australian Planning Commission resolves to:***

1. ***endorse the recommendations of the Abbey, Vasse North, Dunsborough, Margaret River and Vasse South Planning Investigation Area Preliminary Reports (Attachments 1 to 5).***
2. ***authorise DPLH to brief land owners with property that is identified as suitable for a change of land use designation in the Abbey, Vasse North and Dunsborough Planning Investigation Area Preliminary Reports (Attachments 1 to 5) of the findings and recommendations of those reports.***
3. ***authorise DPLH to brief the Shire of Augusta-Margaret River and the City of Busselton on the findings and recommendations of the Abbey, Vasse North, Dunsborough, Margaret River and Vasse South Planning Investigation Area Preliminary Reports (Attachments 1 to 5).***
4. ***authorise DPLH to consult with the Department of Water and Environmental Regulation (DWER) and the Department of Biodiversity and Conservation and Attractions (DBCA) to seek comment on the extent of the 'Open Space Investigation' area in the Vasse North and Abbey Planning Investigation Area Preliminary Reports (Attachments 1 to 2).***
5. ***request DPLH to prepare an amendment to the Leeuwin-Naturaliste Sub-regional Strategy based on the endorsed recommendations of the Abbey, Vasse North, Dunsborough, Margaret River and Vasse South Planning Investigation Area Preliminary Reports (Attachments 1 to 5) for WAPC consideration to adopt.***

**ATTACHMENTS**

A1 - Abbey PIA Preliminary Report
A2 - Vasse North PIA Preliminary Report
A3 - Dunsborough PIA Preliminary Report
A4 - Vasse South PIA Preliminary Report
A5 - Margaret River PIA Preliminary Report
A6 - Leeuwin-Naturaliste Sub-region Residential Land Supply and Demand Assessment (October 2021)

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Document No. 2(a)

Department of Planning, Lands and Heritage
GOVERNMENT OF WESTERN AUSTRALIA

# Abbey Planning Investigation Area

## Preliminary Report

October 2021

www.dplh.wa.gov.au

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| Abbey PIA – Version Control | | | |
|---|---|---|---|
| **Version** | **Date** | **Responsibility** | **Notes** |
| 1.0 | 5 October 2021 | RPP | For executive review |
| 2.0 | 12 Oct 2021 | RPP | Coordination edit and in response to executive review |
| | | | |
| | | | |

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## Acronyms

The following acronyms are used throughout this document.

| | |
|---|---|
| **AEP** | Annual Exceedance Probability |
| **AQ-Guideline** | Environmental Factor Guideline: Air Quality 2020 |
| **ASS** | Acid sulfate soils |
| **BRM** | Basic Raw Materials |
| **CoB** | City of Busselton |
| **DMIRS** | Department of Mines, Industry Regulation and Safety |
| **DPIRD** | Department of Primary Industries and Regional Development |
| **DWER** | Department of Water and Environmental Regulation |
| **DWMS** | District water management strategy |
| **EPA** | Environmental Protection Authority |
| **GDS** | Gas Distribution System |
| **NEPM** | National Environment Protection (Ambient Air Quality) Measure |
| **PIA** | Planning Investigation Area |
| **TEC** | Threatened Ecological Community |
| **WAPC** | Western Australian Planning Commission |

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# 1 Executive Summary

The Leeuwin-Naturaliste Sub-regional Strategy 2019 (the Strategy) identifies the Abbey Planning Investigation Area (PIA) as land that will be subject to further planning investigations to consider its suitability for a possible change of use.

The Abbey PIA is a coastal locality within the City of Busselton, approximately 8 kilometres west of the Busselton town centre. The Abbey PIA is approximately 31ha. It is framed by the Bussell Highway, Caves Road, the RAC Busselton Holiday Park and an unnamed wetland and a creek that runs into the Buayanyup Drain.

This Report is an investigation of the Abbey PIA using available data to assess whether the area is capable of a possible change of land use. In this context, 'change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to 'Urban'.

Although the extent of planning investigation undertaken has been limited to the considerations defined in the Strategy, some other considerations have been assessed where they are material to the investigation. All key considerations detailed in the Strategy have been assessed as shown in Section 1.1 'Findings'.

The Abbey PIA may best be understood in two parts:

- Southern portion; the extent of Lot 4 zoned 'Conservation' in LPS 21.
- Northern portion; Lots 12, 14, 15, 402 and the northern portion of Lot 4, zoned 'Rural' in LPS 21.

The Report demonstrates that the northern portion of the PIA is relatively unconstrained. It is anticipated that potential issues stemming from land use intensification could be appropriately managed within the planning framework, and this area can be designated as 'Urban' in the Strategy.

The creek that impacts the southern portion of the PIA has environmental values and connects the Locke and Broadwater Nature Reserves. The current health of the creek and wetlands is unknown, but it is noted that the immediate surrounds have been largely cleared of native vegetation. The southern portion of the PIA is zoned 'conservation' in the City of Busselton Local Planning Scheme No.1. The environmental values, drainage and flood characteristics of this southern portion of the PIA indicate that changing the land use designation in the Strategy to 'Urban' may not be reasonable without further investigation of that land.

The southern portion of the PIA is somewhat constrained by environmental attributes attributable to the wetland, including threatened or priority ecological communities. However, given the land is held in freehold, is largely cleared, has an existing house on the site, and abuts land that presents as being suitable for urban purposes, it is recommended that the area be designated as 'Open Space Investigation' in the Strategy. This would enable investigation of possible suitable uses for that land such as parklands associated with urban development and possible wetland rehabilitation if required.

If this occurs, and landowners and the City of Busselton determine to proceed to subsequent planning stages such as an amendment to the Local Planning Scheme, structure planning and so on, the relevant planning issues will need to be understood with a greater level of detail as a part of those processes.

In summary, it is recommended that the Strategy be amended to change the land use designation of the northern portion of the Abbey PIA (Lots 12, 14, 15, 402 and the northern portion of Lot 4) to 'Urban', and to change the land use designation of the southern portion of the Abbey PIA (portion of Lot 4 zoned 'conservation') to 'Open Space Investigation'.

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## 1.1 Findings

Table 1 shows the key findings for each consideration and a link to the section of the report where the consideration is interpreted and analysed.

*Figure 1 - Findings*

| Consideration | Outcome | | Section |
|---|---|---|---|
| | Abbey PIA (excluding southern portion of Lot 4) | Lot 4 (southern portion) | |
| Biodiversity value protection | ✓ | ✗ | 4.1 Environment |
| Protection of significant environmental values | ✓ | ✗ | 4.1 Environment |
| Bushfire risk | ✓ | ✓ | 4.2 Bushfire |
| Drainage | ✓ | ✗ | 4.3 Water |
| Water source impact (groundwater and surface water) | ✓ | ✓ | 4.3 Water |
| Landscape value protection | ✓ | ✓ | 4.4 Landscape |
| Utility services capacity | ✓ | ✓ | 4.5 Utilities |
| Biodiversity values (adjacent wetlands to south) | ✓ | ✗ | 4.1 Environment |
| Provision of land for employment generating activities | ✓ | ✓ | 4.6 Employment |
| Transition/interface with adjacent tourist uses (caravan park to west, boutique uses to east) | ✓ | ✓ | 4.7 Tourist use interface |

| Key | |
|---|---|
| ✓ | Investigation of the key consideration indicates that the land is **suitable** for a change of land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'urban'. |
| – | Investigation of the key consideration with a view to changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'urban' cannot be determined due to data limitations and is **inconclusive**. |
| ✗ | Investigation of the key consideration has identified **concerns** with changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'urban'. |

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In addition to the key considerations addressed in Figure 1, above, it is noted that consideration of the Abbey PIA cannot be conclusively done without having regard to the Vasse North PIA, immediately to the south. Both of the PIAs, but predominantly Vasse North are transected by an unnamed creek. The creek connects the Locke and Broadwater Nature Reserves.

In summary, the 'Vasse North PIA preliminary report (October 2021)' recommends that the Vasse North PIA be deleted and that:

- The southern portion of the PIA be designated 'Urban'.
- The northern portion of the PIA (adjacent to the Abbey PIA) be designated 'Open Space Investigation'.

## 1.2 Recommendation

It is recommended that the Strategy be amended to:

- delete the Abbey PIA.

- designate the following Lots as 'urban';
  - Lot 12 on Diagram 43998.
  - Portion of Lot 4 on Diagram 46285 zoned 'rural' in the CoB LPS No.1.
  - Lot 402 on Plan 252489.
  - Lot 14 on Diagram 96590.
  - Lot 15 on Diagram 96590.

- Designate the portion of Lot 4 on Diagram 46285 zoned 'conservation' in the CoB LPS No.1. as 'Open Space Investigation'.

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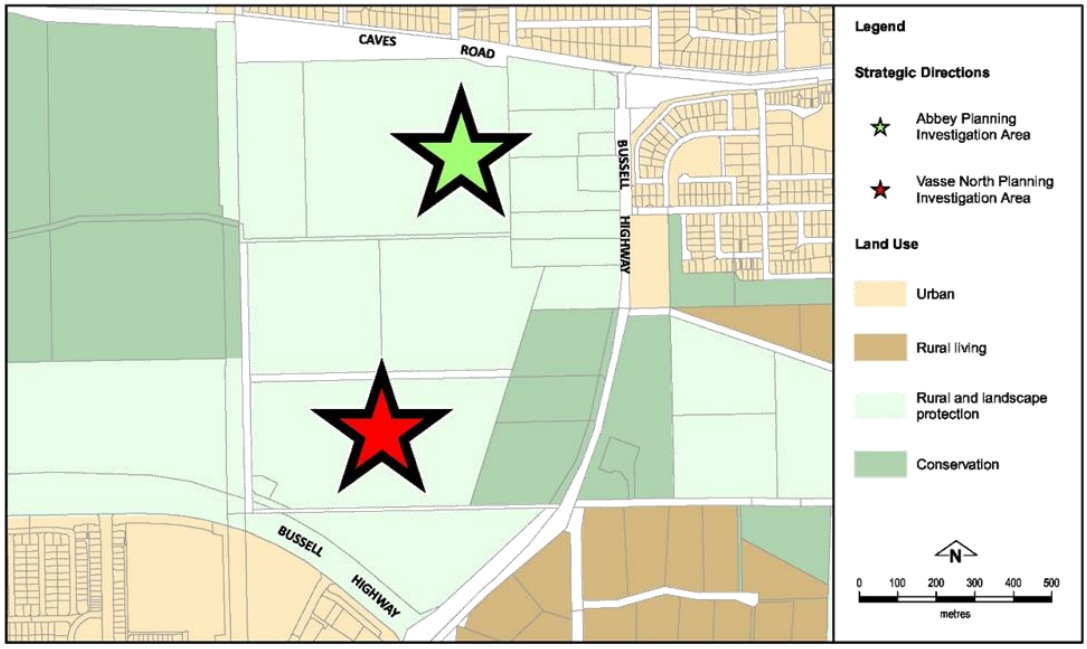
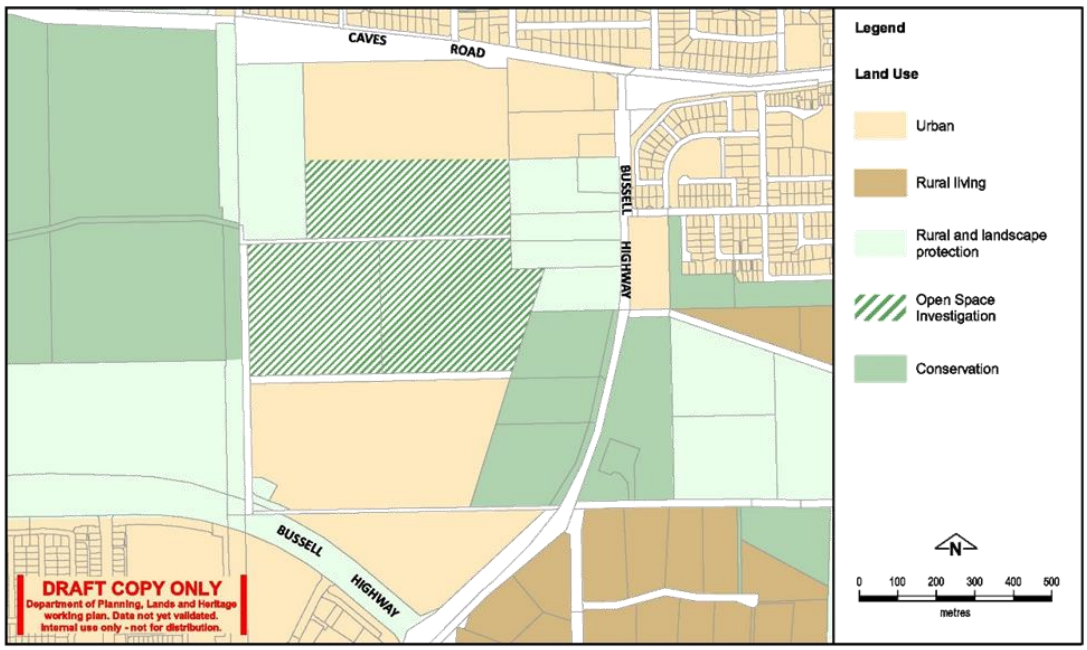
# Abbey and Vasse North Planning Investigation Areas

Proposed amendment to Leeuwin-Naturaliste Sub-regional Strategy




**Existing Strategy Plan**




**Proposed Strategy Plan** **Option 1**

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# 2 Introduction

## 2.1 Background

In May 2019 the Western Australian Planning Commission (WAPC) published the Leeuwin-Naturaliste Sub-regional Strategy (the Strategy).

WAPC action five, listed in section 5 of the Strategy is as follows:

Undertake detailed planning investigations to explore the suitability of the following areas for a possible change of use:

- Dunsborough Planning Investigation Area
- Margaret River Planning Investigation Area
- Vasse North Planning Investigation Area
- Vasse South Planning Investigation Area
- Abbey Planning Investigation Area.

The Strategy defines Planning Investigation Area (PIA) as:

> *land that will be subject to further planning investigation/s to consider its suitability, and the area of land to be identified, for a possible change of use.*

For the purposes of this investigation, 'possible change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to the 'urban' land use designation. The Strategy defines the urban land use designation as:

> *Land that is:*
>
> *within the extent of an established townsite that is used for a range of uses typically undertaken within a town, including: residential, industrial, commercial, tourism, public and private institutions, and public purposes use including recreation, open space, utilities, emergency services, and cemeteries; and,*
>
> *adjoining land already zoned in a local planning scheme for 'Future Development' or similar and/or that has structure planning in place.*

The Strategy states that:

> *These investigations will determine whether it is possible and/or appropriate to rezone the land. The investigations are required to be undertaken prior to any related local planning scheme amendment process.*
>
> *The designation of an Investigation Area should not be construed as WAPC support for a change from the existing zoning, as this will depend on the outcome of further investigations.*

The Strategy identifies 10 'key considerations' that should be considered for the Abbey PIA, being:

- Biodiversity value protection
- Bushfire risk
- Drainage
- Landscape value protection
- Protection of significant environmental values
- Utility services capacity
- Water source impact (groundwater and surface water).
- Biodiversity values (adjacent wetlands to south)
- Provision of land for employment generating activities
- Transition/interface with adjacent tourist uses (caravan park to west, boutique uses to east).

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## 2.2 Purpose

The purpose of this preliminary investigation report is to:

- Interpret the key considerations through the prism of the State Planning Strategy, including defining a clearly articulated investigation extent / limitation.
- Identify data source/s, including clarifying how the key consideration will be investigated if there is no data source.
- Analyse relevant issues.
- Establish findings from analysis of relevant issues.
- Recommend amendments to the Strategy to support the findings.

## 2.3 Method

The extent of planning investigation undertaken is limited to the key considerations defined in the Strategy. Issues and concerns that are not within the limitations of the applicable key considerations are out-of-scope. Issues or concerns that are out-of-scope, but considered to be material to the investigation of the PIA are listed in the 'other considerations' section.

The underlying principle informing the method of investigations explored in this report is:

> *investigations are to be to the same base standard as the assessment that informed the designation of land uses in the preparation of the Leeuwin-Naturaliste Sub-regional Strategy.*

The base standard is characterised as a desktop analysis of known, existing and available data sources. This report uses the same approach and is to be appropriately referenced. This report has not been peer reviewed.

For the purposes of this investigation, 'possible change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to the 'Urban' land use designation. The Strategy defines the 'Urban' designation as follows:

> *Land that is:*
>
> *within the extent of an established townsite that is used for a range of uses typically undertaken within a town, including: residential, industrial, commercial, tourism, public and private institutions, and public purposes use including recreation, open space, utilities, emergency services, and cemeteries; and,*
>
> *adjoining land already zoned in a local planning scheme for 'Future Development' or similar and/or that has structure planning in place.*

If the investigation findings and recommendation identify land within the Abbey PIA as being suitable for a change of use, the above definition will need to be expanded to include land that has been investigated and identified as being suitable for urban in the future.

If the investigation findings and recommendation identify that there are concerns with identifying land within the Abbey PIA as 'Urban' in the Strategy, that land may be identified for another existing or proposed land use designation as appropriate.

If analysis of a key consideration cannot be determined due to data limitations, this will not preclude completing the preliminary investigation, subject to noting the inconclusive nature of that investigation.

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# 3 Abbey PIA

## 3.1 Description

The Abbey PIA is approximately 8km west of the Busselton town centre, 15km east of the Dunsborough town centre, 2km north of the Vasse town centre and 500 metres inland (south) from Abbey Beach.

The Abbey PIA is approximately 31 hectares in size and bound by Caves Road to the north, Bussell Highway to the east, the RAC Busselton Holiday Park to the west, and to the south an unnamed wetland and creek, and rural uses. The Abbey PIA is currently a mix of residential, commercial, light industry and rural uses.

The site has been significantly cleared of native vegetation over a number of decades and has been used for rural type and general agricultural purposes, such as grazing. More recently commercial operations have commenced within the north-eastern portion of the site.

Strips of remnant native vegetation exist in the eastern portion of the PIA and individual paddock trees are present throughout.

Lots 4 and 12 Caves Road are predominantly cleared paddocks with scattered peppermint trees across Lot 4, and a strip of mature trees forming the boundary between the two properties. Both properties have previously been used for cattle grazing. Lot 12 is currently unused and vacant. Lot 4 has two separate dwellings at the northern and southern ends of the property.

Lots 4 and 12 are screened from Caves Road by a continuous strip of dense, mature vegetation located within the road reserve.

Lot 402 is located on the corner of Bussell Highway and Caves Road and is currently occupied by the 'The Shed Markets'. There is an existing older style single dwelling on the north side of the Shed Markets with two separate crossovers to Caves Road.

Lot 15 is a rural residential property to the south of Lots 402 and 12 and contains a large single dwelling and associated outbuildings. It has an existing crossover access to Bussell Highway.

Lot 14 abuts Lot 15 to the east and north and is currently used as a light industrial use (Busselton Ice Supply). It includes a number of large sheds and an older dwelling located towards the front of the property. Both the Busselton Ice Supply and the single dwelling have separate crossovers and access to Bussell Highway.

## 3.2 Local Planning Strategy

The City of Busselton Local Planning Strategy was endorsed by the WAPC in March 2020.

The Local Planning Strategy identifies this area of Abbey as an 'Urban Growth Area' and provides the following detail:

> *The appropriateness of the area for urban development will be determined via the WAPC's Planning Investigation Area assessment as required by the Leeuwin Naturaliste Sub-Regional Strategy. Other than Port Geographe, this is the last undeveloped coastal or near-coastal land with significant development potential in the Busselton-Vasse Urban Area. Inclusion of housing choice and non-residential land uses are to be considered.*

The City of Busselton Strategy notes that if the WAPC investigations reveal the positive suitability for a change of land use, then a mix of land uses should be considered.

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*Figure 2 - Context*




## 3.3 Local Planning Scheme

The PIA is within the City of Busselton Local Planning Scheme No. 21. The majority of the PIA is zoned 'rural', with a portion of the PIA to the south zoned 'conservation' (see Map 2).

## 3.4 Landownership

The table below summarises the existing land use and land ownership details.

*Figure 3 – Land use and ownership*

| Land Parcel | Landownership | Land use | | | Area (approx) |
|---|---|---|---|---|---|
| | | Scheme* | Strategy** | Existing | |
| Lot 4 (Diagram 46285) | Outside of Ambit | Rural / Conservation | Rural & landscape protection | Rural / Residential | 23.90ha |
| Lot 14 (Diagram 96590) | | Rural | Rural & landscape protection | Commercial / Light Industry / Residential | 2.77ha |
| Lot 12 (Diagram 43998) | | Rural | Rural & landscape protection | No active use | 2.68ha |
| Lot 402 (Diagram 252489) | | Rural | Rural & landscape protection | Commercial / Residential | 0.58ha |
| Lot 15 (Diagram 96590) | | Rural | Rural & landscape protection | Rural / Light Industry / Residential | 0.56ha |

*** City of Busselton Local Planning Scheme No.21**
**** Leeuwin-Naturaliste Sub-regional Strategy**

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# 4 Analysis

The key considerations are interpreted through the WAPC State Planning Framework. The table below illustrates where each key consideration has been addressed.

*Figure 4 – Section structure*

| Section | | Key consideration (Section 7 of Strategy) |
|---|---|---|
| 4.1 | Environment | • Biodiversity value protection |
| | | • Protection of significant environmental values |
| | | • Biodiversity values (adjacent wetlands to south) |
| 4.2 | Bushfire | • Bushfire risk |
| 4.3 | Water | • Drainage |
| | | • Water source impact (groundwater and surface water) |
| 4.4 | Landscape | • Landscape value protection |
| 4.5 | Utilities | • Utility services capacity |
| 4.6 | Employment | • Provision of land for employment generating activities |
| 4.7 | Tourist-use interface | • Transition/interface with adjacent tourist uses (caravan park to west, boutique uses to east) |

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## 4.1 Environment

Three of the seven key considerations in the Strategy focus on the natural environment, with significant overlap:

- Biodiversity value protection.
- Biodiversity values (adjacent wetlands to south).
- Protection of significant environmental values.

For coherence and clarity, these are considered together, as below.

### Interpretation

State Planning Policy 2.0 - Environment and Natural Resources Policy (SPP 2.0) contains policy measures on the following:

- agricultural land and rangelands (also covered by Agricultural Use Protection and *State Planning Policy 2.5 – Rural Planning* (SPP 2.5))
- air quality
- biodiversity
- greenhouse gas emissions and energy efficiency
- landscape
- marine resources and aquaculture
- minerals, petroleum and basic raw materials (BRM)
- soil and land quality
- water resources.

Having regard to the definitions of 'environment' and 'environmental values' in the *Environmental Protection Act 1986*, and investigations required by other key considerations it is appropriate to interpret 'environmental values' as referring to the following elements listed in SPP2.0:

- agricultural lands
- air quality
- biodiversity
- soil and land quality
- minerals, petroleum and BRM.

**In the context of this assessment, 'environmental values' investigation is interpreted to mean:**

- **Assessment as to whether the agricultural land, air quality, biodiversity, soil and land quality and minerals, petroleum and BRM characteristics of the Abbey PIA extent may preclude changing the use of the land.**

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## Analysis

### *Agricultural land*

SPP 2.5 defines Agricultural Use as:

> *A subset of rural land used specifically for agricultural purposes including agriculture – extensive, agriculture – intensive, pastoral uses, plantations and agro forestry. This may include industry – primary production, but does not include rural living.*

Relevant to agricultural use, SPP 2.5 makes a distinction between 'rural land' and 'priority agricultural land', with a greater level of protection afforded to 'priority agricultural land'. SPP 2.5 supports "existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food".

SPP 2.5 defines priority agricultural land as:

> *Land of State, regional or local significance for food production purposes due to its comparative advantage in terms of soils, climate, water (rain or irrigation) and access to services. Priority agricultural land is derived from High Quality Agricultural Land data that has been subject to consultation and refinement, and has removed land required for existing and future urban/development areas, public use areas and land required for environmental purposes.*

The *City of Busselton Local Planning Strategy* includes the following strategy statements:

> *Support and protect agriculture by: retaining land in rural areas primarily for agricultural purposes; avoiding the further fragmentation of land in rural areas other than where specifically supported; and keeping settlements compact and contained.*
>
> *Support the appropriate diversification of agricultural industry and land-uses in rural areas, including appropriate non-rural land uses that are incidental and/or complementary to the agricultural use of the land.*

The local planning strategy considers 'Abbey' to form part of the Busselton-Vasse Urban Area. It notes that Abbey is one of the last coastal or near coastal sites with significant development potential, although it is currently zoned rural.

DPRID has provided advice on the Abbey PIA and does not consider the land to be high quality agricultural land which needs to be retained solely for agriculture and food production.

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the Abbey PIA included consideration of agricultural use protection. An analysis of available datasets has identified that protection of agricultural land uses is not a consideration that would preclude changing the land use designation of the Abbey PIA in the Strategy.

### *Air Quality*

SPP 2.0 establishes that planning should have regard to the National Environment Protection (Ambient Air Quality) Measure (NEPM), which sets protection goals for carbon monoxide, nitrogen dioxide, photochemical oxidants, sulfur dioxide, lead and particles (PM10 and PM2.5).

The Department of Water and Environmental Regulation (DWER) operates and maintains an air quality monitoring site in Busselton. Before 2019/20, one air quality pollutant (PM2.5) was monitored in Busselton. A PM10 particle monitor has since been installed. Data is only publicly available for PM2.5.

DWER's Air Quality Monitoring in Busselton (July 2016) includes the following key points:

- Air quality in Busselton is considered good on most days, although some poor air quality events occur in any given year.

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- Poor air quality events have been primarily attributed to prescribed fire hazard reduction burns or bushfires.
- Monitoring will continue in accordance with NEPM as the national standard.

SPP 2.0 also includes a policy measure for planning to have regard to the potential for conflict between sensitive land uses and activities with air emission impacts. A range of activities that have the potential to impact on air quality is identified in the Environmental Protection Authority (EPA) AQ-Guideline. These activities include:

- waste to energy plants.
- oil and gas capture, processing and refining.
- heavy industries that emit atmospheric waste.
- bulk handling and transport (via road and rail) of materials.
- port operations.
- stockpiling of bulk material.
- crushing and screening of materials
- incineration of wastes.
- mining and associated processes
- chemical manufacturing and processing.

None of the activities listed in the AQ-Guideline are proximate to the Abbey PIA.

Given its proximity to existing residential areas, the Abbey PIA is not considered to be suitable for a change of use that would constitute an activity that may be considered harmful under the AQ-Guideline.

*Biodiversity*

SPP 2.0 establishes that planning should consider mechanisms to protect areas of high biodiversity and/or conservation value. Of most relevance to the subject area, this includes land containing Threatened Flora or Threatened Ecological Communities, or that which is habitat to Threatened Fauna.

Environmental legislation at the State and Commonwealth level provides statutory listing and protection for ecological communities, flora and fauna/fauna habitats of conservation significance. A desktop review of relevant geospatial datasets is shown at Figure 5 (below) and Map 4.

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*Figure 5 – Conservation significance*

| Value | Not mapped within or proximate to subject area | Mapped within or proximate to subject area | | Description |
|---|---|---|---|---|
| | | Within | Proximate | |
| Threatened Ecological Community (TEC) / Priority Ecological Community (PEC) | | ✓ | ✓ | Possible occurrence of TEC (Coastal Saltmarsh) in southern portion of PIA. |
| Threatened and priority flora | ✓ | | | - |
| Threatened and priority fauna/fauna habitat | | ✓ | ✓ | Recordings of conservation significant fauna in vegetated areas to the north, west and east of PIA.<br>PIA is within the distribution area for threatened black cockatoos.<br>Areas require investigation as possible Carnaby's Cockatoo Feed Areas, being patches of remnant and riparian vegetation<br>PIA is within Core Area for Ringtail Possums habitat. |

In the absence of detailed site-specific assessments for the Abbey PIA confirming the existence of conservation significant ecological communities, flora or fauna, the desktop analysis does not identify any biodiversity factors that would preclude a possible change of use.

The PIA has been substantially cleared, with strips of remnant vegetation along the northern and eastern boundaries of the PIA. Individual paddock trees are present throughout the site. Broad-scale clearing is not required. Future development associated with a change of use would likely be able to occur in a manner that seeks to avoid or minimise adverse impacts, directly or indirectly, on any areas with conservation value. This could be through design responses such as the retention of native vegetation in public open space and/or road reserves.

If a change of use is to proceed, detailed site-specific assessments of biodiversity impacts would be required as part of subsequent planning stages, including any proposal to amend the local planning scheme to zone the land to enable a change of use. Any proposal will require thorough environmental assessment in the form of statutory environmental referrals under State, and possibly Commonwealth, legislation.

*Soil and Land Quality*

Acid Sulfate Soils

SPP 2.0 establishes that planning decision-making should identify existing and potential areas affected by acid sulfate soils (ASS) and, where appropriate, facilitate measures to reduce impacts.

ASS are naturally occurring soils, sediments and peats that contain iron sulphides. When exposed to atmospheric oxygen, ASS can form sulfuric acid and consequently release aluminium, nutrients and heavy metals (particularly arsenic) into the soil matrix. The release of these products into the soil and groundwater can be detrimental to biota, human health and built infrastructure.

DWER has published ASS risk maps of the Swan Coastal Plain. Regards the Abbey PIA (refer to Map 5):

- Lots 402, 12, 14 and 15 are identified as Class 2: Moderate to low risk of ASS occurring within 3m of the natural surface but high to moderate risk of ASS beyond 3m of natural soil surface.

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- Lot 4 is predominantly identified as Class 2 (as above), with an extent of land adjacent to the coastal marshland identified as Class 1: High to moderate risk of ASS occurring within 3m of the natural surface.

The WAPC's Acid Sulfate Soils Planning Guideline (ASS Guideline) confirms that ASS are technically manageable in the majority of cases, with the only exception being in the case of marinas, boat harbours and canal estates. Investigations are required at structure planning stage to determine the presence and distribution of ASS, and demonstrate the capacity of the land to sustain the proposed land uses.

Based on the DWER data, it appears that the Abbey PIA is generally not suitable for land uses that required relatively deep soil extraction, including:

- extractive industries.
- golf course.
- marina.
- canal estate.
- ornamental lakes.
- developments that require building construction below the existing ground level.
- developments that require sewerage or subsoil drainage systems below the existing ground level.

Based on the available information, it appears that the possible existence of acid sulfate soils is not a reason to preclude changing the land use designation in the Strategy to 'urban'. Detailed assessment of disturbance risk and mitigation options can be addressed in subsequent planning stages, if required.

### Contaminated Sites

SPP 2.0 establishes that planning should recognise and consider land that is degraded or contaminated, or has the potential to become so.

DWER is responsible for administering and enforcing the *Contaminated Sites Act 2003*, which includes classifying sites on the Contaminated Sites Database, maintained by DWER. A search has been undertaken, and the Abbey PIA does not contain any sites on the Contaminated Sites Database.

The development history of the site has not been able to be confirmed as a part of this investigation. Based on the available information, it appears that site contamination is not a reason to preclude changing the use of the land.

### *Minerals, Petroleum and BRM*

SPP 2.0 establishes that planning should identify and protect important and economic mineral resources to enable mineral exploration and mining.

DMIRS is responsible for administering the 'Mines and mineral deposits (MINEDEX)' database under the *Mining Act 1970*. The *Petroleum and Geothermal Energy Resources Act 1967* requires the provision of information on petroleum activities, with DMIRS administering a petroleum exploration database.

A search of the relevant databases for the Abbey PIA did not identify any mineral resources or petroleum activity that requires protection from urban land development.

The WAPC's State Planning Policy 2.4: Planning for Basic Raw Materials seeks to protect basic raw materials (BRM) in significant geological supplies and extraction sites. Available geospatial data indicates that the Abbey PIA does not include any significant geological supplies or extraction sites.

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## Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the environmental values of the Abbey PIA has focused on the following:

- agricultural land
- air quality
- biodiversity
- soil and land quality
- minerals, petroleum and BRM

An analysis of available datasets, information and policy has identified that protection of these environmental values is not a consideration that would preclude changing the land designation of the Abbey PIA in the Strategy. In particular;

- The northern portion of the PIA is largely free of environmental constraints, as defined above, to using that land for urban purposes.
- The southern portion of the PIA has some environmental values associated with the creek.

Any proposal to amend the City of Busselton Local Planning Scheme No.21 to rezone the Abbey PIA will need to be accompanied by detailed site-specific assessments to determine the presence or absence of environmental constraints such as conservation-significant biodiversity or acid sulfate soils. The *Environmental Protection Act 1986* sets out a regime which requires the environmental assessment of such proposals where there is likely to be a significant effect on the environment.

Other environment related considerations such as landscape and water resources are addressed later in this report.

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## 4.2 Bushfire

'Bushfire risk' is a key consideration in the Strategy.

### Interpretation

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) defines 'bushfire risk' as:

> *The chance of a bushfire igniting, spreading and causing damage to people, property and infrastructure.*

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services Commissioner.

Section 6.2 of SPP 3.7 provides that:

> *Higher order strategic planning documents such as frameworks, region schemes and sub-regional structure plans should include high level consideration of relevant bushfire hazards when identifying or investigating land for future development.*

**In the context of this assessment, 'bushfire risk' investigation is interpreted to mean:**

- **Consideration as to whether the likely Bushfire Hazard Level assessment of the PIA extent may preclude changing the use of the land.**

### Analysis

A Strategic Bushfire Hazard Assessment was prepared by consultants Emerge in 2020 for DPLH to:

- Provide a broad overview of the bushfire risk profile and exposure.
- Identify the potential bushfire opportunities and constraints for future land use intensification.
- Inform future bushfire investigations and assessments.

The Assessment is limited to a strategic level of investigation and all data will need to be confirmed through future planning processes via detailed site investigation and Bushfire Hazard Level (BHL)/Bushfire Attack Level (BAL) contour mapping and reporting. The Abbey PIA is designated as 'Bushfire Prone' in accordance with SPP3.7, and as such, further assessment against the requirements of SPP3.7 is required.

The Strategic Bushfire Hazard Assessment concludes as follows:

> *On the basis of the information contained in this report, Strategen-JBS&G considers the bush fire hazards and associated bushfire risks both within and adjacent to the Abbey PIA could be managed through standard bushfire mitigation responses to meet the relevant objectives, standards and compliance requirements of SPP 3.7, the Guidelines and AS 3959. Bushfire management measures tailored to the specific risk profile for the Vasse North PIA would need to be developed early in the planning process through careful development design in accordance with Guideline acceptable solutions. To this end, Strategen-JBS&G considers that the Abbey PIA will be able to be developed with a manageable level of bushfire risk whilst maintaining full compliance with SPP 3.7, the Guidelines and AS 3959 as part of future statutory bushfire management planning assessment and documentation processes.*

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the bushfire risk of the enquiry area has identified that the bushfire risk can be appropriately managed at future planning stages. This can be achieved through a detailed Bushfire management plan and Bushfire Hazard Level (BHL)/Bushfire Attack Level (BAL) contour mapping assessment.

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An analysis of the strategic bushfire hazard level assessment prepared by Strategen-JBS&G has identified that bushfire risk is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

In future planning stages compliance with SPP 3.7, the Guidelines and AS 3959 will need to be ensured through the established statutory bushfire management planning assessment and documentation processes.

## 4.3 Water

Two of the key considerations in the Strategy focus on water-related issues, being:

- Drainage
- Water source impact (groundwater and surface water).

The need for integrated water resource management is recognised by the State Government through a suite of policy statements and strategies across the water and planning portfolios.

Integrated water resource management is an approach that holistically considers all aspects of water including drinking water, groundwater, stormwater, wastewater, flooding, wetlands and waterways.

A key principle of this approach is the integration of water and land use planning – development and water resource management are interrelated and should be delivered in an integrated manner. The WAPC's State Planning Framework outlines how water resource management should be integrated into planning processes. Relevant provisions of the State Planning Framework include:

- State Planning Policy 2.0 – Environment and Natural Resources Policy (SPP 2.0).
- State Planning Policy 2.9 – Water Resources (SPP 2.9).
- Better Urban Water Management Guidelines (BUWM).
- Draft State Planning Policy 2.9 – Planning for Water.
- Draft State Planning Policy 2.9 – Planning for Water Guidelines.

To reflect the principles of integrated water resource management and emphasise their interconnected nature, the investigation of the 'Drainage' and 'Water source impact (groundwater and surface water)' key considerations are consolidated in this section.

### Interpretation

*Drainage*

The term 'drainage' is not defined in the State Planning Framework. It is commonly understood to mean the natural or artificial removal of a surface's water from an area with an excess of water.

The related concept of 'stormwater' is addressed in the State Planning Framework as a component of urban water management.

SPP 2.0 includes the following relevant policy measures:

- Encourage urban water management through water sensitive design approaches that better manage stormwater quality and quantity; that reduce the impact of stormwater flows to streams, wetlands and coastal waters; and that control or remove pollutants and nutrients.
- Ensure the provision of adequate setbacks between development and the foreshores of wetlands, waterways, estuaries and the coast, in order to maintain or improve the ecological and physical function of water bodies. Such setbacks will aim to maintain the natural drainage function...and facilitate filtration of sediment and waste associated with surface run-off from adjacent land uses.

Detailed guidance on urban water management is provided in State Planning Policy 2.9 and BUWM. SPP 2.9 provides guidance for the determination of appropriate buffering of waterways and estuaries.

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**In the context of this assessment, 'drainage' investigation is interpreted to mean;**

- **Consideration as to whether urban water management requirements, and the potential need to provide an appropriate setback to any wetland or waterway, may preclude changing the use of the land.**

*Water Source Impact (Groundwater and Surface Water)*

The following State Planning Policies are relevant to this section:

- State Planning Policy 2.7 – Public Drinking Water Source (SPP 2.7)
- SPP 2.9 – Water Resources (SPP 2.9)

SPP 2.7 applies to proclaimed Public Drinking Water Source Areas and is focused on protecting public water supplies that are obtained from groundwater and surface water resources.

SPP 2.9 includes the following:

*Water resources are defined as 'water in the landscape (above and below ground) with current or potential value to the community and the environment. Water resources that may be the subject of this policy include the following natural or modified features:*

- *wetland (such as a or intermittent lake, swamp, marsh, spring, dampland and tidal flat, and including significant artificial wetlands)*
- *waterway (such as river, stream and creek)*
- *estuaries*
- *groundwater*
- *surface water*
- *irrigation dam*
- *floodplain*
- *foreshore*
- *stormwater*
- *existing and future surface and groundwater drinking water catchments and sources (for example reservoirs and borefields) for public and private supplies*
- *wastewater.*

Wetland, waterway, estuaries, groundwater, surface water, irrigation dam, floodplain, foreshore and stormwater elements of SPP 2.9 are either considered elsewhere in this review or are not relevant to the assessment of the PIA.

**In the context of this assessment, 'water source (groundwater and surface water)' investigation is interpreted to mean:**

- **Assessment as to whether an existing or proposed proclaimed Public Drinking Water Source Area may preclude changing the use of the land.**

## Analysis

*Drainage*

Integrated water resource and land use planning seeks to ensure an appropriate level of consideration is given to the total water cycle at each stage of the planning system.

Planning at the scale of this investigation should ideally be supported by a district water management strategy (DWMS). The purpose of such a document is to demonstrate that an area is capable of supporting the change in land use and to identify land areas required for water management.

A DWMS covering the enquiry area does not exist.

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Should this investigation conclude that the land may be suitably designated as 'urban' in the Strategy, future planning stages would need to be accompanied by a district water management strategy and/or a local water management strategy. Such strategies would include detailed, site-specific work on the following:

- Water balance modelling
- Hydrological regime of water dependent ecosystems and ecological health
- Groundwater monitoring and modelling
- Surface water monitoring and modelling
- Monitoring of flows in existing streams or drainage systems.

The Abbey PIA is within close proximity of the Geographe Bay, which is located approximately 400 metres to the north of the site.

Buayanup Drain is located approximately 180 metres to the west of the site. This drain has been highly modified in the vicinity of the site and discharges north into Geographe Bay.

Emerge Associates Environmental Report notes that DWER have indicated that maintaining the drainage connectivity between the wetland within the site and on the adjacent property to the south will be an important consideration, by both avoiding development in the floodway and maintaining appropriate drainage connectivity and flow into the Buayanup Drain.

In relation to wetlands, the southern, western and north-eastern portion of the Abbey PIA is covered by the Geomorphic Wetlands: Swan Coastal Plain dataset. These areas are classified as 'Palusplain' with a management category of 'Multiple Use' (see Map 7).

There are no Conservation Category Wetlands or Resource Enhancement Wetlands identified on the land. 'Multiple Use Wetlands' do not prevent development of a site and can be considered via water management and drainage planning.

A general description and summary of the DBCA's objectives for each wetland management category follows:

*Figure 6 – Wetland management categories*

| Management Category | General Description | Management Objectives |
|---|---|---|
| **Conservation** | Wetlands which support a high level of attributes and functions | Highest priority wetlands.<br>Objective is to preserve and protect the existing conservation values of the wetlands through various mechanisms including:<br>- reservation in national parks, crown reserves and State owned land protection under Environmental Protection Policies.<br>- wetland covenanting by landowners.<br>- no development of clearing is considered appropriate. These are the most valuable wetlands and any activity that may lead to further loss or degradation is inappropriate. |
| **Resource Enhancement** | Wetlands which may have been partially modified but still support substantial ecological attributes and functions | Priority wetlands.<br>Ultimate objective is to manage, restore and protect towards improving their conservation value. These wetlands have the potential to be restored to Conservation category. This can be achieved by restoring wetland function, structure and biodiversity.<br>Protection is recommended through a number of mechanisms. |
| **Multiple Use** | Wetlands with few remaining important attributes and functions | Use, development and management should be considered in the context of ecologically sustainable development and best management practice catchment planning through landcare. |

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SPP 2.9 reinforces the above management objectives via policy measures that seek to protect, manage, conserve and enhance/restore the attributes, functions and values of Conservation and Resource Enhancement wetlands. In relation to Multiple Use wetlands, SPP 2.9 seeks to ensure the use of best management practices in their development and use, consistent with the principles of total water cycle management.

A southern portion of the site is within a recognised DWER floodway, with some surrounding flood fringe. Development within floodways is generally not supported.

Management of drainage, surface water features and stormwater can be addressed through the preparation of relevant water management documentation, such as District Water Management Strategy and Local Water Management Strategy at scheme amendment and structure planning stages. These documents will require site-specific assessments of wetlands and waterways to determine their attributes, values and functions, and to determine appropriate setbacks.

*Water Source (Groundwater and Surface Water)*

The public drinking water supply for Busselton and Abbey is obtained from groundwater abstracted from nine Busselton Water production bores located in the Busselton townsite.

The production bores draw from the deep and confined Yarragadee aquifer and, to a lesser extent, the Leederville aquifer. The Yarragadee aquifer runs beneath the Swan Coastal Plain west of the Darling Scarp, from Geraldton to the south coast. The Busselton Water Reserves Drinking Water Source Protection Plan (2009) and Busselton Water Reserves Drinking Water Source Protection Review (2013) state that due to the confined nature and depth of the water source there is no risk of contamination from overlying land uses.

The bore sites are from the proclaimed Busselton Water Reserve. The land in the water reserve is managed for Priority 1 water source protection. The boundaries of the water reserve reflect the location of the production bores, and are located outside the Abbey PIA.

No land within the Abbey PIA has been identified as an existing or proposed public drinking water source area. It is not anticipated that a change in land designation for the Abbey PIA will have a negative impact on any public drinking water priority areas.

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of water has focused on the following:

- Drainage
- Water source impact (groundwater and surface water).

An analysis of the available datasets has identified that protection of these water values is not a consideration that would preclude changing the land use designation of the Abbey PIA to 'urban' in the Strategy. In particular;

- The northern portion of the PIA is beyond the floodway and flood fringe areas, and Multiple Use Wetland to the south, and regards to water considerations is suitable for urban purposes.
- The southern portion of the PIA is somewhat impacted by the floodway and flood fringe areas and Multiple Use Wetland considerations and are not suitable for urban purposes.

If, having regard to all key considerations, the northern portion of the PIA is recommended as being suitable for urban purposes, it will be necessary to determine an appropriate land use designation for the water considerations on the southern portion of the PIA. As there is currently no suitable land use

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designation defined in the Strategy it is recommended that the southern portion of the PIA be identified in the Strategy as 'Open Space Investigation', as defined below.

> *Land that may be suitable for open space (nature/passive recreation) purposes but requires further investigation to determine its suitability and/or refine its area.*

Any proposal to amend the City of Busselton Local Planning Scheme No. 21 to rezone the land will need to be accompanied by detailed site-specific drainage, surface and ground water management documentation, such as a District Water Management Strategy and Local Water Management Strategy.

## 4.4 Landscape

'Landscape value protection' is a key consideration in the Strategy.

### Interpretation

SPP 2.0 includes guidance regarding planning strategies, schemes and decision-making, noting that they should:

> *Identify and safeguard landscapes with high geological, geomorphological or ecological values, as well as those of aesthetic, cultural, or historical value to the community, and encourage the restoration of those that are downgraded.*

For the purposes of this investigation, the landscape consideration guidance provided in SPP 2.0 is interpreted through the existing heritage regime and State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge.

#### *Heritage Regime*

Landscapes can be recognised by the heritage regime as having varying levels of significance and protection. For the purposes of this investigation, heritage regime is a term used to collectively refer to the following.

*Figure 7 – Heritage regime*

| Legislation / head of power | Organisation |
|---|---|
| *Heritage of Western Australia Act 2018* | Heritage Council of Western Australia |
| *Environment Protection and Biodiversity Conservation Act 1999* | Australian Heritage Council |
| City of Busselton Local Planning Scheme No. 21 | City of Busselton |
| *Aboriginal Heritage Act 1972* | Aboriginal Culture and Materials Committee |

#### *Planning regime*

Landscapes can be recognised by the planning regime as having varying levels of significance and protection. For the purposes of this investigation, planning regime is a term used to collectively refer to the following elements of the State Planning Framework:

- State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (1998)
- Visual Landscape Planning in Western Australia Manual (2007)

The Visual Landscape Planning in Western Australia Manual provides that landscape values may be characterised as:

> *Those landscape characteristics that the community considers are significant for reasons such as their aesthetic (predominantly visual), social, environmental, and heritage values.*

State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge includes the following regarding landscape values:

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*Features within the landscape that are highly valued, as defined by documented research. A more detailed description of landscape values in the Leeuwin-Naturaliste is provided in the supporting Leeuwin-Naturaliste Landscape Assessment Study.*

**In the context of this assessment, 'landscape-value protection' investigation is interpreted to mean:**

- **Assessment as to whether the landscape that the PIA land is wholly or partly within has landscape values that have been recognised in the heritage regime, and that may preclude changing the use of the land.**
- **Assessment as to whether the aesthetic landscape values of the PIA may preclude changing the use of the land, having due regard to the 'Visual Landscape Planning in Western Australia Manual' and SPP 6.1.**

## Analysis

### *Landscape values – heritage*

The landscape that includes the Abbey PIA does not have recognised landscape values under the heritage regime.

It is noted that the Abbey PIA includes a place identified under the *Aboriginal Heritage Act 1972*. Although not directly related to landscape value, this does indicate the complexity of assessing landscape values more broadly, including the possible need for a thorough heritage assessment. This site is addressed in detail in section 4.8.

### *Landscape values – planning*

SPP6.1 goes to some length to characterise and classify landscapes. In addition, it also defines land use designations. The status of the Abbey PIA regards these constructs is outlined in Table 5 below.

*Figure 8 – SPP6.1 Landscape characterisation*

| Lot | Landscape character unit | Landscape class | SPP6.1 – land use designation |
|---|---|---|---|
| 4 | western coastal | General character, Travel route corridor | Wetland amenity area |
| 12 | western coastal | Travel route corridor | Wetland amenity area |
| 402 | western coastal | Travel route corridor | Wetland amenity area |
| 14 | western coastal | Travel route corridor | Wetland amenity area |
| 15 | western coastal | Travel route corridor | Wetland amenity area |

SPP6.1 provides that in areas classed as being of 'General Character' development or a change of use should:

*protect the rural character and conform with policies and guidelines for Travel Route Corridors.*

SPP6.1 provides that in areas classed as being 'Travel Route Corridor' development or a change of use should:

*allow people opportunities to access and experience adjoining areas and consist of a 600 metre wide corridor (300m on either side) along the Primary Transport Network. These corridors may or may not include areas where rural or natural significance have been identified.*

SPP6.1 includes a 'Land Use Strategy' that identifies the Abbey PIA as 'Wetland Amenity Area'. The provisions provided in that regard that are relevant to landscape value considerations, are addressed below.

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*Figure 9 – SPP6.1 Landscape assessment*

| SSP6.1 Policy Number | Policy | Analysis |
|---|---|---|
| LUS 3.30 | Rural landscape and coastal reserve buffers between Abbey and Vasse, and Dunsborough and Abbey will be maintained to avoid urban sprawl and to create distinct communities. | Urban development of the Abbey PIA is unlikely to be viewed as urban sprawl, given the proximity of the land to existing suburban localities and its enclaved nature, between the Locke Reserve, the Wetland and the major roads.<br>Urban development is expected to maintain existing vegetated landscape buffers to the south and west as that vegetation is in the road reserves. |
| LUS 3.31 | Subdivision and development to be consistent with and complement the existing landscape character of the Quindalup Strip and "Old Dunsborough". | The precise form of any future subdivision will be confirmed at subsequent planning stages. Given the existing vegetation on the site (particularly along Caves Road) there are opportunities to complement the Quindalup Strip and "Old Dunsborough" style of development. Residential density and appropriate urban design will also need to be considered to reflect this character. |
| LUS 3.32 | The environmental and recreation values of the Wetland Amenity Area will be protected while facilitating tourism development that responds to the natural and social values of the locality | Urban development of the Abbey PIA represents an opportunity to protect these values, whilst maintaining and improving tourism development with better linkages and connections throughout the area. |

The landscape character of the majority of the Abbey PIA is classified in SPP6.1 as 'General Character' with the peripheral areas adjacent to Bussell Highway and Caves Road classified as 'Travel Route Corridor'. The Abbey PIA is largely not visible from the abutting and adjacent Caves Road and Bussell Highway due to the existing road reserve vegetation and topography. Lots 402 and 12 are less shielded by road reserve vegetation than the remainder of the PIA. However, given the proximity of Lots 402 and 12 to the Monaghan's Corner round-a-bout and adjacent urban uses, this is not considered to be a significant concern when contemplating changing the land use of the PIA.

Appreciating the above, any consideration of a possible land use change is to be further contemplated beyond this investigation that future planning should be responsive to:

- local values.
- the natural characteristics and traditional settlement patterns of the area.
- protecting the rural character.
- conform with policies and guidelines for Travel Route Corridors.

## Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the Landscape values of the Abbey PIA has focused on the following:

- landscape values that have been recognised in the heritage regime;
- aesthetic landscape values recognised in the planning regime.

The landscape that the Abbey PIA forms a part of is not recognised as having heritage value at local, state or commonwealth level. The landscape values provisions prescribed in SPP6.1 are relevant to the land,

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but on investigation, and appreciating the existing road reserve vegetation and topography, the protection of these landscape values is not a consideration that would preclude changing the land use designation of the Abbey PIA to 'urban' in the Strategy.

However, consideration of the aesthetic landscape impacts of changes to the natural overflow from the creek may need some further consideration. This could be achieved via the Strategy identifying the portion of Lot 4 that is zoned 'conservation' in the Local Scheme as 'Open Space Investigation', as outlined in Section 4.3, above.

## 4.5 Utilities

'Utility services capacity' is a key consideration in the Strategy.

### Interpretation

State Planning Policy 3.0 – Urban Growth and Settlement (SPP 3.0) includes the following:

> *Planning for new growth and settlements should be coordinated with the cost-efficient provision of infrastructure and services such as roads, public transport, water supply, sewerage, electricity, gas, telecommunications, drainage, open space, schools, health and recreational facilities.*

The term 'utilities' is not defined in the State Planning Framework. For the purposes of this assessment, utility services are regulated essential services generally required for urban land uses, and limited to:

- water
- wastewater
- energy.

SPP 3.0 does not include a definition or explanation of 'capacity'. A common meaning of that term is "the maximum amount that something can contain". The Busselton Regional Land Supply Assessment 2016 identifies water, wastewater and energy as the regulated essential services to be considered in this regard.

**In the context of this assessment, 'utility services capacity' investigation is interpreted to mean:**

- **High-level consideration of the availability of regulated water, wastewater and energy services capacity and whether it may preclude changing the use of the land.**

### Analysis

#### *Water*

Busselton Water has the operating licence that covers the City of Busselton, including Abbey.

Busselton Water predicts that demand for water in Busselton will more than double, from five gigalitres to 10.1 gigalitres per annum by 2060, with 353 new connections per year going forward. Busselton Water envisages that their existing licensed annual quota of 8.1 gigalitres per year would be sufficient for the next 30 years if water efficiency savings are achieved, or 17 years if water use efficiency savings are not met (DPLH, 2016).

#### *Wastewater*

The Water Corporation operates the Busselton Wastewater Scheme. Significant capital investment has been made to the conveyance network to ensure capacity for the Busselton Wastewater Scheme. Large new pump stations have been constructed at Vasse and Yalyalup, to transfer wastewater from these developing areas directly to the Busselton Wastewater Treatment Plant (Lot 4680 (348) Queen Elizabeth Avenue, Ambergate). A sewerage infill project has been completed in Abbey, providing reticulated

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sewerage. The wastewater conveyance network of pipes and pumps is now well established in the planned areas; and, for the most part, there is adequate capacity for future growth (DPLH, 2016).

The most recent Water Corporation forecast projects an average growth in the permanent resident population serviced by the scheme of 2.5 per cent per annum over the next 20 years. Planning for the future also includes the significant increase in demand experienced during peak tourism times (DPLH, 2016).

*Energy*

Western Power manages energy supply to the South West region. The City of Busselton is covered by the Bunbury load area. The Western Power Network Capacity Mapping Tool shows a constrained supply in Busselton at 2016 of less than 5 MVA; this was expected to be alleviated by the partial conversion of one of the Picton to Busselton 66 kV circuits to 132 kV. By 2026, energy supply capacity is forecasted to be at 15-20 MVA for the western part of the City area. By 2026, energy supply capacity is forecast to decrease to 5-10 MVA. (DPLH, 2016).

Atco Gas Australia manages natural gas supply to the Busselton area. The Busselton area is covered by the Mid West and South-West Gas Distribution System (GDS). The GDS is a covered pipeline and is subject to an access arrangement that is approved by the Economic Regulation Authority of Western Australia. The GDS contains more than 12,000 kilometres of gas distribution pipelines in its network (DPLH, 2016).

Consultant engineers Stantec have undertaken a preliminary review of the availability of existing services in the locality, and their capacity to service the Abbey PIA. Stantec's findings confirm that all major infrastructure currently exists within close proximity to the proposed development site, without any major upgrades or feeder extensions required.

It is considered that there is an adequate provision of utilities to support potential future development at the Abbey PIA.

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of utilities services capacity of the Abbey PIA has focused on the provision of the following:

- water
- wastewater
- energy.

Analysis of the available datasets and documentation confirms there is availability of regulated water, wastewater and energy services capacity to service the land, and that this is not a consideration that would preclude changing the land use designation of the Abbey PIA to 'urban' in the Strategy.

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## 4.6 Employment

'Provision of land for employment generating activities' is a key consideration in the Strategy.

### Interpretation

The WAPC's State Planning Framework does not contain a definition directly relating to 'land for employment generating activities'.

The term 'employment land' is used in the WAPC's monitoring reports such as the *Economic and Employment Lands Monitor* (EELS) and the Land Use and Employment Survey (LUES). The former contains the following definition of employment land:

> *Employment land is broadly defined as land that could be used for employment generating activities, including land zoned for industrial and commercial purposes.*

In terms of 'employment generating activities', the LUES uses a range of primary land use categories which generate employment, including:

- Primary-Rural.
- Manufacturing/Processing/Fabrication.
- Storage/Distribution.
- Service Industry.
- Shop/Retail.
- Other Retail.
- Office/Business.
- Health/Welfare/Community Services.
- Entertainment/Recreational/Cultural.
- Residential.
- Utilities/Communications.

In this investigation the term 'employment land' is used interchangeably with the term 'land for employment generating activities'.

**In the context of this assessment, 'provision of land for employment generating activities' investigation is interpreted to mean:**

- **Assessment of the existing supply and forecast demand (to 2039) for employment land.**
- **Assessment of the PIA to confirm if it is suitable for employment land.**

### Analysis

Regional Land Supply Assessment reports assess land for future residential, industrial and commercial uses, providing context for the land use planning and infrastructure provision required to meet demand across selected regional centres.

The median (Band C) WA Tomorrow population forecast for the City of Busselton shows an annual population increase of 829 residents from 2011 to 2026. A wide range of business activities are undertaken within Busselton, including retail, commercial and tourism related services, as well as civic and community land uses.

Busselton has a diverse economic base with construction, agriculture and retail trade making significant contributions to the Gross Regional Product (GRP). Busselton is also a popular tourist destination, which along with the Shire of Augusta- Margaret River, forms part of the Leeuwin-Naturaliste Sub-region. Increasing employment opportunities and expanding local industry will involve attracting greater numbers of domestic and international tourists to the region, thereby increasing visitor expenditure as

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well as generating additional employment opportunities across the tourism, retail and hospitality sectors (DPLH, 2016).

Busselton's tourism industry is expected to grow into the future, particularly with the expansion of the Busselton-Margaret River Regional Airport. The accommodation and food services sector is Busselton's second largest employer, and it is likely that Busselton will continue to attract large scale events in addition to being a popular tourist destination.

Agricultural activities undertaken within Busselton include the growing of vegetables and grapes, as well as livestock production and dairying. This industry is expected to increase with local and global demand for fresh produce becoming more important.

Strong population growth and increased inbound tourism numbers are expected to be major drivers of retail growth and employment within the commercial and retail sector.

Quantifying future demand for employment land is challenging, due to the cyclical nature of economic growth and the complexity of interacting economic and demographic growth drivers.

*Supply*

There are a number of significant infrastructure projects within the City of Busselton, which are expected to boost economic development and generate employment. These include the Busselton and Dunsborough foreshore redevelopments and the Busselton Jetty refurbishment.

The majority of commercial activity in the City of Busselton has occurred within the Busselton city centre and Dunsborough town centre, where the bulk of commercial land has been developed. Seven per cent of total commercial land is categorised as underdeveloped. These lots are evenly distributed throughout the Busselton city centre and Dunsborough town centre, as well as within neighbourhood and local centres.

Very large areas of land have been identified for industrial expansion within the City of Busselton. As of December 2015, 450 hectares (87 per cent) of the stock of land zoned for industrial purposes was underdeveloped or unrated. The bulk of future industrial development is expected to be accommodated by the Busselton-Margaret River Airport North and Dunsborough light Industrial precincts (DPLH, 2016).

*Suitability*

The Abbey PIA could accommodate tourist land uses given the opportunity for connectivity, and the potential to complement the surrounding land uses. The shape and form of any future tourist uses would be identified at later planning stages, but some tourism element is considered appropriate for this site.

The Abbey PIA could accommodate some commercial or retail land uses, however this would be limited by the prominence and consolidation of these uses within the Busselton city centre and Dunsborough. In addition there are already some commercial and retail land uses within the general Abbey area. It is not considered likely that there is a high demand for commercial or retail land uses to locate to the Abbey PIA.

For reasons outlined in sections 4.1 and 4.2, the Abbey PIA is not considered to be suitable for industrial purposes due to its proximity to existing residential, tourist and conservation land uses. Additionally, it is noted that current estimates indicate that there is an over-supply of industrial land in the sub-region.

In terms of "employment generating activities" any future development of the Abbey PIA is more likely contain some element of commercial and tourist land uses. This would be consistent and complimentary to the existing character of the surrounding area. Future planning stages will dictate and assess the amount of commercial and tourist activity, and its overall compatibility within any new urban setting.

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### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of employment generating activities of the Abbey PIA has focused on the following:

- Supply.
- Suitability.

The PIA contains relatively unconstrained land that may be suitable for employment generating activities. Any potential employment land within the PIA would need to be compatible with the surrounding residential and commercial/tourist land uses, in order to avoid land use conflict.

The definition of 'urban' land use designation in the Strategy includes the following purposes: industrial, commercial, tourism, public and private institutions, recreation and open space. Changing the designation of the PIA to 'urban' would provide for the potential identification of employment land at subsequent planning stages, if considered appropriate by the landowners and/or the City of Busselton.

The PIA is not considered to be suitable for Industrial uses.

Having due regard to the State Planning Framework, the identification of land for employment generating activities is not a consideration that would preclude changing the designation of the PIA to 'urban' in the Strategy.

## 4.7 Tourist-use Interface

'Transition/interface with adjacent tourist uses (caravan park to west, boutique uses to east)' is a key consideration in the Strategy.

### Interpretation

'Transition/interface with adjacent tourist uses' is not a term defined in the State Planning Framework.

It is not possible to investigate this key consideration without contemplating the likely and possible future uses of the land, were it to be, in the first instance, designated 'urban' in the Strategy. This matter is broached in the Strategy in section 4, with the following land uses identified as being of particular interest to the investigation:

- tourism.
- aged care.
- mixed use.
- medium density residential.

The suitability of these uses and would ultimately be ascertained via a Local Planning Scheme amendment and subsequent structure planning, however, some general land use planning assumptions can be made. If developed for urban purposes, it is assumed that the Abbey PIA would include a significant residential component.

**In the context of this assessment, 'Transition/interface with adjacent tourist uses (caravan park to west, boutique uses to east)' investigation is interpreted to mean:**

- **Assessment of the integration opportunities and amenity impacts of using the land for predominantly residential purposes.**

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## Analysis

*Integration opportunities*

The 'caravan park to the west' is currently the RAC Busselton Holiday Park. This is a large-scale holiday park with chalets, cabins, camping and caravan sites, with a range of recreation infrastructure and amenities in a rural landscaped location.

The 'boutique uses to the east' include 'The Shed Markets', Amelia Park Lodge and the Busselton Ice Supply. There are also a number of other commercial uses to the north-east of the Monoghan's Corner roundabout, on the north side Caves Road. For the purposes of this report this collection of uses is referred to as 'Monoghan's Corner'.

Caves Road is the only transport link that currently connects the RAC Busselton Holiday Park and Monoghan's Corner. This southern shoulder of this section of Caves Road is unsealed and does not include separated pedestrian or cycle access.

Developing the land for predominantly residential purposes could provide positive outcomes for the RAC Busselton Holiday Park and Monoghan's Corner. There are clear opportunities for improved traffic, footpath and bike path connections in an east-west capacity, which could also improve the overall safety and amenity of the Abbey PIA and immediate surrounds.

*Amenity impacts*

Any urban development of the Abbey PIA and the interface with the existing RAC Busselton Holiday Park would need to be appropriately managed to ensure each land use could occur concurrently with minimal disruption to the other. This would be addressed via a Local Structure Plan, and would consider detailed issues such as suitable setbacks, buffering and landscaping elements to reduce noise impacts and improve visual privacy considerations.

## Outcome

The investigation of the transition/interface with adjacent tourist uses (caravan park to west, boutique uses to east) has focused on the following:

- Assessment of the integration opportunities and amenity impacts of using the land for predominantly residential purposes.

Opportunities to integrate any proposed predominantly residential purposes should improve the overall safety and amenity of the Abbey PIA and immediate surrounds.

Residential development of the land would provide an opportunity to establish pedestrian and cycle links connecting the RAC Busselton Holiday Park and Monoghan's Corner. This would likely positively contribute to the tourist and residential amenities of the locality.

The immediate boundaries between the existing abutting uses and possible predominantly residential development could be resolved through detailed urban design treatment at the appropriate future planning stage.

Any proposal to amend the City of Busselton Local Planning Scheme No. 21 to rezone the Abbey PIA, or if urban development of the Abbey PIA is to occur, significant consideration of the specific land uses will need to be addressed through later planning stages, particularly local structure planning.

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## 4.8 Other Considerations

### Coastal Planning

State Planning Policy 2.6 State Coastal Planning Policy provides guidance for land use and development decision-making within the coastal zone including managing development and land use change; establishment of coastal foreshore reserves; and to protect, conserve and enhance coastal values. It includes specific policy considerations and requirements for both infill and green-fields developments across a 100-year planning horizon.

The WAPC supports local governments to undertake and implement coastal hazard risk management and adaptation planning (CHRMAP) via the Coastal Management Plan Assistance Program (CMPAP) grants. The City of Busselton have been developing a CHRMAP for their coastal areas. The draft CHRMAP is currently being advertised and includes relevant information and detail for the Abbey PIA.

*Analysis*

The City of Busselton draft CHRMAP forecasts and identifies areas that could be potentially impacted by coastal erosion and inundation hazards (over the next 100 years) in accordance with the requirements of Schedule 1 of SPP 2.6, and identifies management and mitigation strategies for affected areas.

The draft CHRMAP indicates that the northern extent of Lots 4 and 12 would be impacted by coastal erosion within the 100 year timeframe if no mitigation measures were undertaken to protect the infrastructure already in place. The draft CHRMAP proposes to "protect" Abbey Beach and the surrounding infrastructure via a series of coastal protection works, which would ultimately restrict the coastal erosion process.

Although not finalised the CHRMAP sets in place a clear management framework for protecting the Abbey area. Inundation from both the coast and inland waterways such as the Buayanyup Drain in an extreme weather event is also an important consideration.

The draft CHRMAP recognises the risk posed by coastal inundation and sea level risk, and recommends a minimum habitable floor level of 3.0m AHD to reduce the risk associated with flooding during the 100-year planning timeframe.

Given that a portion of the Abbey PIA is within the 2020 floodway (the furthest flood high) and this area is at a higher level AHD, it is considered that the impacts of flooding can be appropriately addressed via the final CHRMAP requirements. Flooding and inundation considerations will ultimately need to be addressed as part of a District of Local Water Management Strategy at subsequent planning stages.

*Outcome*

Interpreted within the context of the WAPC's State Planning Framework, the investigation has identified that coastal planning is not a consideration that would preclude changing the land use designation of the Abbey PIA in the Strategy.

### Flood Risk

The term 'flood risk' is not defined in the State Planning Framework. It can be understood as a combination of the chance of a flood occurring and the consequences of the flood for people, property and infrastructure.

With regard to flooding, SPP 2.9 – *Water Resource* includes the following policy measure:

> *Identify all floodplains and areas that are prone to surface flooding or groundwater inundation. Ensure that no development is in a flood path that could carry an increased risk to public safety or property.*

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State Planning Policy 3.4 – *Natural Hazards and Disasters* includes 'flood' as a hazard consideration as follows:

> *Proposed development on a floodplain is considered acceptable with regard to major flooding as long as it does not produce an adverse impact on surrounding development and it has an adequate level of flood protection. Land uses in flood prone areas should not allow development that will obstruct floodways…The 100-year average recurrence interval flood should be used as the defined flood event.*

Identification of floodplains and areas that are prone to surface flooding or groundwater inundation, and consideration as to whether potential development in a floodplain would increase the risk to public safety or property and may preclude changing the use of the land.

*Analysis*

The unnamed coastal saltmarsh in the southern portion of the site is recognised by DWER as a 'floodway', with some surrounding 'flood fringe'. Development within a floodway that is considered obstructive to major flooding is not supported, as per SPP 3.4 Natural Hazards and Disasters, as upstream flood levels may increase.

A review of publicly available flood mapping (DWER 2020c) indicates that a 1 in 100 (1%) annual exceedance probability (AEP) event 'floodway' area is identified within the south-western portion of the site. Emerge Associates have confirmed with DWER that the information provided within the DWER online mapping tool (DWER 2020c) is incorrect and portions of the area identified as 'floodway' within the site is in fact 'flood fringe'.

Emerge Associates Environmental Report notes that DWER have indicated that maintaining the connectivity between elements of the coastal saltmarsh that are in different land ownership will be an important consideration, both avoiding development in the floodway and maintaining connectivity with the wider drainage network. Stormwater generated by future urban development will need to be accommodated in any proposed development, typically through the provision of appropriately sized and located public open space areas and is considered closely with engineering design requirements (Emerge Associates, 2020).

Management of drainage, surface water features and stormwater can be addressed through the preparation of relevant water management documentation, such as District Water Management Strategy and Local Water Management Strategy at scheme amendment and structure planning stages. These documents demonstrate how pre-development volumes/flows are maintained and water quality can be managed appropriately.

Subsequent stages of planning can ensure that the WAPC's policy objectives for planning and development in flood prone land can be achieved.

*Outcome*

Interpreted within the context of the WAPC's State Planning Framework, the investigation of flood risk has focused on protection of the following:

- Chances of flood occurring.
- Consequences of the flood for people, property and infrastructure.

An analysis of the available datasets has identified that flood risk is not a consideration that would preclude changing the land use designation of the northern portion of the Abbey PIA. However, the southern portion of the PIA is impacted by floodway and flood fringe occurrence and does not present as suitable for urban purposes. This will require further investigation of updated flood mapping and data. Designating this land as 'Open Space Investigation' in the Strategy would assist investigating the possible best future uses of that land.

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Any proposal to amend the City of Busselton Local Planning Scheme No. 21 to rezone the Abbey PIA will need to be accompanied by detailed site-specific drainage, surface and ground water, and storm water management documentation, such as a District Water Management Strategy and Local Water Management Strategy.

### Aboriginal Heritage

Under the Aboriginal Heritage Act 1972, the Aboriginal Heritage Inquiry System (AHIS) provides information concerning Aboriginal heritage places in Western Australia such as:

- The location and extent of each place;
- The assessment status of each place;
- Any access restrictions to additional information that the Department holds in relation to the place; and
- Any gender restrictions.

#### *Analysis*

In accordance with the Aboriginal Heritage Due Diligence Guidelines (DAA 2013), a search of the Aboriginal Heritage Inquiry System (AHIS) online database (DPLH 2018) has been undertaken. It is noted that the Abbey PIA includes an 'Other Heritage Place' (ID 5337) is mapped as extending into a very minor western portion of the site (Lot 4). This feature is described as skeletal material/burial' and is likely to be associated with the drain further to the west (supported by information provided in the Buayanyup River Action Plan (Geographe Catchment Council 2010) where the Aboriginal site is described as being associated with the drain) (Emerge Associates, 2021).

The status of the 'other heritage place' is 'lodged' which can mean it has not been considered by the Aboriginal Cultural Materials Committee (ACMC) and therefore there has been no determination if it meets the definition of a 'site' pursuant to Section 5 of the Aboriginal Heritage Act 1972 (AHA).

Although only of tangential relevance to this investigation, this does indicate the complexity of assessing landscape values more broadly, including the possible need for a thorough heritage assessment if the land is considered suitable to be considered for a change of land use.

#### *Outcome*

An analysis of the available Aboriginal Heritage datasets has identified that Aboriginal heritage is not a consideration that would preclude a changing the Abbey PIA land use designation in the Strategy.

Any proposal to amend the City of Busselton Local Planning Scheme No. 21 to rezone the Abbey PIA will require further consultation with DPLH and the City of Busselton to confirm whether any Aboriginal Heritage considerations are significant enough to warrant further investigation.

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# 5 Conclusion

This Report has investigated the following 10 key considerations defined in the Strategy for the Abbey PIA:

- Biodiversity values (adjacent wetlands to south);
- Biodiversity value protection;
- Protection of significant environmental values;
- Bushfire risk;
- Drainage;
- Landscape value protection;
- Utility services capacity;
- Water source impact (groundwater and surfacewater);
- Provision of land for employment generating activities;
- Transition interface with adjoining tourist uses

The Abbey PIA may best be understood in two parts:

- Southern portion; the extent of Lot 4 zoned 'Conservation' in LPS 21.
- Northern portion; Lots 12, 14, 15, 402 and the northern portion of Lot 4, zoned 'Rural' in LPS 21.

The investigation outcomes are summarised below:

The Abbey PIA has been substantially cleared of native vegetation. There are remaining stands of remnant vegetation along the northern and eastern boundaries of the land, and a coastal saltmarsh to the south. In the absence of detailed site-specific assessments for the PIA, the desktop analysis does not identify any biodiversity or significant environmental factors that would preclude changing the land use designation, other than the southern portion of Lot 4, in the Strategy to 'urban'.

Assessment indicates that bushfire risk can be managed through standard bushfire mitigation responses, and accordingly, bushfire risk does not preclude changing the land use designation in the Strategy to 'urban'.

Water, flood and coastal planning considerations can be addressed through the preparation of relevant water management documentation in accordance with SPP 2.9 and SPP 2.6, and the City of Busselton CHRMAP mapping will provide guidance on future development requirements. These considerations do not preclude changing the use of the majority of the Abbey PIA. However, the southern portion of Lot 4 is proposed to be identified as 'Open Space Investigation' in the Strategy so that the water considerations over this land can be further investigated as to how it can be appropriately managed.

The landscape that the Abbey PIA forms a part of is not recognised as having significant heritage value at local, state or commonwealth level. The landscape values provisions prescribed in SPP6.1 are relevant to the land, but are not considered to of critical concern due to existing road reserve vegetation and natural topography. Investigation of the landscape values of the Abbey PIA indicate that changing the land use designation in the Strategy to 'urban' would not adversely affect the landscape character of the area.

There is an adequate provision of utilities to support development of the site, and in terms of employment land, the area is relatively constraint free and could accommodate 'urban' uses as per the Strategy, however industrial uses are not considered appropriate.

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Residential development of the land would provide an opportunity to establish pedestrian and cycle links connecting the RAC Busselton Holiday Park and Monoghan's Corner. This would likely positively contribute to the tourist and residential amenities of the locality.

The southern portion of Lot 4 has environmental values and connects the Locke and Broadwater Nature Reserves. The current health of the creek is unknown, but it is noted that much of the surrounding area has been cleared of native vegetation and there is an existing house within this area. This portion of land is zoned 'conservation' in the City of Busselton Local Planning Scheme No.1. The environmental values, drainage and flood characteristics of this land are considerable enough to preclude changing the land use designation in the Strategy to 'Urban'.

Although the southern portion of Lot 4 has environmental attributes that require further investigation, it is held in freehold and is part of the remainder of the Abbey PIA that is suitable for urban purposes. It is therefore recommended that this southern portion of Lot 4 be designated 'Open Space Investigation' in the Strategy. This would enable investigation of possible suitable uses for that land such as parklands associated urban development and possible wetland rehabilitation if required.

Consideration of the Abbey PIA cannot be validly undertaken without consideration of the Vasse North PIA, adjacent to the south. The Strategy defines the Vasse North PIA as four Lots, broadly bound by the Bussell Highway to the east and south, the Buayanyup drain to the west and the Abbey PIA to the north. The available data indicates that the flood, drainage and broader environmental considerations are significant on the northern portion of the Vasse North PIA.

The 'Vasse North PIA Preliminary Report (October 2021)' recommends that the Strategy be amended to designate the Lots close to Vasse as 'Urban' and to designate the two Lots adjacent to the Abbey PIA (Lots S19 and S20) as 'Open Space Investigation'.

The southern portion of Lot 4 presents as unsuitable for urban purposes due to its flood and drainage characteristics attributable to its close proximity to the creek. However, this land is owned in freehold, abuts land that is suitable for urban purposes and is surrounded by land that has been largely cleared of native vegetation. It is possible that the creek and surrounds could be rehabilitated if required and integrated into any future urban development of the Abbey and Vasse North PIAs as linear parkland or similar. The veracity of this possible future land use for the southern portion of Lot 4 in the Abbey PIA would need further investigation.

There are two possible options to enable an exploration of future land use options for the southern portion of Lot 4 within the Abbey PIA:

- Designate 'Urban' in the Strategy.
- Designate as 'Open Space Investigation' in the Strategy.

The same conceptual thinking is presented in the Vasse North PIA preliminary report.

'Open Space Investigation' is not an existing land use designation in the Strategy, but could be included as part of an amendment to integrate the recommendations of the PIA investigations. This approach would enable a proponent to progress planning for urban development on the Abbey PIA, excluding the southern portion of Lot 4, whilst investigating the possible best approaches to the use and integration of the creek to the south into the overall urban development.

It is recommended that the Strategy be amended to:

- delete the Abbey PIA.
- designate the following Lots as 'urban';

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- Lot 12 on Diagram 43998.
- Northern portion of Lot 4 on Diagram 46285.
- Lot 402 on Plan 252489.
- Lot 14 on Diagram 96590.
- Lot 15 on Diagram 96590.

- Designate the southern portion of Lot 4 (as per the 'conservation' zone in CoB LPS No.1) as 'Open Space Investigation'.

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## Maps

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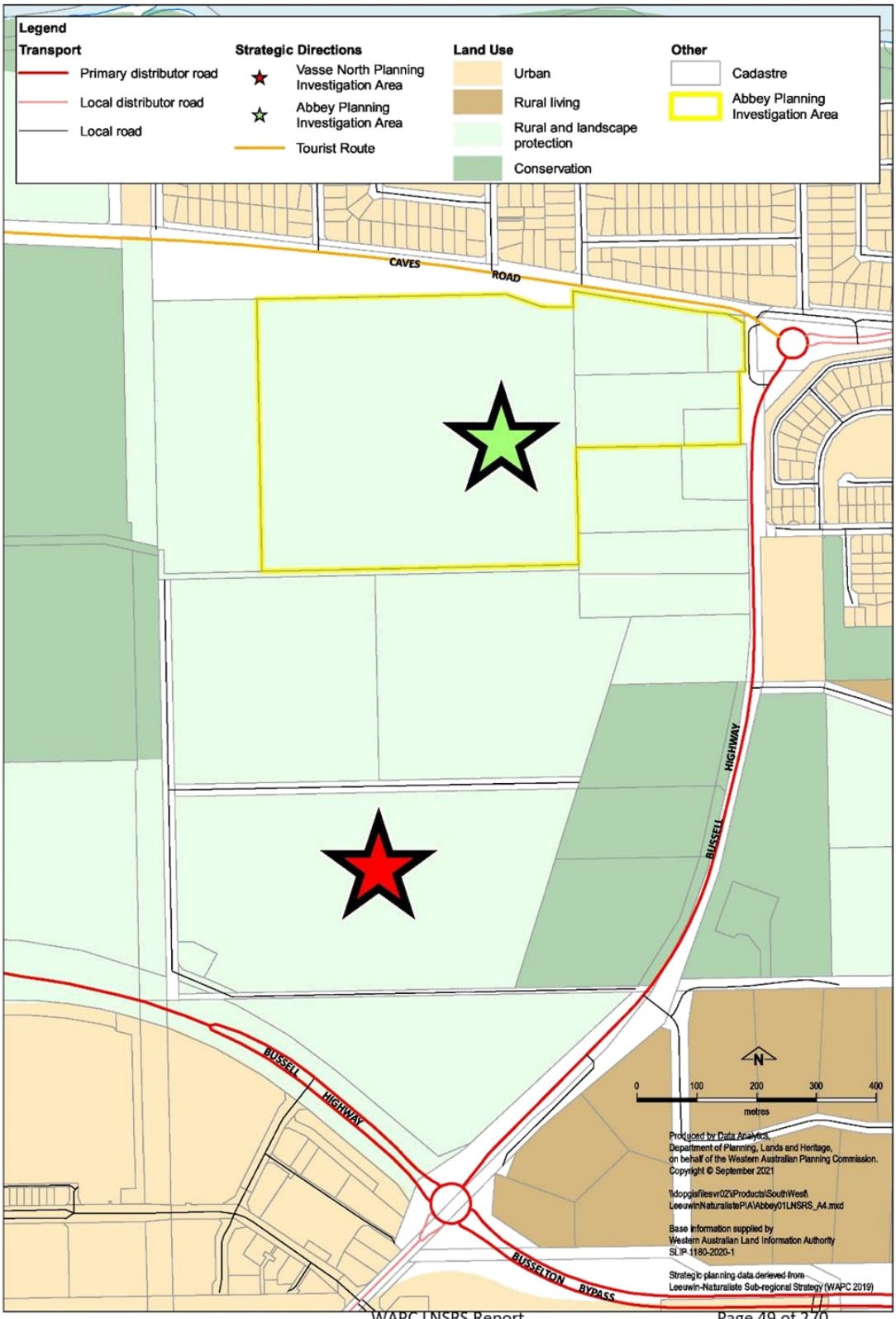
Abbey Planning Investigation Area






Strategy Plan: Leeuwin-Naturaliste Sub-regional Strategy Map 1

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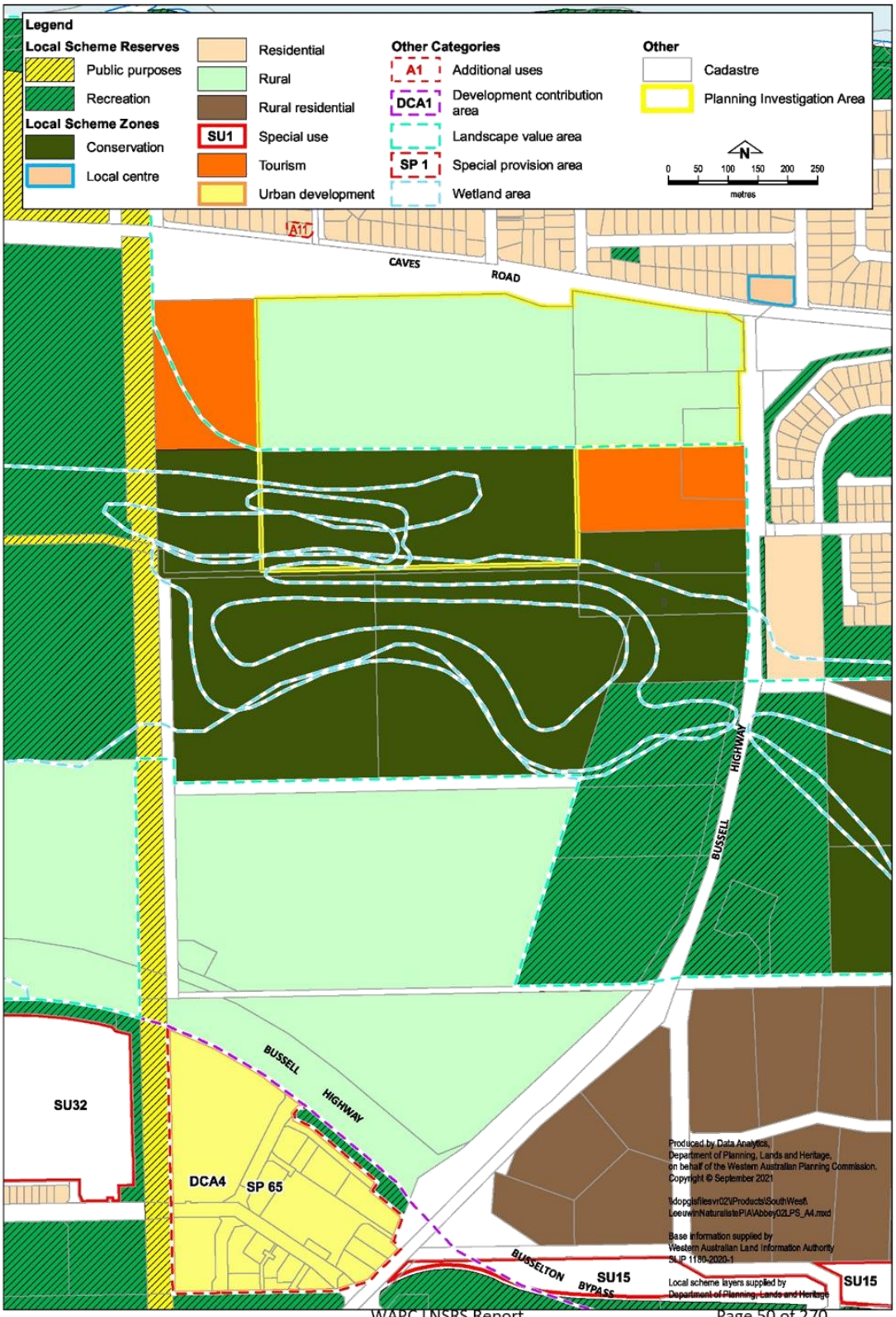
Abbey Planning Investigation Area






**City of Busselton Local Planning Scheme No. 21** Map 2

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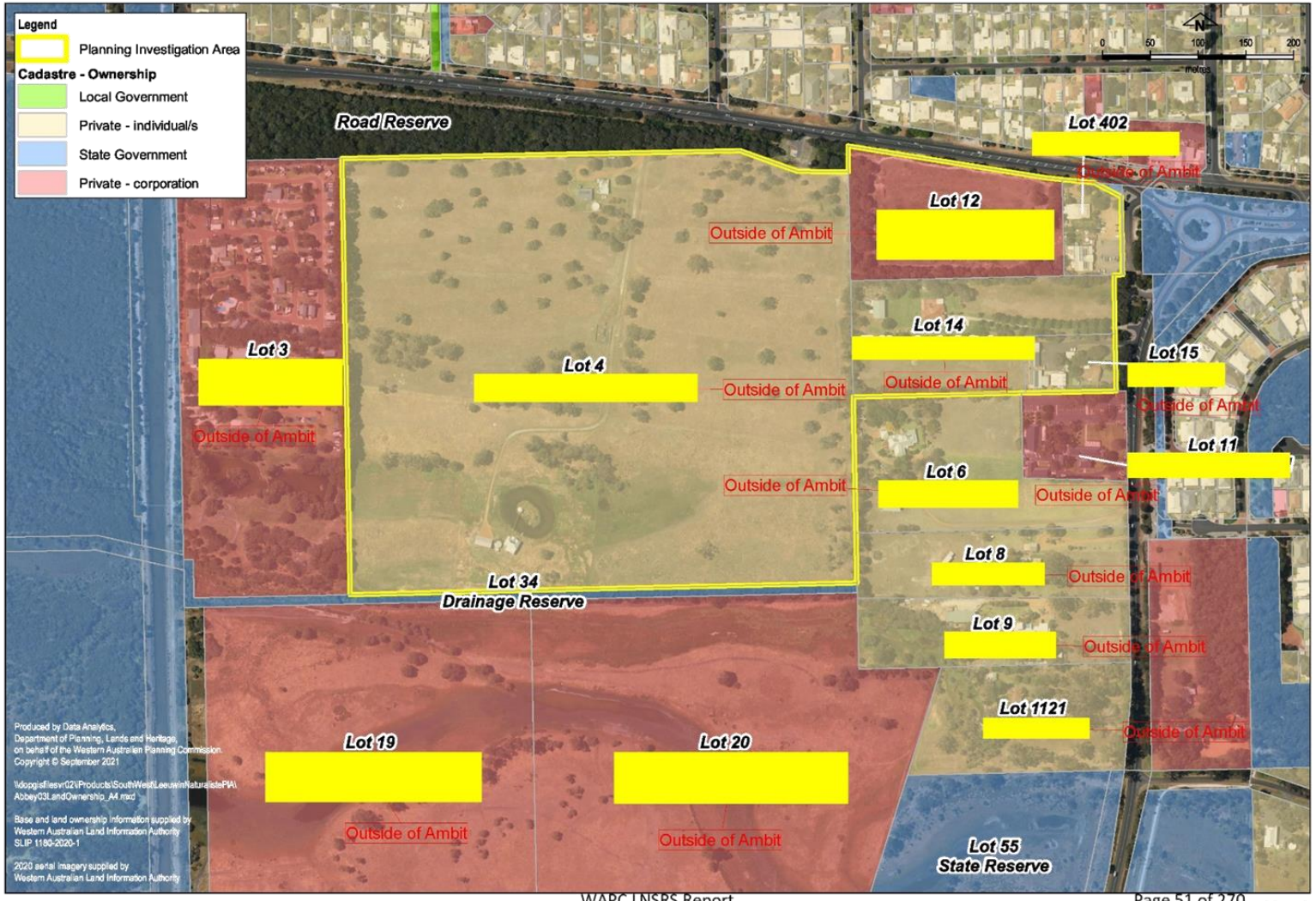
Abbey Planning Investigation Area




**Land Ownership**

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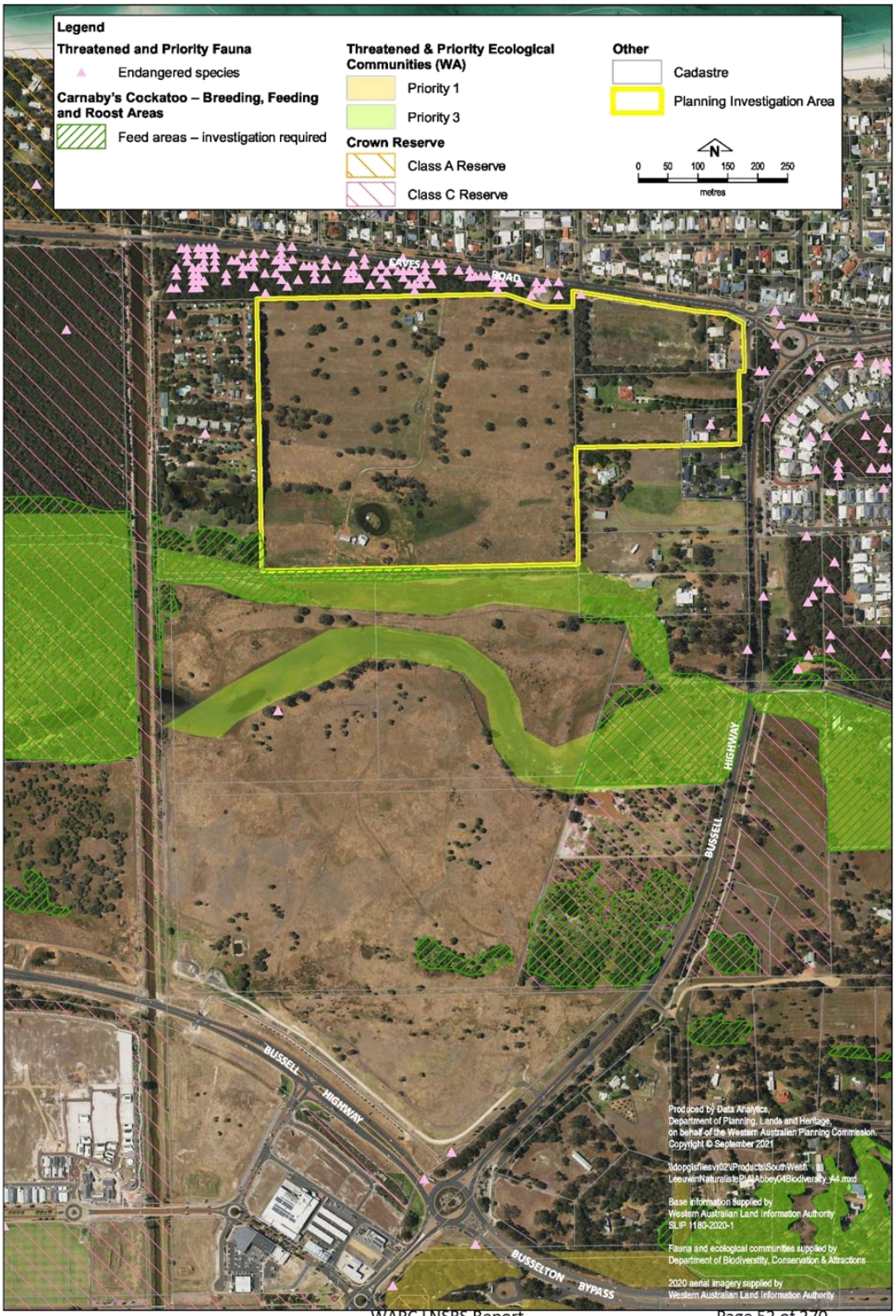
Abbey Planning Investigation Area




**Biodiversity**

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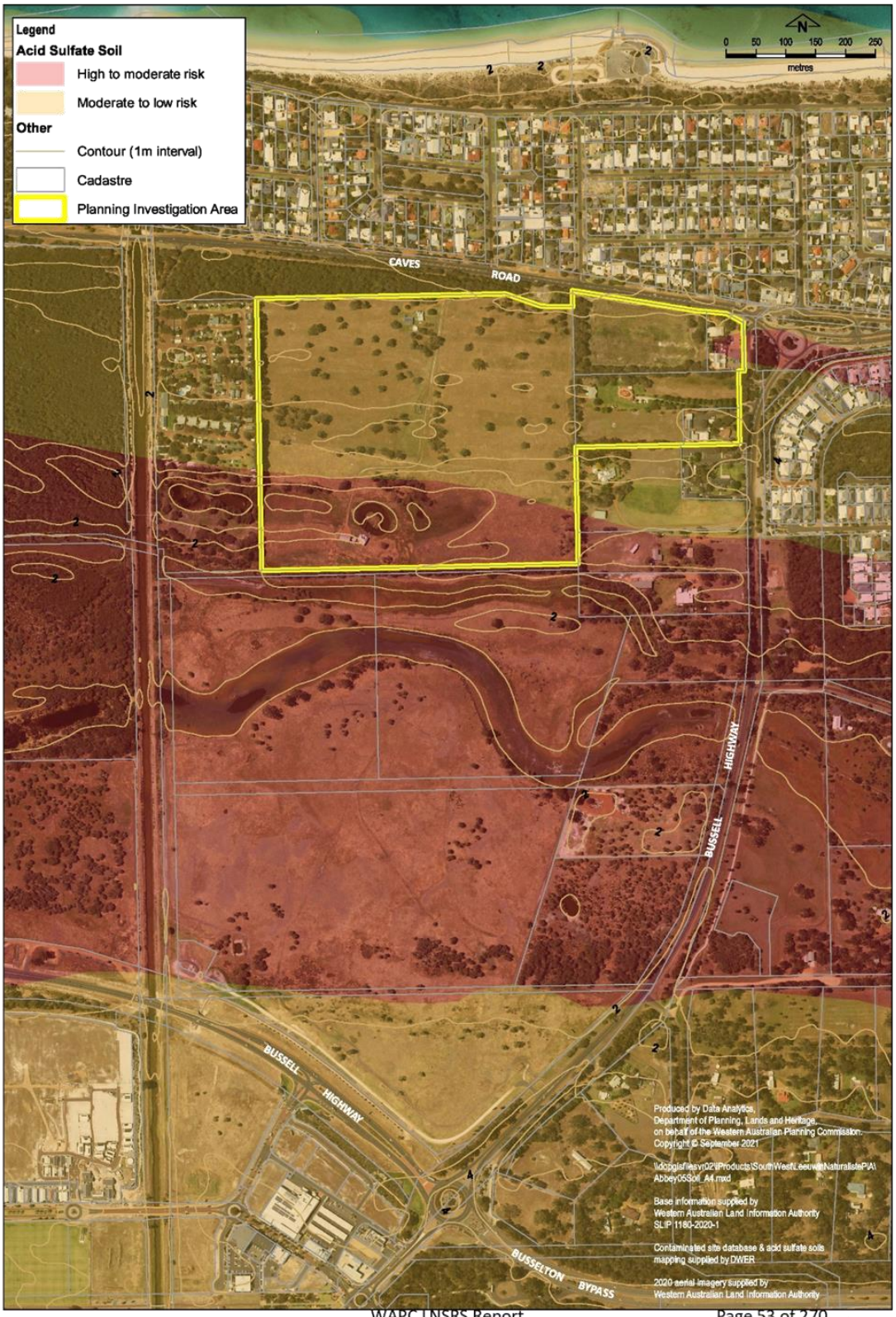
Abbey Planning Investigation Area




**Soil and Land Quality**

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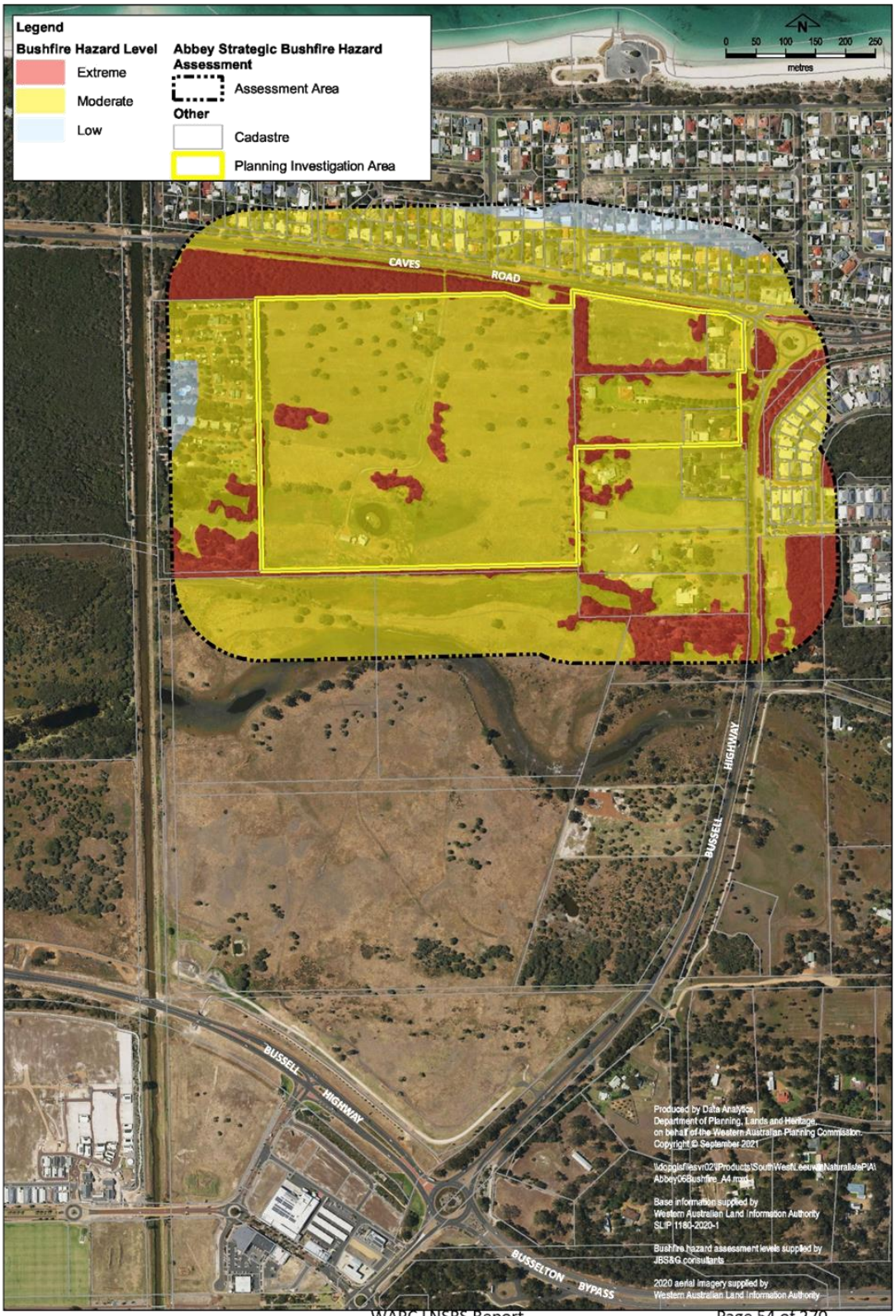
Abbey Planning Investigation Area




**Bushfire**

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Abbey Planning Investigation Area




**Drainage**

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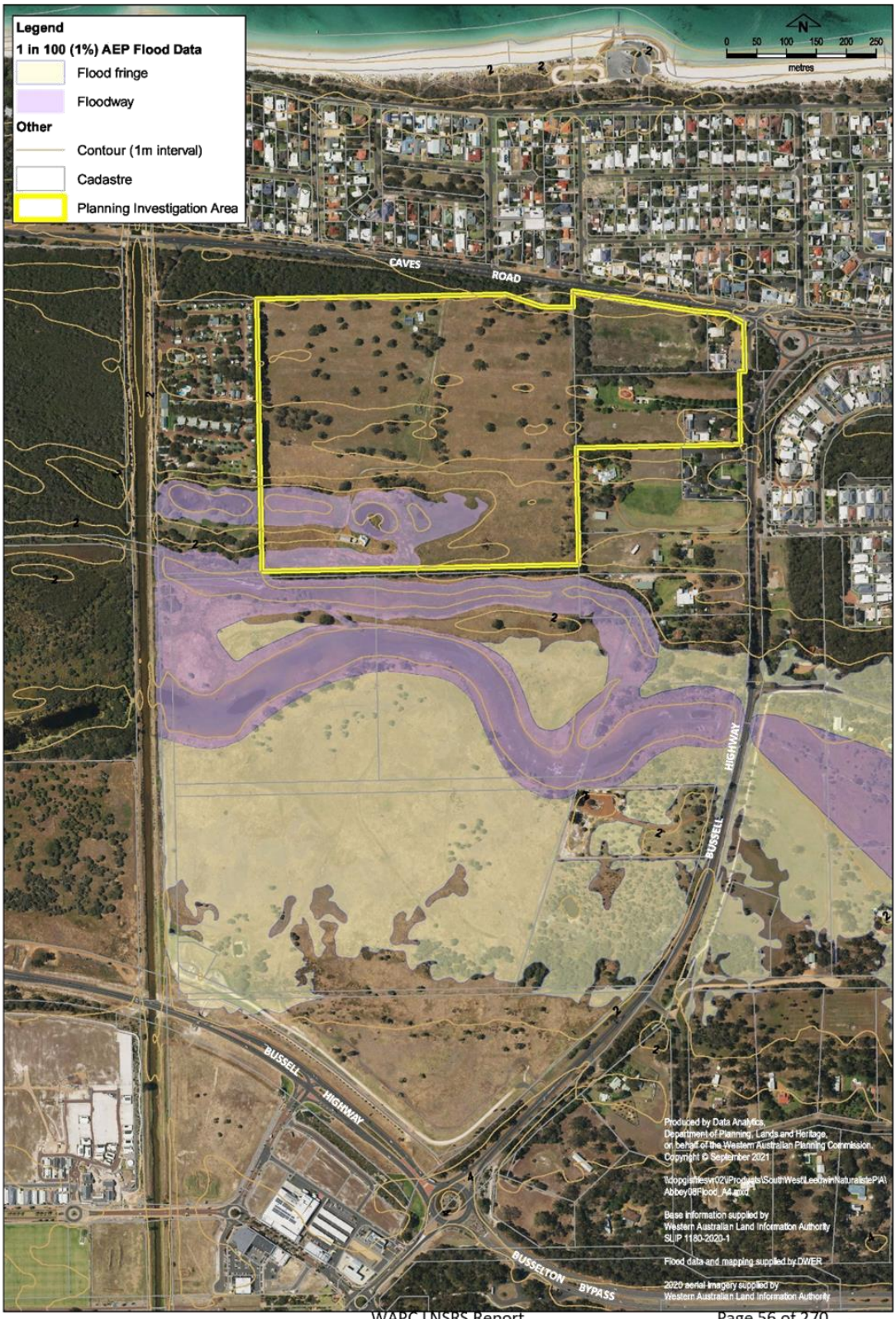
Abbey Planning Investigation Area




**Flood Risk**

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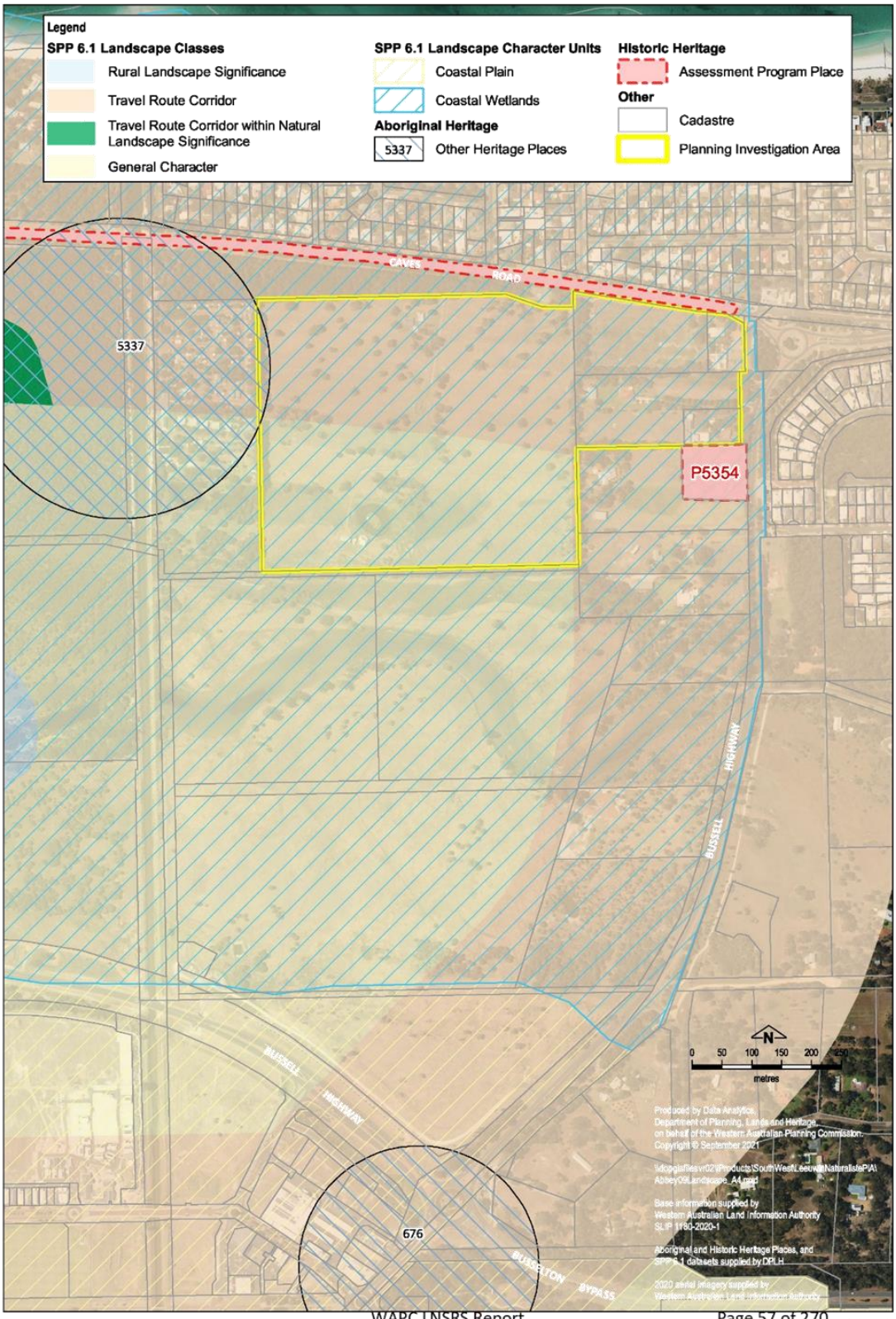




**Landscape** Map 9

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Document No. 2(b)

Department of Planning, Lands and Heritage
GOVERNMENT OF WESTERN AUSTRALIA

# Vasse North Planning Investigation Area

# Preliminary Report

October 2021

www.dplh.wa.gov.au

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| Vasse North PIA Report – Version Control | | | |
|---|---|---|---|
| **Version** | **Date** | **Responsibility** | **Notes** |
| 1.0 | 5 October 2021 | RPP | For executive review |
| 2.0 | 12 Oct 2021 | RPP | Coordination edit and in response to executive review |
| | | | |
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## Acronyms

| | |
|---|---|
| **AEP** | Annual Exceedance Probability |
| **ASS** | Acid sulfate soils |
| **BRM** | Basic Raw Materials |
| **BUWM** | Better Urban Water Management Guidelines |
| **DMIRS** | Department of Mines, Industry Regulation and Safety |
| **DPIRD** | Department of Primary Industries and Regional Development |
| **DPLH** | Department of Planning, Lands and Heritage |
| **DWER** | Department of Water and Environmental Regulation |
| **DWMS** | District water management strategy |
| **GDS** | Gas Distribution System |
| **LPS** | City of Busselton Local Planning Strategy 2020 |
| **MRWA** | Main Roads Western Australia |
| **NEPM** | National Environment Protection (Ambient Air Quality) Measure |
| **PIA** | Planning Investigation Area |
| **TEC** | Threatened Ecological Community |
| **WAPC** | Western Australian Planning Commission |

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# 1 Executive Summary

The Leeuwin-Naturaliste Sub-regional Strategy 2019 (the Strategy) identifies the Vasse North Planning Investigation Area (PIA) as land that will be subject to further planning investigations to consider its suitability for a change of use.

The Vasse North PIA is approximately 1km from the Vasse town centre and Abbey Beach, respectively, and 8km from the Busselton town centre. The Vasse North PIA is approximately 53.6ha. The land is predominantly cleared of native vegetation, with scattered paddock trees and a stand of remnant vegetation (approximately 5,000m$^2$). The land includes a portion of a wetland that connects the Locke and Broadwater Nature Reserves.

The PIA is bound by the Bussell Highway to the east and south and Buayanup River to the west. An unnamed creek winds through the northern extent of the Vasse North PIA (Lots S19 and S20). The PIA has no betterment other than boundary fences and currently has no identifiable land use activities other than livestock grazing.

This report is an investigation using available data to assess whether the area is suitable for a possible change of land use. In this context, 'change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to 'Urban'.

Although the extent of investigation undertaken has been limited to the considerations defined in the Strategy, some other considerations have been assessed where they are material to the investigation. All key considerations detailed in the Strategy have been assessed as shown in Section 1.1 'Findings'.

The Vasse North PIA may best be understood in two parts:

- Lots S19 and S20 to the north, transected by an unnamed creek.
- Lots 9001 and 9010 to the south, abutting Bussell Highway and adjacent to Vasse.

The creek that transects Lots S19 and S20 has environmental values and connects the Locke and Broadwater Nature Reserves. The current health of the creek is unknown, but it is noted that the immediate surrounds have been largely cleared of native vegetation. Lots S19 and S20 are zoned 'conservation' in the City of Busselton Local Planning Scheme No.1. The environmental values, drainage and flood characteristics of Lots S19 and S20 within the Vasse North PIA are of such significance as to preclude changing the land use designation in the Strategy to 'Urban'.

Lots 9001 and 9010 are relatively unconstrained by environmental attributes. The proximity of Lots 9001 and 9010 to the creek does indicate some susceptibility to flooding/inundation. Flood risk and drainage issues is not considered to be to an extent that would preclude considering changing the land use designation in the Strategy to 'Urban'. Other issues noted on Lots 9001 and 9010 include acid sulfate soils, landscape value protection and access to Bussell Highway. These issues do require further consideration in future planning stages, but are not considered to be of such significance as to preclude changing the land use designation in the Strategy to 'Urban'.

Lots S19 and S20 are constrained by environmental attributes attributable to the wetland, including threatened or priority ecological communities. However, given that the land is held in freehold, is largely cleared and abuts land that presents as being suitable for urban purposes, it is recommended that those Lots be designated as 'Open Space Investigation' in the Strategy. This would enable investigation of possible suitable uses for that land such as parklands associated with urban development and possible wetland rehabilitation if required.

In summary, it is recommended that the Vasse North PIA be deleted from the Strategy and that Lots 9001 and 9010 be designated as 'Urban', and Lots S19 and S20 designated as 'Open Space Investigation' in the Strategy.

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## 1.1 Findings

Table 1 shows the key findings for each consideration and a link to the section of the report where the consideration is interpreted and analysed.

*Figure 1 - Findings*

| Consideration | Outcome | | Section |
|---|---|---|---|
| | Lots 9001 & 9010 | Lots S19 & S20 | |
| Biodiversity value protection | ✓ | ✗ | 4.1 Environment |
| Protection of significant environmental values | ✓ | ✗ | 4.1 Environment |
| Biodiversity values (wetlands on Lots S19 and S20) | ✓ | ✗ | 4.1 Environment |
| Bushfire risk | ✓ | ✓ | 4.2 Bushfire |
| Drainage | ✓ | ✗ | 4.3 Water |
| Water source impact (groundwater and surface water) | ✓ | ✓ | 4.3 Water |
| Flood risk | ✓ | ✗ | 4.3 Water |
| Landscape value protection | ✓ | ✓ | 4.4 Landscape |
| Visual landscape separation between Vasse and Busselton | ✓ | ✓ | 4.4 Landscape |
| Utility services capacity | ✓ | ✓ | 4.5 Utilities |
| Regional road access (Bussell Highway and Busselton Bypass) | ✓ | ✓ | 4.6 Regional Roads |
| Basic raw materials demand (land fill to raise ground level) | – | – | 4.7 BRM |

| Key | |
|---|---|
| ✓ | Investigation of the key consideration indicates that the land is **suitable** for a change of land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban'. |
| ✗ | Investigation of the key consideration has identified **concerns** with changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban'. |
| – | Investigation of the key consideration with a view to changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban' cannot be determined due to data limitations and is **inconclusive**. |

In addition to the key considerations addressed in Figure 1, above, it is noted that consideration of the Vasse North PIA cannot be conclusively done without having regard to the Abbey PIA, immediately to the north. Both of the PIAs, but predominantly Vasse North are transected by an unnamed creek. The creek connects the Locke and Broadwater Nature Reserves.

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In summary, the 'Abbey PIA Preliminary Report (October 2021)' recommends that the Abbey PIA be deleted and that:

- The northern portion of the PIA be designated 'Urban'.
- The southern portion of the PIA (adjacent to the Vasse North PIA) be designated as 'Open Space Investigation'.

## 1.2 Recommendation

It is recommended that the Strategy be amended to:

- delete the Vasse North PIA.
- designate the following Lots as 'Urban';
  - Lot 9001 on Plan 69783.
  - Lot 9010 on Plan 409834.
- designate the following Lots as 'Open Space Investigation';
  - Lot S19
  - Lot S20

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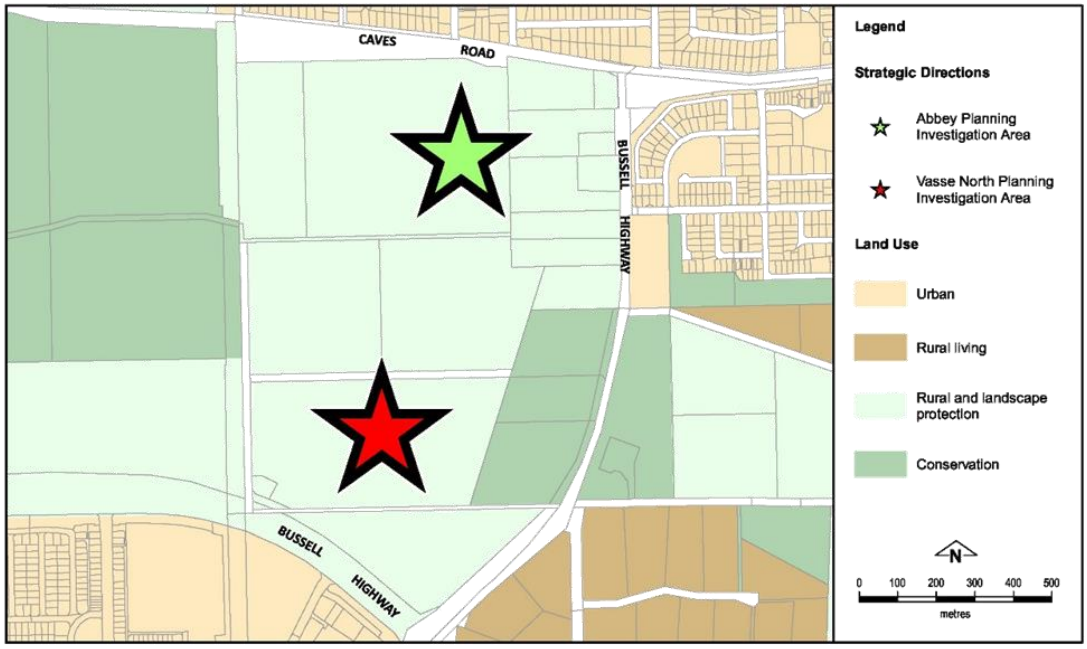
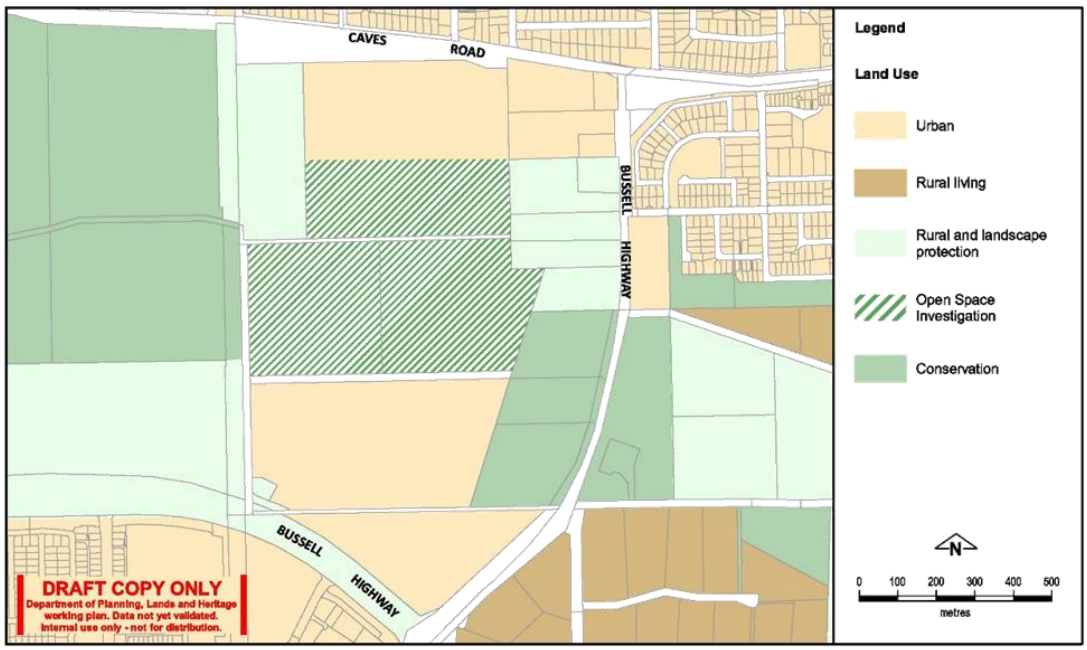
# Abbey and Vasse North Planning Investigation Areas

Proposed amendment to Leeuwin-Naturaliste Sub-regional Strategy




**Existing Strategy Plan**




**Proposed Strategy Plan** **Option 1**

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# 2 Introduction

## 2.1 Background

In May 2019 the Western Australian Planning Commission (WAPC) published the Leeuwin-Naturaliste Sub-regional Strategy (the Strategy).

WAPC action five, listed in section 5 of the Strategy is as follows:

Undertake detailed planning investigations to explore the suitability of the following areas for a possible change of use:

- Dunsborough Planning Investigation Area.
- Margaret River Planning Investigation Area.
- Vasse North Planning Investigation Area.
- Vasse South Planning Investigation Area.
- Abbey Planning Investigation Area.

The Strategy defines Planning Investigation Area (PIA) as:

> *land that will be subject to further planning investigation/s to consider its suitability, and the area of land to be identified, for a possible change of use.*

The Strategy states that:

> *These investigations will determine whether it is possible and/or appropriate to rezone the land. The investigations are required to be undertaken prior to any related local planning scheme amendment process.*
>
> *The designation of an Investigation Area should not be construed as WAPC support for a change from the existing zoning, as this will depend on the outcome of further investigations.*

The Strategy identifies 10 'key considerations' that should be considered for the Vasse North PIA, being:

- Biodiversity value protection.
- Protection of significant environmental values.
- Biodiversity values (wetlands on Lots S19 and S20).
- Bushfire risk.
- Drainage.
- Water source impact (groundwater and surface water).
- Flood risk.
- Landscape value protection.
- Visual landscape separation between Vasse and Busselton.
- Utility services capacity.
- Regional road access (Bussell Highway and Busselton Bypass).
- Basic raw materials demand (land fill to raise ground level).

## 2.2 Purpose

The purpose of this preliminary investigation report is to:

- Interpret the key considerations through the prism of the State Planning Strategy, including defining a clearly articulated investigation extent / limitation.
- Identify data source/s, including clarifying how the key consideration will be investigated if there is no data source.
- Analyse relevant issues.
- Establish findings from analysis of relevant issues.
- Recommend amendments to the Strategy to support the findings.

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## 2.3 Method

The extent of planning investigation undertaken is limited to the key considerations defined in the Strategy. Issues and concerns that are not within the limitations of the applicable key considerations are out-of-scope. Issues or concerns that are out-of-scope, but considered to be material to the investigation of the PIA are listed in the 'other considerations' section.

The underlying principle informing the method of investigations explored in this report is:

> *investigations are to be to the same base standard as the assessment that informed the designation of land uses in the preparation of the Leeuwin-Naturaliste Sub-regional Strategy.*

The base standard is characterised as a desktop analysis of known, existing and available data sources. This report uses the same approach and is to be appropriately referenced. This report is not to be peer reviewed.

For the purposes of this investigation, 'possible change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to the 'Urban' land use designation. The Strategy defines the 'Urban' designation as follows:

> *Land that is:*
>
> *within the extent of an established townsite that is used for a range of uses typically undertaken within a town, including: residential, industrial, commercial, tourism, public and private institutions, and public purposes use including recreation, open space, utilities, emergency services, and cemeteries; and,*
>
> *adjoining land already zoned in a local planning scheme for 'Future Development' or similar and/or that has structure planning in place.*

If the investigation findings and recommendation identify land within the PIA as being suitable for a change of use, the above definition will need to be expanded to include land that has been investigated and identified as being suitable for urban in the future.

If the investigation findings and recommendation identify that there are concerns with identifying land within the PIA as 'Urban' in the Strategy, that land may be identified for another existing or proposed land use designation as appropriate.

If analysis of a key consideration cannot be determined due to data limitations this will not preclude completing the preliminary investigation, subject to noting that the inconclusive nature of that investigation.

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# 3 Vasse North PIA

## 3.1 Description

The Vasse North PIA is approximately 8km from the Busselton town centre and 1km from the Vasse town centre and Abbey Beach, respectively.

The Vasse North PIA is approximately 53.6ha. The land is predominantly cleared of native vegetation, with scattered paddock trees and a stand of remnant vegetation (approximately 5,000m2). The land includes portion of a wetland that connects the Locke and Broadwater Nature Reserves.

The PIA has no betterment other than boundary fences and currently has no identifiable land use activities other than livestock grazing.

Three of the four Lots that comprise the Vasse North PIA are located in the Abbey locality. Lot 9010 is in the Vasse locality. The Buayanup Drain and the Locke Nature Reserve bound the PIA to the west. An unnamed creek winds through the northern extent of the Vasse North PIA (Lots S19 and S20).

The greater extent of the eastern boundary of the PIA abuts two state reserves and two residential properties on large Lots (approximately 2ha). Approximately 400m of the eastern boundary of the PIA addresses Bussell Highway.

The southern boundary of the PIA is defined by approximately 440m of frontage along the Bussell Highway. Additionally, a Water Corporation facility (Lot 600) abuts Lot 9010 to the southwest.

The northern boundary of the PIA is defined by a drainage reserve that is vested in the City of Busselton (Lot 34 Crown Reserve 44754). That Reserve separates Vasse North PIA from the Abbey PIA, also defined in the Leeuwin-Naturaliste Sub-regional Strategy.

The PIA is transected by a Western Power overhead electricity line and a Water Corporation sewer pressure mains.

A road reserve that runs east-west separates Lot 9001 from Lots S19 and S20. That road reserve is unconstructed, but it is noted that some sources refer to it as 'Bovell Road', although the status of that name is unclear. Similarly, an unconstructed road reserve separates Lots 9001 and 9010. It is noted that some sources refer to that road reserve as 'Fox Road', although the status of that name is unclear. For the purposes of this investigation, the PIA extent includes those two unconstructed road reserves in so far as they form a part of the body of the PIA, ie. not including those portions that extend beyond the north-south alignments of the PIA boundaries.

The land is generally fenced as a single parcel, with no fences or other betterment matching cadastre within the PIA land.

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*Figure 2 - Context*




## 3.2 Local planning strategy

The City of Busselton (CoB) Local Planning Strategy (LPS) was endorsed by the WAPC in March 2020.

The LPS identifies this area of Vasse North as a Planning Investigation Area, with no further notes or guidance in that regard.

## 3.3 Local planning scheme

The PIA is within the City of Busselton Local Planning Scheme No. 21. The PIA is zoned 'rural' and 'conservation' (see Map 2).

## 3.4 Landownership

The table below summarises the existing land use and land ownership details.

*Figure 3 - Landownership*

| Land Parcel | Landownership | Land use | | | Area (approx.) |
|---|---|---|---|---|---|
| | | Scheme* | Strategy** | Existing | |
| S19 (Plan 23941) | Outside of Ambit | conservation | Rural & landscape protection | No active use | 11.7126ha |
| Lot S20 (Plan 23941) | | conservation | Rural & landscape protection | No active use | 12.8411ha |
| Lot 9001 (Plan 69783) | | rural | Rural & landscape protection | No active use | 19.9389ha |

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| Land Parcel | Landownership | Land use | | | Area (approx.) |
|---|---|---|---|---|---|
| | | Scheme* | Strategy** | Existing | |
| Lot 9010 (Plan 409834) | Outside of Ambit | rural | Rural & landscape protection | No active use | 9.1852ha |

*** City of Busselton Local Planning Scheme No.21**
**** Leeuwin-Naturaliste Sub-regional Strategy**

## 3.5 Leeuwin-Naturaliste Sub-regional Strategy

Strategic Direction 7 of the Strategy provides guidance regarding the Vasse North PIA as follows:

> *Designate the Vasse North Planning Investigation Area over land to the north of Vasse for detailed investigation by the WAPC on the suitability of this land for a potential change of use. The Vasse North Planning Investigation Area comprises of the following land parcels: Lot S19 and Lot S20 on Plan 23941, Lot 9001 on Plan 69783 and Lot 9010 on Plan 409834.*

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# 4 Analysis

The key considerations are interpreted through the WAPC State Planning Framework. The table below illustrates where each key consideration has been addressed.

*Figure 4 – Section structure*

| Section | | Key consideration (Section 7 of Strategy) |
|---|---|---|
| 4.1 | Environment | • Biodiversity value protection |
| | | • Protection of significant environmental values |
| | | • Biodiversity values (wetlands on Lots S19 and S20) |
| 4.2 | Bushfire | • Bushfire risk |
| 4.3 | Water | • Drainage |
| | | • Water source impact (groundwater and surface water) |
| | | • Flood Risk |
| 4.4 | Landscape | • Landscape value protection |
| | | • Visual landscape separation between Vasse and Busselton |
| 4.5 | Utilities | • Utility services capacity |
| 4.6 | Regional roads | • Regional road access (Bussell Highway and Busselton Bypass) |
| 4.7 | BRM | • Basic raw materials demand (Land fill to raise ground level) |

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## 4.1 Environment

Three of the 'key considerations' in the Strategy focus on the natural environment, with significant overlap:

- Biodiversity value protection
- Protection of significant environmental values.
- Biodiversity values (wetlands on Lots S19 and S20)

For coherence and clarity, these are considered together, as below.

### Interpretation

State Planning Policy 2.0 - Environment and Natural Resources Policy (SPP 2.0) contains policy measures on the following:

- agricultural land and rangelands (covered by Agricultural Use Protection and State Planning Policy 2.5 – Rural Planning (SPP 2.5)).
- air quality.
- biodiversity.
- greenhouse gas emissions and energy efficiency.
- landscape.
- marine resources and aquaculture.
- minerals, petroleum and basic raw materials (BRM).
- soil and land quality.
- water resources.

Basic raw materials investigation is at section 4.X and therefore does not form a part of the investigation of this key consideration.

Having regard to the definitions of 'environment' and 'environmental values' in the *Environmental Protection Act 1986*, and investigations required by other key considerations it is appropriate to interpret 'environmental values' as referring to the following elements listed in SPP2.0:

- agricultural land.
- air quality.
- Biodiversity.
- soil and land quality.
- Minerals and petroleum.

**In the context of this assessment, 'environmental values' investigation is interpreted to mean:**

- **Assessment as to whether the agricultural land, air quality, biodiversity, soil and land quality and minerals and petroleum characteristics of the PIA extent may preclude changing the use of the land.**

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## Analysis

### *Agricultural land*

SPP 2.5 defines Agricultural Use as:

> *A subset of rural land used specifically for agricultural purposes including agriculture – extensive, agriculture – intensive, pastoral uses, plantations and agro forestry. This may include industry – primary production, but does not include rural living.*

Relevant to agricultural use, SPP 2.5 makes a distinction between 'rural land' and 'priority agricultural land', with a greater level of protection afforded to 'priority agricultural land'. SPP 2.5 supports "existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;".

A key consideration is retaining land identified as priority agricultural land in a planning strategy or scheme for that purpose.

SPP 2.5 defines priority agricultural land as:

> *Land of State, regional or local significance for food production purposes due to its comparative advantage in terms of soils, climate, water (rain or irrigation) and access to services. Priority agricultural land is derived from High Quality Agricultural Land data that has been subject to consultation and refinement, and has removed land required for existing and future urban/development areas, public use areas and land required for environmental purposes.*

A priority agricultural land assessment has not been identified or conducted for the Busselton-Vasse area. The Department of Primary Industries and Regional Development (DPIRD) identifies 'high quality agricultural land' using a methodology that combines land and water resource information, to highlight areas of land valuable to agriculture and worthy of protection to ensure that resources meet future industry needs.

An assessment of the Vasse North PIA has not been undertaken. In that regard, this investigation remains unable to be determined and inconclusive. Never-the-less, given that the PIA includes a creek and associated coastal saltmarsh and is proximate to existing urban areas, it is considered unlikely that the land would be characterised as priority agricultural land, on assessment.

### *Air Quality*

SPP 2.0 establishes that planning should have regard to the *National Environment Protection (Ambient Air Quality) Measure* (NEPM), which sets protection goals for carbon monoxide, nitrogen dioxide, photochemical oxidants, sulfur dioxide, lead and particles (PM10 and PM2.5).

DWER operates and maintains an air quality monitoring site in Busselton. Before 2019/20, one air quality pollutant (PM2.5) was monitored in Busselton. A PM10 particle monitor has since been installed. Data is only publicly available for PM2.5.

DWER's Air Quality Monitoring in Busselton (July 2016) includes the following key points:

- Air quality in Busselton is considered good on most days, although some poor air quality events occur in any given year.
- Poor air quality events have been primarily attributed to prescribed fire hazard reduction burns or bushfires.
- Monitoring will continue in accordance with NEPM as the national standard.

SPP 2.0 also includes a policy measure for planning to have regard to the potential for conflict between sensitive land uses and activities with air emission impacts. A range of activities that have the potential to impact on air quality is identified in the Environmental Protection Authority's (EPA) *Environmental Factor Guideline: Air Quality 2020* (AQ Guideline). These activities include:

- waste to energy plants.

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- oil and gas capture, processing and refining.
- heavy industries that emit atmospheric waste.
- bulk handling and transport (via road and rail) of materials.
- port operations.
- stockpiling of bulk material.
- crushing and screening of materials
- incineration of wastes.
- mining and associated processes
- chemical manufacturing and processing.

None of the activities listed in the AQ-Guideline are proximate to the Vasse North Planning Investigation Area.

Given its proximity to existing residential areas, the subject area is not considered to be suitable for a change of use that would constitute an activity that may be considered harmful under the AQ Guideline.

*Biodiversity*

SPP 2.0 establishes that planning should consider mechanisms to protect areas of high biodiversity and/or conservation value. Of most relevance to the subject area, this includes land containing Threatened Flora or Threatened Ecological Communities, or that which is habitat to Threatened Fauna.

Environmental legislation at the State and Commonwealth level provides statutory listing and protection for ecological communities, flora and fauna/fauna habitats of conservation significance. A desktop review of relevant geospatial datasets has identified in Table 2 (below) and Map 3.

*Figure 5 – Conservation significance*

| Value | Not mapped within or proximate to subject area | Mapped within or proximate to subject area | | Description |
|---|---|---|---|---|
| | | Within | Proximate | |
| Threatened Ecological Community (TEC) / Priority Ecological Community (PEC) | | ✓ | | Possible occurrence of TEC (Coastal Saltmarsh) in northern portion of PIA. |
| Threatened and priority flora | ✓ | | | - |
| Threatened and priority fauna/fauna habitat | | ✓ | ✓ | Northern portion forms part of South West Regional Ecological Linkage.<br>Recording of an endangered mammal within PIA.<br>PIA is within the distribution area for threatened black cockatoos.<br>Areas require investigation as possible Carnaby's Cockatoo Feed Areas, being patches of remnant and riparian vegetation<br>PIA is within Primary Corridor for Ringtail Possums habitat. |

In the absence of detailed site-specific assessments for the Vasse North PIA confirming the existence of conservation significant ecological communities, flora or fauna, the desktop analysis does not identify any biodiversity factors that would preclude a possible change of use.

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Beyond the coastal saltmarsh in the northern portion, the PIA is substantially cleared, severely limiting the capacity for the land to provide suitable habitat for conservation significant communities. Future development associated with a change of use would likely be able to occur in a manner that seeks to avoid or minimise adverse impacts, directly or indirectly, on any areas with conservation value.

Using available information to assess the biodiversity characteristics of Vasse North using the land for urban purposes would require the land to be filled:

- Lots S19 and S20
  - Highly likely to have biodiversity values (coastal saltmarsh)
- Lot 9001 and 9010
  - Likely to have very limited biodiversity values (predominantly cleared paddocks)

If a change of use is to proceed, detailed site-specific assessments of biodiversity impacts would be required as part of subsequent planning stages, including rezoning of the land. This would include a statutory referral to the Environmental Protection Authority, which provides advice on the environmental acceptability of proposed amendments to a local planning scheme.

*Soil and Land Quality*

Acid Sulfate Soils

SPP 2.0 establishes that planning decision-making should identify existing and potential areas affected by acid sulfate soils (ASS) and, where appropriate, facilitate measures to reduce impacts.

ASS are naturally occurring soils, sediments and peats that contain iron sulphides. When exposed to atmospheric oxygen, ASS can form sulfuric acid and consequently release aluminium, nutrients and heavy metals (particularly arsenic) into the soil matrix. The release of these products into the soil and groundwater can be detrimental to biota, human health and built infrastructure.

DWER has published ASS risk maps of the Swan Coastal Plain. In relation to the Vasse North PIA (refer to Map 4):

- The majority is mapped as Class 1: High to moderate risk of ASS occurring within 3m of the natural surface.
- The southern portion is mapped as Class 2: Moderate to low risk of ASS occurring within 3m of the natural surface but high to moderate risk of ASS beyond 3m of natural soil surface.

The WAPC's *Acid Sulfate Soils Planning Guideline* (ASS Guideline) confirms that ASS are technically manageable in the majority of cases, with the only exception being in the case of marinas, boat harbours and canal estates. Investigations are required at structure planning stage to determine the presence and distribution of ASS, and demonstrate the capacity of the land to sustain the proposed land uses.

Based on the DWER data, it appears that the Vasse North PIA is generally not suitable for land uses that require relatively deep soil extraction, including:

- extractive industries
- golf course
- marina
- canal estate
- ornamental lakes
- developments that require building construction below the existing ground level.
- developments that require sewerage or subsoil drainage systems below the existing ground level.

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Based on the available information, it appears that the possible existence of acid sulfate soils is not a reason to preclude changing the use of the land. Detailed assessment of disturbance risk and mitigation options can be addressed in subsequent planning stages, if required.

### Contaminated Sites

SPP 2.0 establishes that planning should recognise and consider land that is degraded or contaminated, or has the potential to become so.

DWER is responsible for administering and enforcing the *Contaminated Sites Act 2003*, which includes classifying sites on the Contaminated Sites Database. A search has been undertaken, and the Vasse North PIA does not contain any sites on the Contaminated Sites Database.

The development history of the site has not been able to be confirmed as a part of this investigation. Based on the available information, it appears that site contamination is not a reason to preclude consideration to change the use of the land.

### *Minerals, Petroleum and BRM*

SPP 2.0 establishes that planning should identify and protect important and economic mineral resources to enable mineral exploration and mining.

DMIRS is responsible for administering the 'Mines, mineral deposits and prospects' database under the *Mining Act 1970*. The Petroleum and *Geothermal Energy Resources Act 1967* requires the provision of information on petroleum activities, with DMIRS administering a petroleum exploration database.

A search of the relevant databases for the Vasse North PIA did not identify any mineral resources or petroleum activity that requires protection from urban land development.

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the environmental values of the Vasse North PIA has focused on the following:

- agricultural land
- air quality
- biodiversity
- soil and land quality
- minerals and petroleum

An analysis of available datasets, information and policy has identified that protection of these environmental values is not a consideration that would preclude changing the land designation of the Vasse North PIA in the Strategy. In particular;

- Lot 9010 is largely free of environmental constraints, as defined above, to using that land for urban purposes.
- Lot 9001 has some environmental values (a large stand of native vegetation (approximately 5, 000m2) and a portion of creek), but otherwise is largely free of environmental constraints, as defined above, to using that land for urban purposes.
- Lots S19 and S20 are transected by a creek with associated remnant vegetation, and are recognised as having environmental values.

Any proposal to amend the City of Busselton Local Planning Scheme No.21 to rezone the Vasse North PIA will need to be accompanied by detailed site-specific assessments to determine the presence or absence of environmental constraints such as conservation-significant biodiversity or acid sulfate soils. The *Environmental Protection Act 1986* sets out a regime which requires the environmental assessment of such proposals where there is likely to be a significant effect on the environment.

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Other environment related considerations such as landscape and water resources are addressed later in this report.

## 4.2 Bushfire

'Bushfire risk' is a universal key consideration in the Strategy.

### Interpretation

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) defines 'bushfire risk' as:

> *The chance of a bushfire igniting, spreading and causing damage to people, property and infrastructure.*

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services Commissioner.

Section 6.2 of SPP 3.7 provides that:

> *Higher order strategic planning documents such as frameworks, region schemes and sub-regional structure plans should include high level consideration of relevant bushfire hazards when identifying or investigating land for future development.*

**In the context of this assessment, 'bushfire risk' investigation is interpreted to mean:**

- **Consideration as to whether the likely Bushfire Hazard Level assessment of the PIA extent may preclude changing the use of the land.**

### Analysis

A Strategic Bushfire Hazard Assessment was prepared in 2020 by consultants Emerge on behalf of DPLH to:

- Provide a broad overview of the bushfire risk profile and exposure;
- Identify the potential bushfire opportunities and constraints for future land use intensification;
- Inform future bushfire investigations and assessments.

The Assessment is for Lots 9001 and 9010 only, and is limited to a strategic level of investigation and all data will need to be confirmed through future planning processes via detailed site investigation and Bushfire Hazard Level (BHL)/Bushfire Attack Level (BAL) contour mapping and reporting.

The entire Vasse North PIA is designated as 'Bushfire Prone' in accordance with SPP3.7, and as such, further assessment against the requirements of SPP3.7 is required.

The Strategic Bushfire Hazard Assessment concludes as follows:

> *On the basis of the information contained in this report, Strategen-JBS&G considers the bush fire hazards and associated bushfire risks both within and adjacent to the Vasse North PIA could be managed through standard bushfire mitigation responses to meet the relevant objectives, standards and compliance requirements of SPP 3.7, the Guidelines and AS 3959. Bushfire management measures tailored to the specific risk profile for the Vasse North PIA would need to be developed early in the planning process through careful development design in accordance with Guideline acceptable solutions. To this end, Strategen-JBS&G considers that the Vasse North PIA will be able to be developed with a manageable level of bushfire risk whilst maintaining full compliance with SPP 3.7, the Guidelines and AS 3959 as part of future statutory bushfire management planning assessment and documentation processes.*

### Outcome

Analysis of the consultant prepared Strategic Bushfire Hazard Assessment concludes that the bushfire hazards and associated bushfire risks both within and adjacent to the Vasse North PIA could be managed through standard bushfire mitigation responses to meet the relevant objectives, standards and compliance requirements of SPP3.7, the Guidelines and AS 3959. Bushfire risk is therefore not a

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consideration that would preclude changing the land use designation of the Vasse North PIA in the Strategy.

## 4.3 Water

Two of the key considerations in the Strategy focus on water-related issues, being:

- Drainage
- Water source impact (groundwater and surface water).

In the case of the Vasse North PIA 'Flood risk' is listed as a specific key consideration.

The need for integrated water resource management is recognised by the State Government through a suite of policy statements and strategies across the water and planning portfolios.

Integrated water resource management is an approach that holistically considers all aspects of water including drinking water, groundwater, stormwater, wastewater, flooding, wetlands and waterways.

A key principle of this approach is the integration of water and land use planning – development and water resource management are interrelated and should be delivered in an integrated manner. The WAPC's State Planning Framework outlines how water resource management should be integrated into planning processes. Relevant provisions of the State Planning Framework include:

- State Planning Policy 2.0 – Environment and Natural Resources Policy (SPP 2.0)
- State Planning Policy 2.9 – Water Resources (SPP 2.9)
- Better Urban Water Management Guidelines (BUWM)
- Draft State Planning Policy 2.9 – Planning for Water
- Draft State Planning Policy 2.9 – Planning for Water Guidelines.

To reflect the principles of integrated water resource management and emphasise their interconnected nature, the investigation of the 'Drainage', 'Flood risk' and 'Water source impact (groundwater and surface water)' considerations are consolidated in this section.

### Interpretation

*Drainage*

The term 'drainage' is not defined in the State Planning Framework. It is commonly understood to mean the natural or artificial removal of a surface's water from an area with an excess of water.

The related concept of 'stormwater' is addressed in the State Planning Framework as a component of urban water management.

SPP 2.0 includes the following relevant policy measures:

- Encourage urban water management through water sensitive design approaches that better manage stormwater quality and quantity; that reduce the impact of stormwater flows to streams, wetlands and coastal waters; and that control or remove pollutants and nutrients.
- Ensure the provision of adequate setbacks between development and the foreshores of wetlands, waterways, estuaries and the coast, in order to maintain or improve the ecological and physical function of water bodies. Such setbacks will aim to maintain the natural drainage function...and facilitate filtration of sediment and waste associated with surface run-off from adjacent land uses.

Detailed guidance on urban water management is provided in State Planning Policy 2.9 and BUWM. SPP 2.9 provides guidance for the determination of appropriate buffering of waterways and estuaries.

**In the context of this assessment, 'drainage' investigation is interpreted to mean;**

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- **Consideration as to whether urban water management requirements, and the potential need to provide an appropriate setback to any wetland or waterway, may preclude changing the use of the land.**

*Flood Risk*

The term 'flood risk' is not defined in the State Planning Framework. It can be understood as a combination of the chance of a flood occurring and the consequences of the flood for people, property and infrastructure.

With regard to flooding, SPP 2.9 includes the following policy measure:

> *Identify all floodplains and areas that are prone to surface flooding or groundwater inundation. Ensure that no development is in a flood path that could carry an increased risk to public safety or property.*

State Planning Policy 3.4 – Natural Hazards and Disasters includes 'flood' as a hazard consideration as follows:

> *Proposed development on a floodplain is considered acceptable with regard to major flooding as long as it does not produce an adverse impact on surrounding development and it has an adequate level of flood protection. Land uses in flood prone areas should not allow development that will obstruct floodways…The 100-year average recurrence interval flood should be used as the defined flood event.*

**In the context of this assessment, 'flood risk' is interpreted to mean:**

- **Identification of floodplains and areas that are prone to surface flooding or groundwater inundation, and consideration as to whether potential development in a floodplain would increase the risk to public safety or property and may preclude changing the use of the land.**

*Water Source Impact (Groundwater and Surface Water)*

The following State Planning Policies are relevant to this section:

- State Planning Policy 2.7 – Public Drinking Water Source (SPP 2.7)
- SPP 2.9.

SPP 2.7 applies to proclaimed Public Drinking Water Source Areas and is focused on protecting public water supplies that are obtained from groundwater and surface water resources.

SPP 2.9 includes the following:

> *Water resources are defined as 'water in the landscape (above and below ground) with current or potential value to the community and the environment. Water resources that may be the subject of this policy include the following natural or modified features:*
>
> - *wetland (such as a seasonal or intermittent lake, swamp, marsh, spring, dampland and tidal flat, and including significant artificial wetlands)*
> - *waterway (such as river, stream and creek)*
> - *estuaries*
> - *groundwater*
> - *surface water*
> - *irrigation dam*
> - *floodplain*
> - *foreshore*
> - *stormwater*
> - *existing and future surface and groundwater drinking water catchments and sources (for example reservoirs and borefields) for public and private supplies*
> - *wastewater.*

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Wetland, waterway, estuaries, groundwater, surface water, irrigation dam, floodplain, foreshore and stormwater elements of SPP 2.9 are either considered elsewhere in this review or are not relevant to the assessment of the PIA.

**In the context of this assessment, 'water source (groundwater and surface water)' investigation is interpreted to mean:**

- **Assessment as to whether an existing or proposed proclaimed Public Drinking Water Source Area may preclude changing the use of the land.**

## Analysis

### *Drainage*

Integrated water resource and land use planning seeks to ensure an appropriate level of consideration is given to the total water cycle at each stage of the planning system.

Planning at the scale of this PIA investigation should ideally be supported by a district water management strategy (DWMS). The purpose of such a document is to demonstrate that an area is capable of supporting the change in land use and to identify land areas required for water management.

A DWMS covering the enquiry area does not exist.

Should this investigation conclude that the land is suitable for a change of use, future planning stages would need to be accompanied by a district water management strategy and/or a local water management strategy. Such strategies would include detailed, site-specific work on the following:

- Water balance modelling
- Hydrological regime of water dependent ecosystems and ecological health
- Groundwater monitoring and modelling
- Surface water monitoring and modelling
- Monitoring of flows in existing streams or drainage systems.

The Vasse North PIA is within close proximity of the Geographe Bay, which is located approximately 1.5 kilometres to the north of the site.

The Buayanup Drain is located approximately 150 metres to the west of the site, This drain has been highly modified in the vicinity of the site and discharges north in to Geographe Bay.

Maintaining the connectivity between the floodway feature within the site and the same feature in the low the low-lying land to the south will be an important consideration, both avoiding development in the floodway and maintaining connectivity.

There are no 'Conservation Category' wetlands or 'Resource Enhancement' wetlands identified within the site. Essentially all of the Vasse North PIA is mapped 'Multiple Use' wetland, with only a minor section of land in the south-east of Lot 9010 adjoining Bussell Highway not mapped as any sort of Geomorphic Wetland. Multiple Use wetlands do not prevent development of a site, as management of the wetland in response to urban development can be addressed using water management and drainage planning.

A general description and summary of the objectives for each wetland management category is summarised on table 3, below.

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*Figure 6 – Wetland management categories*

| Management Category | General Description | Management Objectives |
|---|---|---|
| **Conservation** | Wetlands which support a high level of attributes and functions | Highest priority wetlands.<br>Objective is to preserve and protect the existing conservation values of the wetlands through various mechanisms including:<br>- reservation in national parks, crown reserves and State owned land protection under Environmental Protection Policies.<br>- wetland covenanting by landowners.<br>- no development of clearing is considered appropriate. These are the most valuable wetlands and any activity that may lead to further loss or degradation is inappropriate. |
| **Resource Enhancement** | Wetlands which may have been partially modified but still support substantial ecological attributes and functions | Priority wetlands.<br>Ultimate objective is to manage, restore and protect towards improving their conservation value. These wetlands have the potential to be restored to Conservation category. This can be achieved by restoring wetland function, structure and biodiversity.<br>Protection is recommended through a number of mechanisms. |
| **Multiple Use** | Wetlands with few remaining important attributes and functions | Use, development and management should be considered in the context of ecologically sustainable development and best management practice catchment planning through landcare. |

The creek that connects the Locke and Broadwater Nature Reserves transects Lots S19 and S20. The drainage issues evident on those Lots are likely to be of such an extent as not to be able to support a change of use to an 'Urban' designation as defined in the Strategy. However, the wetlands on Lots S19 and S20 could be incorporated in the design of public open space and/or drainage networks at the detailed planning stage, if development of the southern two Lots were to occur.

Although the majority of Lots 9001 and 9010 are identified as an area of Multiple Use wetlands, they are somewhat distant from the coastal saltmarsh and that land may be able to be appropriately drained to achieve ecologically sustainable development and best management practice catchment planning if a change of land use were to occur.

Subsequent planning phases will require site-specific assessments of wetlands and waterways to determine their attributes, values and functions, and to determine appropriate setbacks.

### *Flood Risk*

Based on a review of DWER's floodplain mapping, the PIA has significant amounts of land within a recognised Floodway (1 in 100 year [1% Annual Exceedance Probability] - Flood Data), and development in this category is generally not supported.

The Vasse North PIA has similar predevelopment site characteristics to the existing Vasse Estate, including wetland mapping and proximity to the Bauyanyup River Main Drain. The northern extent of the Vasse North PIA is outside of the mapped Broadwater Swamp 100yr ARI floodplain.

Development finished floor levels would need to meet criteria for both freeboard above the Bauyanyup River Main Drain 100yr ARI (1% AEP) flood levels, and freeboard above Broadwater Swamp 100-year ARI flood levels taking into consideration additional 'breakout flow' from any failure of the Bauyanyup River Main Drain embankments and Vasse Diversion Drain embankments (JDA, 2017).

The Vasse North PIA is not included in the City of Busselton draft 'Coastal Hazard risk management and adaptation planning' (CHRMAP) for coastal areas within the City, and the site is not considered to be subject to coastal process issues associated with climate change.

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Subsequent stages of planning can ensure that the WAPC's policy objectives for planning and development in flood prone land can be achieved. Management of drainage, surface water features and stormwater can be addressed through the preparation of relevant water management documentation, such as District Water Management Strategy and Local Water Management Strategy at scheme amendment and structure planning stages. These documents demonstrate how pre-development volumes/flows are maintained and water quality can be managed appropriately.

*Water Source (Groundwater and Surface Water)*

The public drinking water supply for Busselton and Vasse North is obtained from groundwater abstracted from nine Busselton Water production bores located in the Busselton townsite.

The production bores draw from the deep and confined Yarragadee aquifer and, to a lesser extent, the Leederville aquifer. The Yarragadee aquifer runs beneath the Swan Coastal Plain west of the Darling Scarp, from Geraldton to the south coast. The Busselton Water Reserves Drinking Water Source Protection Plan (2009) and Busselton Water Reserves Drinking Water Source Protection Review (2013) state that due to the confined nature and depth of the water source there is no risk of contamination from overlying land uses.

The bore sites are from the proclaimed Busselton Water Reserve. The land in the water reserve is managed for Priority 1 water source protection. The boundaries of the water reserve reflect the location of the production bores, and are located outside the Vasse North PIA.

No land within the Vasse North PIA has been identified as an existing or proposed public drinking water source area. It is not anticipated that a change in land designation for the Vasse North PIA will have a negative impact on any public drinking water priority areas.

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of water has focused on the following:

- Drainage
- Water source impact (groundwater and surface water).

An analysis of the available datasets has identified that protection of these water values is not a consideration that would preclude changing the land use designation of the Vasse North PIA to 'Urban' in the Strategy. In particular;

- Lot 9010 is largely beyond the 1% AEP range and, and with regards to water considerations is suitable for urban purposes.
- Lot 9001 is predominantly within the 1% AEP range, identified as flood fringe', and with regards to water considerations may be suitable for urban purposes subject to further investigation.
- Lots S19 and S20 are transected by a creek are within the 1% AEP range, and with regards to water considerations investigation are not suitable for urban purposes.

If, having regard to drainage, flood and water source impact, Lots 9010 and 9001 are recommended as being suitable for urban purposes, it will be necessary to determine an appropriate land use designation for the waterway on Lots S19 and S20. As there is currently no suitable land use designation defined in the Strategy it is recommended that Lots S19 and S20 be identified in the Strategy as 'Open Space Investigation', as defined below.

> *Land that may be suitable for open space (nature/passive recreation) purposes but requires further investigation to determine its suitability and/or refine its area*

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Any proposal to amend the City of Busselton Local Planning Scheme No. 21 to rezone the land will need to be accompanied by detailed site-specific drainage, surface and ground water management documentation, such as a District Water Management Strategy and Local Water Management Strategy.

## 4.4 Landscape

'Landscape value protection' is a universal key consideration in the Strategy.

In the case of Vasse North the following specific key consideration similarly focuses on landscape values, overlapping with the key consideration listed above:

- Visual landscape separation between Vasse and Busselton

For coherence and clarity, these are considered together, as below.

### Interpretation

SPP 2.0 includes guidance regarding planning strategies, schemes and decision-making, noting that they should:

> *Identify and safeguard landscapes with high geological, geomorphological or ecological values, as well as those of aesthetic, cultural, or historical value to the community, and encourage the restoration of those that are downgraded.*

For the purposes of this investigation, the landscape consideration guidance provided in SPP 2.0 is interpreted through the existing heritage regime and State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge.

#### *Heritage Regime*

Landscapes can be recognised by the heritage regime as having varying levels of significance and protection. For the purposes of this investigation, heritage regime is a term used to collectively refer to the following.

*Figure 7 – Heritage regime*

| Legislation / head of power | Organisation |
|---|---|
| *Heritage of Western Australia Act 2018* | Heritage Council of Western Australia |
| *Environment Protection and Biodiversity Conservation Act 1999* | Australian Heritage Council |
| City of Busselton Local Planning Scheme No. 21 | City of Busselton |
| *Aboriginal Heritage Act 1972* | Aboriginal Culture and Materials Committee |

#### *Planning regime*

Landscapes can be recognised by the planning regime as having varying levels of significance and protection. For the purposes of this investigation, 'planning regime' is a term used to collectively refer to the following elements of the State Planning Framework:

- State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (1998)
- Visual Landscape Planning in Western Australia Manual (2007)

The *Visual Landscape Planning in Western Australia Manual* (2007) provides that landscape values may be characterised as:

> *Those landscape characteristics that the community considers are significant for reasons such as their aesthetic (predominantly visual), social, environmental, and heritage values.*

State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge includes the following regarding landscape values:

> *Features within the landscape that are highly valued, as defined by documented research. A more detailed description of landscape values in the Leeuwin-Naturaliste is provided in the supporting Leeuwin-Naturaliste Landscape Assessment Study.*

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**In the context of this assessment, 'landscape-value protection' and 'visual landscape separation between Vasse and Busselton' investigation is interpreted to mean:**

- **Assessment as to whether the landscape that the PIA land is wholly or partly within has landscape values that have been recognised in the heritage regime, and that may preclude changing the use of the land.**
- **Assessment as to whether the aesthetic landscape values of the PIA may preclude changing the use of the land, having due regard to the 'Visual Landscape Planning in Western Australia Manual' and SPP 6.1.**

Analysis

For the purposes of this investigation, the 'separation between Vasse and Busselton' is interpreted to mean the western side of the 1.5km stretch of Bussell Highway from the Busselton Bypass West roundabout in Vasse to Monaghan's roundabout in Abbey.

*Landscape values – Heritage*

Neither the Vasse North PIA, nor land abutting or adjacent to it is recognised on a State or local heritage list as having landscape values.

*Landscape values – Planning*

State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (SPP6.1) was published in 1998. The Bussell Highway forms a boundary of the extent of SPP6.1. In the intervening 23 years since SPP6.1 was published Vasse has grown very substantially, the Busselton Bypass has been constructed and Bussell Highway significantly upgraded between Monoghan's Corner and the intersection with the Busselton Bypass. The cumulative effect of these changes is an important element in consideration of the landscape considerations prescribed in SPP6.1.

SPP6.1 includes the following provisions confirming that landscape separation between Vasse and Abbey should be maintained to 'avoid urban sprawl' and to 'create distinct communities'.

SPP6.1 defines landscape in two forms, as shown in the table below.

*Figure 8 – Landscape characterisation*

| Lot | Landscape character unit | Landscape class | SPP6.1 – land use designation |
|---|---|---|---|
| S19 | western coastal | General character | Wetland amenity area |
| S20 | western coastal | General character, Travel route corridor | Wetland amenity area |
| 9001 | western coastal | General character, Travel route corridor | Wetland amenity area |
| 9010 | coastal plain | General character, Travel route corridor | Wetland amenity area |

SPP6.1 provides that in areas of 'General Character' development or a change of use 'should protect the rural character and conform with policies and guidelines for Travel Route Corridors'.

'Travel Route Corridor' is defined as an area which allows 'people opportunities to access and experience adjoining areas and consist of a 600 metre wide corridor (300m on either side) along the Primary Transport Network'. These corridors may or may not include areas where rural or natural significance have been identified.

*Figure 9 – SPP6.1 Landscape assessment*

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| SSP6.1 Policy Number | Policy | Analysis |
|---|---|---|
| LUS 3.30 | Rural landscape and coastal reserve buffers between Abbey & Vasse and Dunsborough & Abbey will be maintained to avoid urban sprawl and to create distinct communities. | Urban development of the Vasse North PIA is unlikely to be viewed as urban sprawl, given the proximity of the land to existing suburban localities and its enclaved nature, between the Locke Reserve, the Wetland and the major roads.<br>Vegetated landscape buffers to the east along Bussell Highway will assist in maintaining a distinct community for Vasse North |
| LUS 3.32 | The environmental and recreation values of the Wetland Amenity Area will be protected while facilitating tourism development that responds to the natural and social values of the locality | Protecting the environmental and recreation values of the wetlands on Lots S19 and S20 is critical. Urban development is not appropriate for Lots S19 and S20.<br>Lots 9001 and 9010 may be used for urban purposes without adversely affecting the environmental and recreation values of the wetlands. |
| LUS 3.33 | The landscape separation of Abbey, Vasse and Dunsborough will be maintained. | Due to the natural environmental features of the Locke Reserve to the east and Wetland to the north, there is ample opportunity to maintain landscape separation and a sense of distinct individual urban community between these places. |

Lot 9010 is the only land parcel in the Vasse North PIA that addresses Bussell Highway (approximately 440m).

The Crown Reserves and large private properties that address the subject section of Bussell Highway are thickly vegetated and, in their current state, do present a visual separation between Vasse and Busselton. In particular, the section of coastal saltmarsh that transects the highway is a landscape element that signals place separation.

If the land use of the Vasse North PIA generally, and Lot 9010 more specifically was to change, the existing extent of vegetation separating Vasse and Busselton would not be affected by that action.

Given its proximity to Vasse, changing the land use of 9010 to urban type uses is likely to be interpreted by a user of Bussell Highway as a consolidation of Vasse, rather than a connection of Vasse and Busselton.

SPP6.1 requires further consideration of the landscape values of the Vasse North PIA excluding, Lot S19, with regard to the protection of rural character and allowing people opportunities to access and experience that land. As that land is not accessible to the public it is considered reasonable to only consider the protection of rural character.

Lots 9010 and 9001 are zoned rural and appear to currently be used for rural purposes. Proximity to Vasse suggests that the land may be able to sustain a change of land use that integrates with that urban area and is sympathetic to the general intent of landscape protection in the Leeuwin-Naturaliste sub-region.

Visual landscape values are not a reason to preclude consideration to change the use of the Vasse North PIA. If the existing land use of the Vasse North PIA is proposed to change it will be subject to further, more rigorous considerations that may include landscape value assessment.

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### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the Landscape values of the Vasse North PIA has focused on the following:

- landscape values that have been recognised in the heritage regime;
- aesthetic landscape values recognised in the planning regime.

The landscape that the Vasse North PIA forms a part of is not recognised as having heritage value at local, state or commonwealth level. The landscape values provisions prescribed in SPP6.1 are relevant to the land, but on investigation, and appreciating the existing vegetated State Reserves, road reserve vegetation to the east and topography, the protection of these landscape values is not a consideration that would preclude changing the land use designation of the Vasse North PIA to 'Urban' in the Strategy.

However, consideration of the aesthetic landscape impacts of changes to the creek and surrounds may need some further consideration. This could be achieved via the Strategy identifying Lots S19 and S20 as 'Open Space Investigation', as outlined in Section 4.3, above.

## 4.5 Utilities

'Utility services capacity' is a universal key consideration in the Strategy.

### Interpretation

State Planning Policy 3.0 – Urban Growth and Settlement (SPP 3.0) includes the following:

> *Planning for new growth and settlements should be coordinated with the cost-efficient provision of infrastructure and services such as roads, public transport, water supply, sewerage, electricity, gas, telecommunications, drainage, open space, schools, health and recreational facilities.*

The term 'utilities' is not defined in the State Planning Framework. For the purposes of this assessment, utility services are regulated essential services generally required for urban land uses, and limited to:

- water
- wastewater
- energy

SPP 3.0 does not include a definition or explanation of 'capacity'. A common meaning of that term is "the maximum amount that something can contain". The Busselton Regional Land Supply Assessment 2016 identifies water, wastewater and energy as the regulated essential services to be considered in this regard.

**In the context of this assessment, 'utility services capacity' investigation is interpreted to mean:**

- **High-level consideration of the availability of regulated water, wastewater and energy services capacity and whether it may preclude changing the use of the land.**

### Analysis

#### *Water*

The regulated water services provider that services Vasse North is Busselton Water.

Busselton Water predicts that demand for water in Busselton will more than double, from five gigalitres to 10.1 gigalitres per annum by 2060, with 353 new connections per year going forward. Busselton Water envisages that their existing licensed annual quota of 8.1 gigalitres per year would be sufficient for the next 30 years if water efficiency savings are achieved, or 17 years if water use efficiency savings are not met (DPLH, 2016).

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*Wastewater*

The regulated water services provider that services Vasse North is the Water Corporation.

Significant capital investment has been made to the conveyance network to ensure capacity for the Busselton Wastewater Scheme. Large new pump stations have been constructed at Vasse and Yalyalup, to transfer wastewater from these developing areas directly to the Wastewater Treatment Plant (DPLH, 2016).

The most recent Water Corporation forecast projects an average growth in the permanent resident population serviced by the scheme of 2.5 per cent per annum over the next 20 years. Planning for the future also includes the significant increase in demand experienced during peak tourism times (DPLH, 2016).

*Energy*

The regulated electricity services provider that services Vasse North is Western Power.

Western Power manages energy supply to the South West region. The City of Busselton is covered by the Bunbury load area. The Western Power Network Capacity Mapping Tool shows a constrained supply in Busselton at 2017 of less than 5 MVA; this was expected to be alleviated by the partial conversion of one of the Picton to Busselton 66 kV circuits to 132 kV. By 2026, energy supply capacity is forecasted to be at 15-20 MVA for the western part of the City area. By 2026, energy supply capacity is forecasted to decrease to 5-10 MVA (DPLH, 2016).

Atco Gas Australia manages natural gas supply to the Busselton area, including Vasse North. The Busselton area is covered by the Mid-West and South-West Gas Distribution System (GDS). The GDS is a covered pipeline and is subject to an Access Arrangement that is approved by the Economic Regulation Authority of Western Australia. The GDS contains more than 12,000 kilometres of gas distribution pipelines in its network (DPLH, 2016).

Outside of Ambit representing the owners of Vasse North PIA have provided additional information (verbatim) regarding utility service capacity, outlined below:

> *Water Reticulation – Busselton Water has confirmed the existing 375mm water main located within the Bussell Highway road reserve will be the water supply point for the subject area and has sufficient capacity to serve the subject site.*
>
> *Wastewater Reticulation – The Water Corporation's Wastewater Pump Station 'B16 – 090' is operational and located at the south-western edge of the precinct, north of the existing Bypass extension and east of the Buayanup Drain. This Pump Station dischargers sewer effluent via a pressure main to the Corporations existing Wastewater Treatment Plant near the City of Busselton waste facility on Queen Elizabeth Avenue and has sufficient capacity to service the site.*
>
> *Gas – ATCOGas has confirmed the existing gas trunk main located in the Bussell Highway road reserve will be the gas supply point and has capacity to serve the subject area.*
>
> *Power – Conduits have been installed under the Busselton Bypass enabling power supply to the subject area from the existing Vasse Village Centre.*

It is considered that there is an adequate provision of utilities to support potential development of the Vasse North PIA.

## Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of utilities services capacity of the Vasse North PIA has focused on the provision of the following:

- water
- wastewater

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- energy.

Analysis of the available datasets and documentation confirms there is availability of regulated water, wastewater and energy services capacity to service the land, and that this is not a consideration that would preclude changing the land use designation of the Vasse North PIA to 'Urban' in the Strategy.

## 4.6 Regional Roads

'Regional road access (Bussell Highway and Busselton Bypass)' is a key consideration in the Strategy that is specifically relevant to the Vasse North PIA.

### Interpretation

Existing dedicated road access to the Vasse North PIA is from Lot 9010 to Bussell Highway, approximately 220m from the Busselton Bypass West Roundabout.

It is noted that the Busselton Bypass terminates at the Busselton Bypass West Roundabout (Map 10). Bussell Highway bounds Lot 9010 to the east and south and is the only constructed dedicated road abutting the Vasse North PIA.

Main Roads Western Australia (MRWA) maintains a road hierarchy to, among other things, designate the role of all roads in WA. Bussell Highway is categorised as a 'primary distributor', meaning that it provides for:

> *major regional and inter-regional traffic movement and carry large volumes of generally fast moving traffic. Some are strategic freight routes and all are State Roads. They are managed by Main Roads Western Australia.*

Under the *Main Roads Act 1930* a 'Control of Access' declaration that revokes the general right of adjoining land to have direct vehicle and pedestrian access to a road may be issued. If Bussell Highway is subject to a Control of Access declaration, changing the use of the Vasse North PIA may be fundamentally compromised.

**In the context of this assessment, 'Regional road access (Bussell Highway and Busselton Bypass)' is interpreted to mean;**

- **Confirmation that:**
  **a) Bussell Highway is not subject to a declared Control of Access order, and that;**
  **b) Lot 9010 enjoys the general right to have direct vehicle and pedestrian access to Bussell Highway.**
- **Identification of issues and concerns regarding the provision of one or more points of vehicle access, or intensification of vehicle movement from the existing vehicle crossover to Lot 9010 from Bussell Highway.**

### Analysis

Bussell Highway is not subject to a 'Control of Access' declaration.

As Bussell Highway is not subject to a declared Control of Access order Lot 9010 enjoys the general right to have direct vehicle and pedestrian access to Bussell Highway. Never-the-less, access to the sections of Bussell Highway that abut the PIA may be a matter of concern for MRWA.

As noted above, the existing access from Lot 9010 to Bussell Highway is approximately 220m from the Busselton Bypass West Roundabout.

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A Traffic and Access Memorandum has been prepared by planning consultants Outside of Ambit , on behalf of the land owner Outside of Ambit . The Memorandum details the following:

> *There are numerous access options available to the site from the regional road network, meaning that access is not an impediment to development:*
>
> - *Primary access is likely to occur from Bussell Highway via a 4-way roundabout controlled intersection at the existing Bussell Highway – Glenview Drive junction, approximately 430 metres from the Bypass roundabout. This provides vehicle access to the Vasse Village Centre in less than 5 minutes;*
> - *For pedestrians, Vasse North is within 800 metres of the Village Centre with this high degree of access being afforded by the constructed underpass under the Bypass;*
> - *Previous studies have indicated that (at least) a left-in-only access could be provided off the Bypass opposite the junction of Coomidup Boulevard.*

### Outcome

Having due regard to the State Planning Framework, 'Regional road access (Bussell Highway and Busselton Bypass)' is a consideration that does not preclude changing the use of the land.

Any proposal to amend the City of Busselton Local Planning Scheme No. 21 to rezone the Vasse North PIA, or if urban development of the Vasse North PIA is to occur, a Traffic Impact Assessment report will need to be prepared.

## 4.7 BRM

'Basic raw materials demand (land fill to raise ground level)' is a key consideration in the Strategy that is specifically relevant to the Vasse North PIA.

### Interpretation

State Planning Policy 2.4 - Planning for Basic Raw Materials (SPP 2.4) defines BRM as:

- sand (including silica sand)
- clay
- hard rock (including dimension stone)
- limestone (including metallurgical limestone)
- agricultural lime
- gravel
- gypsum
- other construction and road building materials
- materials which may substitute BRM.

The policy measures of SPP 2.4 states that higher order strategic planning documents should,

> *seek to locate new urban and industrial areas on land where the need for additional imported fill is minimised.*

**In the context of this assessment, investigation of 'basic raw materials demand (land fill to raise ground level)' is interpreted to mean:**

- **Consideration of the amount of fill required to develop the land for urban purposes and whether this may preclude changing the use of the land.**

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## Analysis

In the Leeuwin-Naturalise Sub-region BRM are predominately used for coastal defence, urban development, roads and agriculture. Preparing land for urban development can include increasing the finishing ground level by filling land with sand to mitigate locational characteristics such as flooding and acid sulfate soils and to enable drainage and essential services networks to be developed.

In summary, and as outlined in the water and environment sections, Vasse North has the following characteristics that indicate that using the land for urban purposes would require the land to be filled:

- Lots S19 and S20
  - partly floodway
  - predominantly flood fringe
  - high to moderate risk of ASS occurring within 3m of the natural surface
- Lot 9001
  - predominantly flood fringe
  - moderate to low risk of ASS occurring within 3m of the natural surface but high to moderate risk of ASS beyond 3m of natural soil surface

Comparable recent developments in the Vasse area required approximately 900mm of fill.

Judging whether increasing the finished ground level to enable urban development on the land to meet essential services and drainage / flood requirements is feasible may best be understood as a commercial decision to be determined by a proponent at the time of implementation. Transport and urban development technologies are constantly evolving to the point that determining whether the BRM demand/supply equation is feasible at this stage and with available data is not able to be determined.

However, to inform proponents and government, the WAPC released the 'Basic Raw Materials Demand and Supply Study for the Bunbury–Busselton Region' (the Study). The Study is primarily focussed on BRM supply and demand for residential development. The study includes a Chamber of Commerce and Industry WA estimate that an average greenfield dwelling and the supporting infrastructure would require 151 tonnes of hard rock, 255 tonnes of sand, 102 tonnes of clay and 155 tonnes of limestone.

The study acknowledges that these figures are likely to be higher for the sub-region which requires greater quantities of imported fill due to the low-lying nature of the land.

It is noted while the principles and intent of the study still stands, the currency of the data has diminished in time. In addition, the Study does not include strategic mapping of BRM sources. This is acknowledged in the Strategy, with the identification of Action 3:

> *Undertake a study of the supply and demand of basic raw materials within the sub-region and the opportunities for alternative building construction techniques to reduce demand from the building and construction industries.*

Until a more recent study, with up-to-date data and revised calculations, is undertaken it is difficult to categorically state whether demand for BRM to raise ground levels would preclude a change in use.

It is noted that Outside of Ambit Outside of Ambit detail in their consultant report that approximately 900mm of fill is likely to be required to facilitate development at Vasse North, consistent with existing development in adjoining Vasse sites. Outside of Ambit Outside of Ambit further note that their experience in the development of Vasse indicates that BRM demand and supply is not a constraint to developing Vasse North.

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### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of BRM required for urban types of development within the Vasse North PIA has focused on aspects of demand and supply.

There is limited available data to inform this investigation. Further studies would be required before definitively stating that it does or does not preclude a change of land use designation. As such, Investigation cannot be determined due to data limitations and is inconclusive.

It is noted that a WAPC action of the Strategy is to undertake a BRM supply and demand study. This will inform future decisions regarding the land use designation of the Vasse North PIA.

Although limited data is available, it is noted that Outside of Ambit Outside of Ambit consider that approximately 900mm of fill is likely to be required to facilitate development at Vasse North, and they do not foresee any demand and supply issues.

## Other considerations

### Land assembly

Lots 9001 and 9010 are not contiguous land parcels. They are divided by an unconstructed road reserve referred to as Fox Road. That road reserve extends from the eastern verge of Bussell Highway in the east to an unconstructed unnamed road reserve in the west that abuts the Buayanup River.

The south west corner of Lot 9001 is irregular in that it is truncated by a 2,709m$^2$ Water Corporation land holding (Lot 600) and a two Crown Lots totalling 2,279m$^2$ that appear to have been created be during land assembly of the Bussell Highway in its current alignment.

#### *Analysis*

If Lots 9001 and 9010 are identified in the Strategy as 'Urban', consideration will need to be given to how the adjacent crown land parcels identified above are to be assembled with the land to enable development to occur.

#### *Outcome*

This is not considered to be material to the investigation of the PIA, but is noted as a matter that will require resolution if the land is to be developed.

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# 5 Conclusion

This Report has investigated the following 12 key considerations defined in the Strategy for the Vasse North PIA:

- Biodiversity values (wetlands on S19 and S20)
- Protection of significant environmental values
- Biodiversity value protection
- Bushfire risk
- Drainage
- Water source impact (groundwater and surfacewater)
- Flood risk
- Landscape value protection
- Visual landscape separation between Vasse and Busselton
- Utility services capacity
- Regional road access (Bussell Highway and Busselton Bypass)
- Basic raw materials demand (land fill to raise ground level)

The Vasse North PIA may best be understood in two parts:

**Lots 9001 and 9010 to the south, abutting Bussell Highway and adjacent to Vasse.**

Lots 9001 and 9010 are relatively unconstrained by environmental attributes. The proximity of Lots 9001 and 9010 to the creek does indicate some susceptibility to flooding/inundation. Flood risk and drainage issues is not considered to be to an extent that would preclude considering changing the land use designation in the Strategy to 'Urban'. Other issues noted on Lots 9001 and 9010 include acid sulfate soils, landscape value protection and access to Bussell Highway. These issues do require further consideration in future planning stages, but are not considered to be of such significance as to preclude changing the land use designation in the Strategy to 'Urban'.

**Lots S19 and S20 to the north, transected by an unnamed creek.**

The creek that transects Lots S19 and S20 has environmental values and connects the Locke and Broadwater Nature Reserves. The current health of the creek is unknown, but it is noted that the immediate surrounds have been cleared of native vegetation. Lots S19 and S20 are zoned 'conservation' in the City of Busselton Local Planning Scheme No.1. The environmental values, drainage and flood characteristics of Lots S19 and S20 within the Vasse North PIA are of such significance as to preclude changing the land use designation in the Strategy to 'Urban'.

Lots S19 and S20 are constrained by environmental attributes attributable to the wetland, including threatened or priority ecological communities. However, given that the land is held in freehold, is largely cleared and abuts land that presents as being suitable for urban purposes, it is recommended that those Lots be designated as 'open space investigation' in the Strategy. This would enable investigation of possible suitable uses for that land such as parklands associated with urban development and possible wetland rehabilitation if required.

Consideration of the Vasse North PIA cannot be validly undertaken without consideration of the Abbey PIA, immediately to the north of the creek that winds through Lots S19 and S20. The Strategy defines the Abbey PIA as five Lots bounded by the Bussell Highway to the east, Caves Road to the north and the Buayanup River to the west. The available data indicates that the creek floodway extends onto the Abbey PIA.

The 'Abbey PIA Preliminary Report (October 2021)' recommends that the Abbey PIA be deleted and that:

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- The northern two-thirds of the PIA the PIA by designated 'Urban'.
- The southern one-third of the PIA (adjacent to the Vasse North PIA) be designated as 'Open Space Investigation'.

The investigation outcomes are summarised below:

The Vasse North PIA has been substantially cleared of native vegetation. There are scattered paddock trees and a stand of remnant vegetation in the southern portion, and a creek to the north. In the absence of detailed site-specific assessments for the PIA, the desktop analysis does not identify any biodiversity or significant environmental factors that would preclude changing the land use designation in the Strategy to 'urban'.

Assessment indicates that bushfire risk can be managed through standard bushfire mitigation responses, and accordingly, bushfire risk does not preclude changing the land use designation in the Strategy to 'urban'.

Water, flood and coastal planning considerations can be addressed through the preparation of relevant water management documentation. These considerations do not preclude changing the use of the land.

The landscape that the Vasse North PIA forms a part of is not recognised as having significant heritage value at local, state or commonwealth level. The landscape values provisions prescribed in SPP6.1 are relevant to the land, but are not considered to of critical concern due to the existing road reserve vegetation to the east and natural topography. Investigation of the landscape values of the Vasse North PIA indicate that changing the land use designation in the Strategy to 'urban' would not adversely affect the landscape character of the area.

The provision of Basic Raw Materials to raise ground level will need to be further assessed, although there is a precedent in the area to suggest this can be managed and not preclude changing the use of the land at this point.

Regional road access can be managed via a traffic impact assessment at latter planning stages and accordingly, regional road access does not preclude changing the land use designation in the Strategy to 'urban'.

There is an adequate provision of utilities to support development of the site and the area is relatively constraint free, and on balance, could accommodate 'urban' uses as per the Strategy.

Investigation of the considerations defined in the Strategy finds that the southern portion of the land identified as the Vasse North PIA (Lots 9001 and 9010) in the Strategy may be suitable for a possible change of use to urban type uses subject to further detailed planning and assessment.

The remainder of the land (Lots S19 and S20) are transected by a creek and as such is considered to be unlikely to be suitable for a possible change of use to urban type uses due to the conservation and floodway characteristics of that land and associated drainage issues. However, the creek is owned in freehold, abuts land that is suitable for urban purposes and is surrounded by land that has been largely cleared of native vegetation. It is possible that the creek and surrounds could be rehabilitated if required and integrated into any future urban development of the Vasse North and Abbey PIAs as linear parkland or similar. The veracity of this possible future land use for Lots S19 and S20 (and portions of Lot 4 in the Abbey PIA) would need further investigation.

There are two possible options to enable an exploration of future land use option for Lots S19 and S20:

- Designate 'Urban' in the Strategy.
- Designate as 'Open Space Investigation' in the Strategy.

The same conceptual thinking is presented in the Abbey PIA preliminary report.

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'Open Space Investigation' is not an existing land use designation in the Strategy, but could be included as a part of an amendment to integrate the recommendations of the PIA investigations. This approach would enable a proponent to progress planning for urban development on Lots 9010 and 9001 whilst investigating the possible best approaches to the use and integration of the creek on Lots S19 and S20 into that urban development.

It is recommended that the Strategy be amended to:

- delete the Vasse North PIA
- designate the following Lots as 'Urban';
  - Lot 9001 on Plan 69783.
  - Lot 9010 on Plan 409834
- designate the following Lots as 'Open Space Investigation';
  - Lot S19
  - Lot S20

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## Maps

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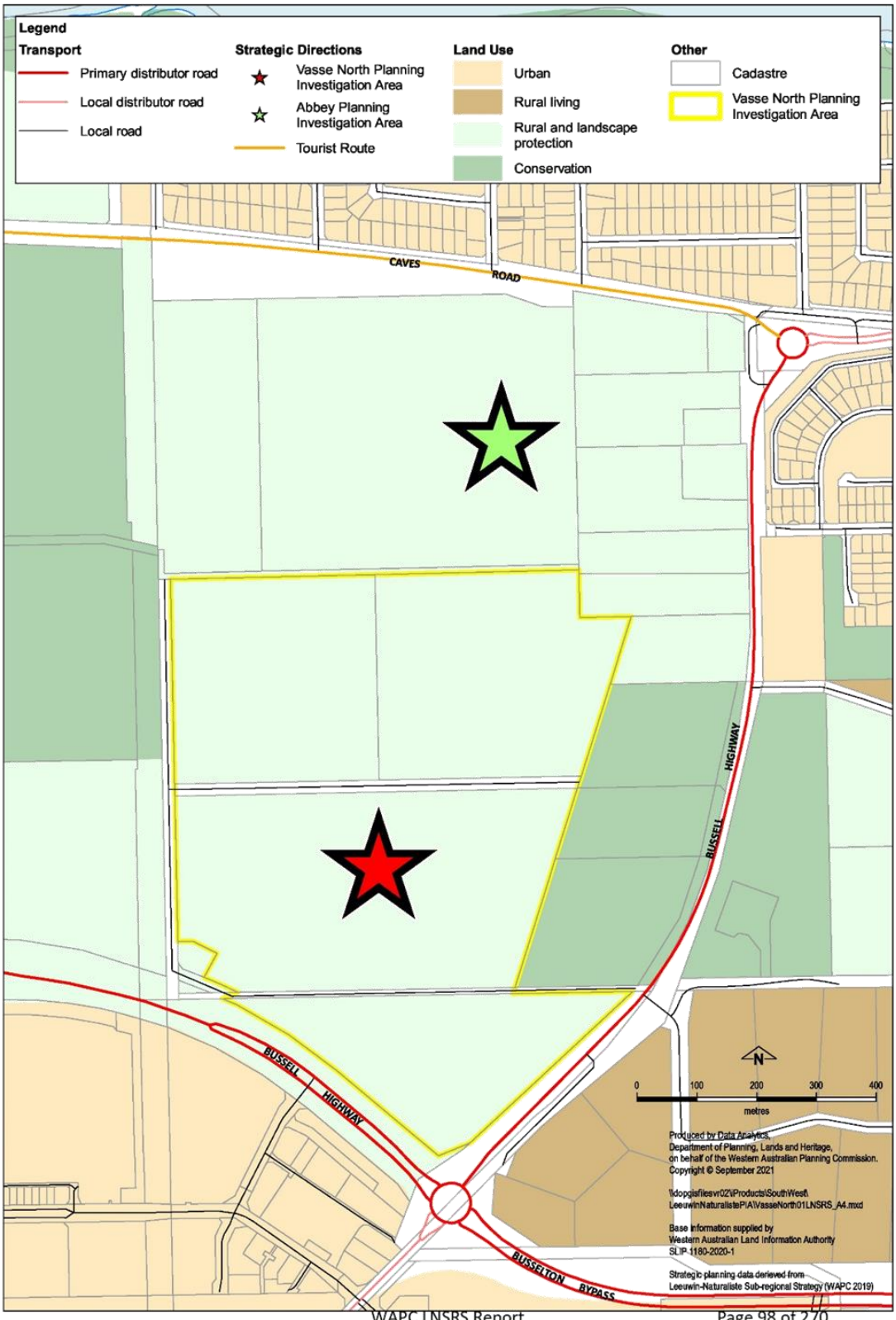
Vasse North Planning Investigation Area






Strategy Plan: Leeuwin-Naturaliste Sub-regional Strategy Map 1

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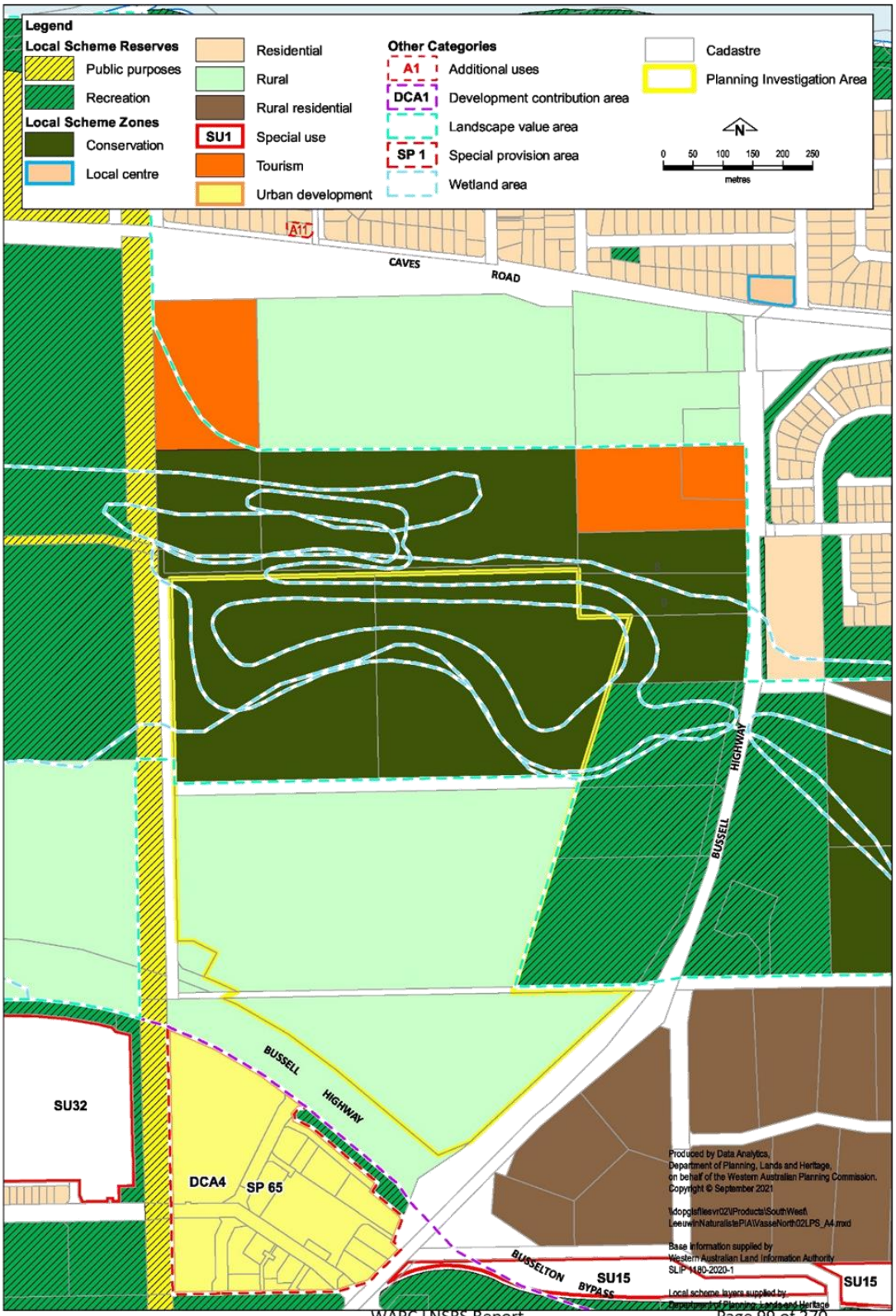
Vasse North Planning Investigation Area




**City of Busselton Local Planning Scheme No. 21** Map 2

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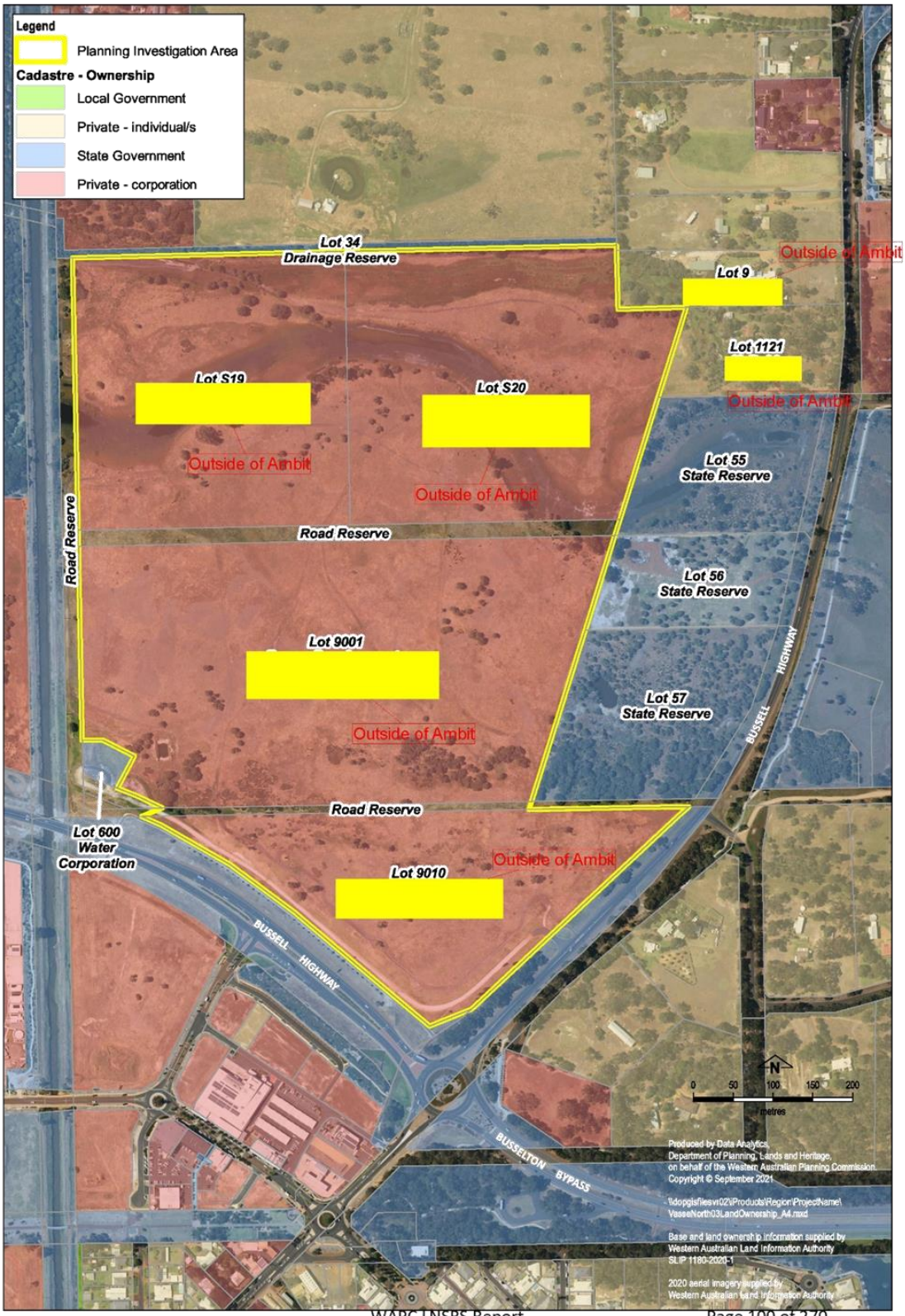
Vasse North Planning Investigation Area




**Land Ownership**

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Vasse North Planning Investigation Area




**Biodiversity**

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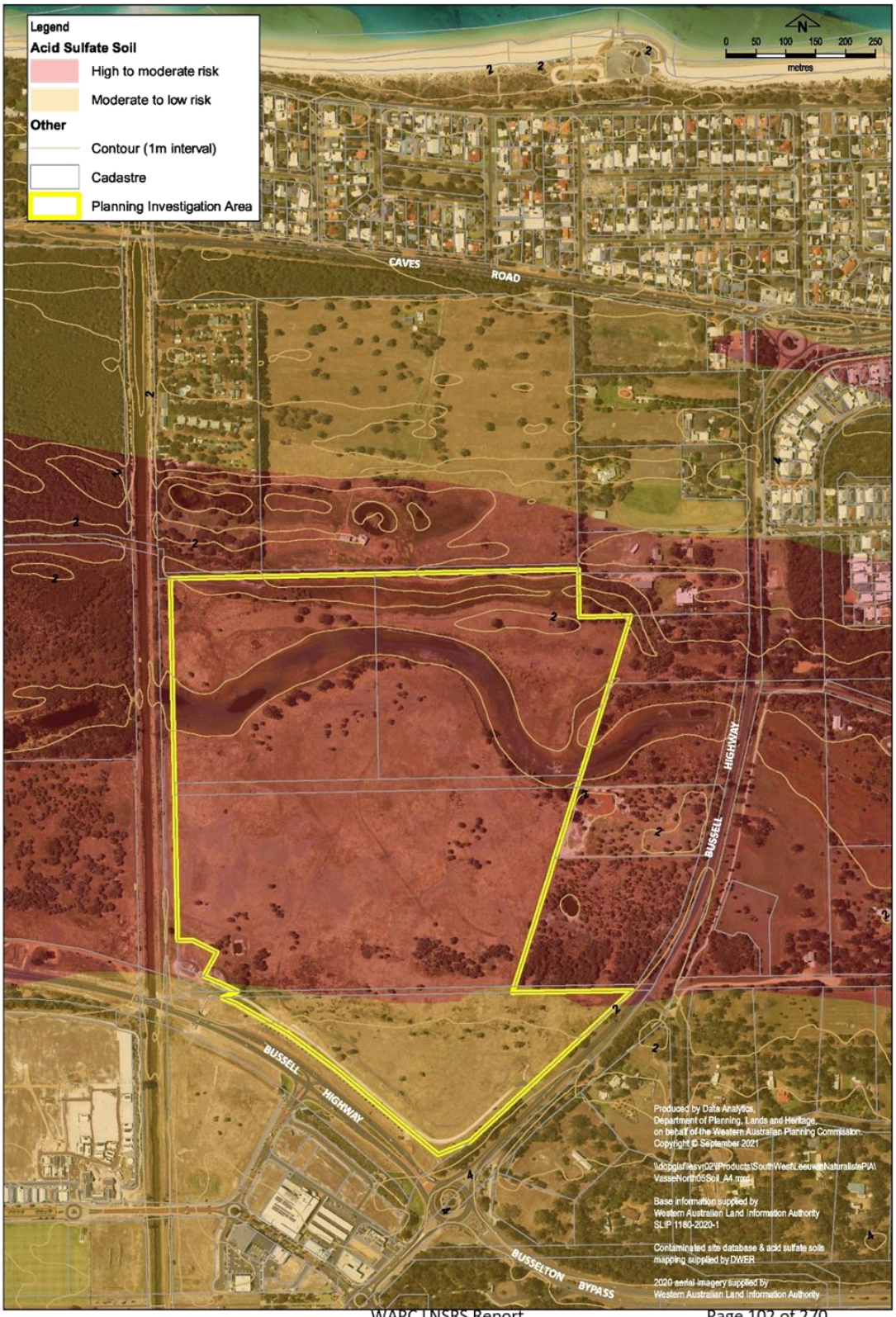
Vasse North Planning Investigation Area




**Soil and Land Quality**

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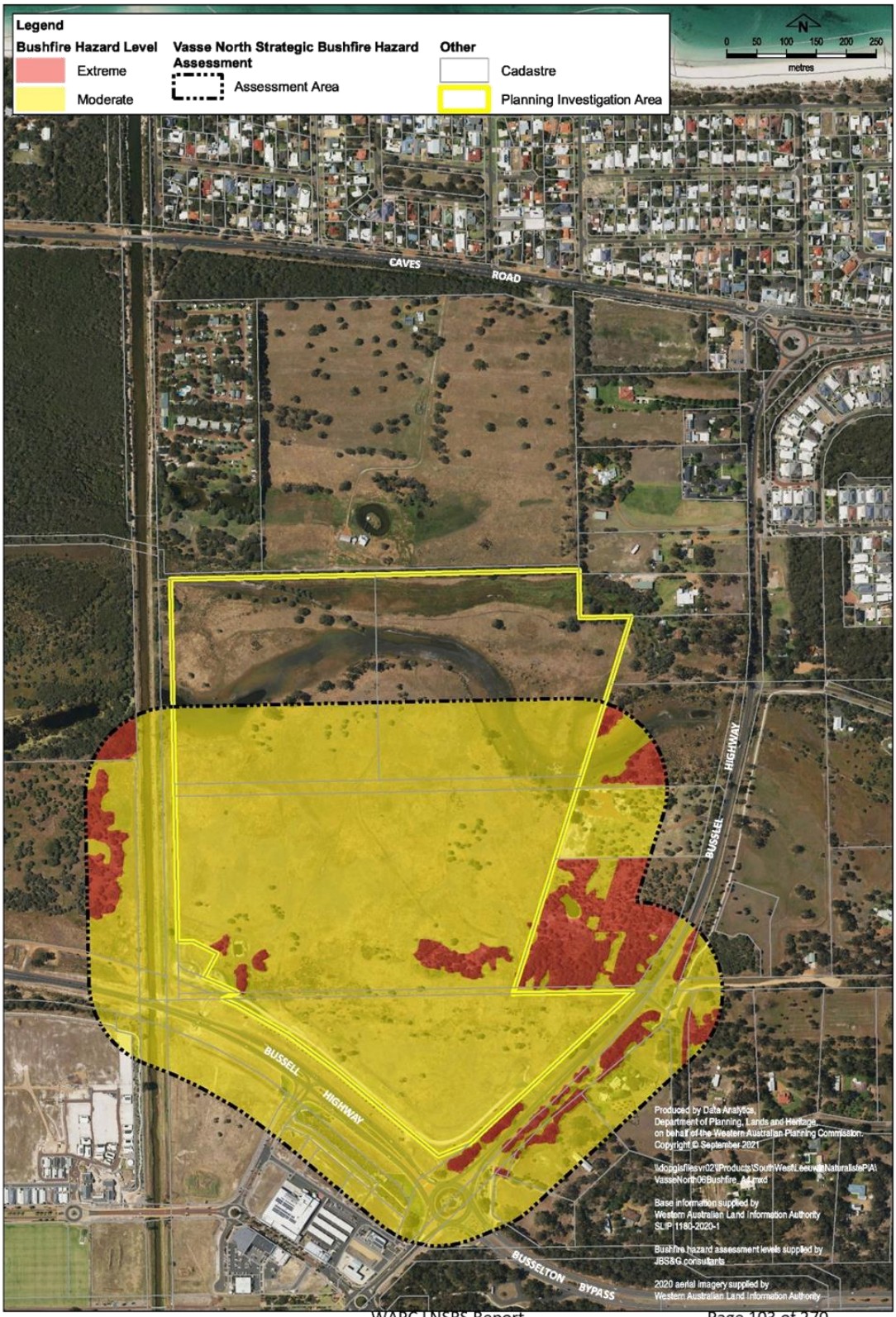
Vasse North Planning Investigation Area




**Bushfire**

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**Drainage**

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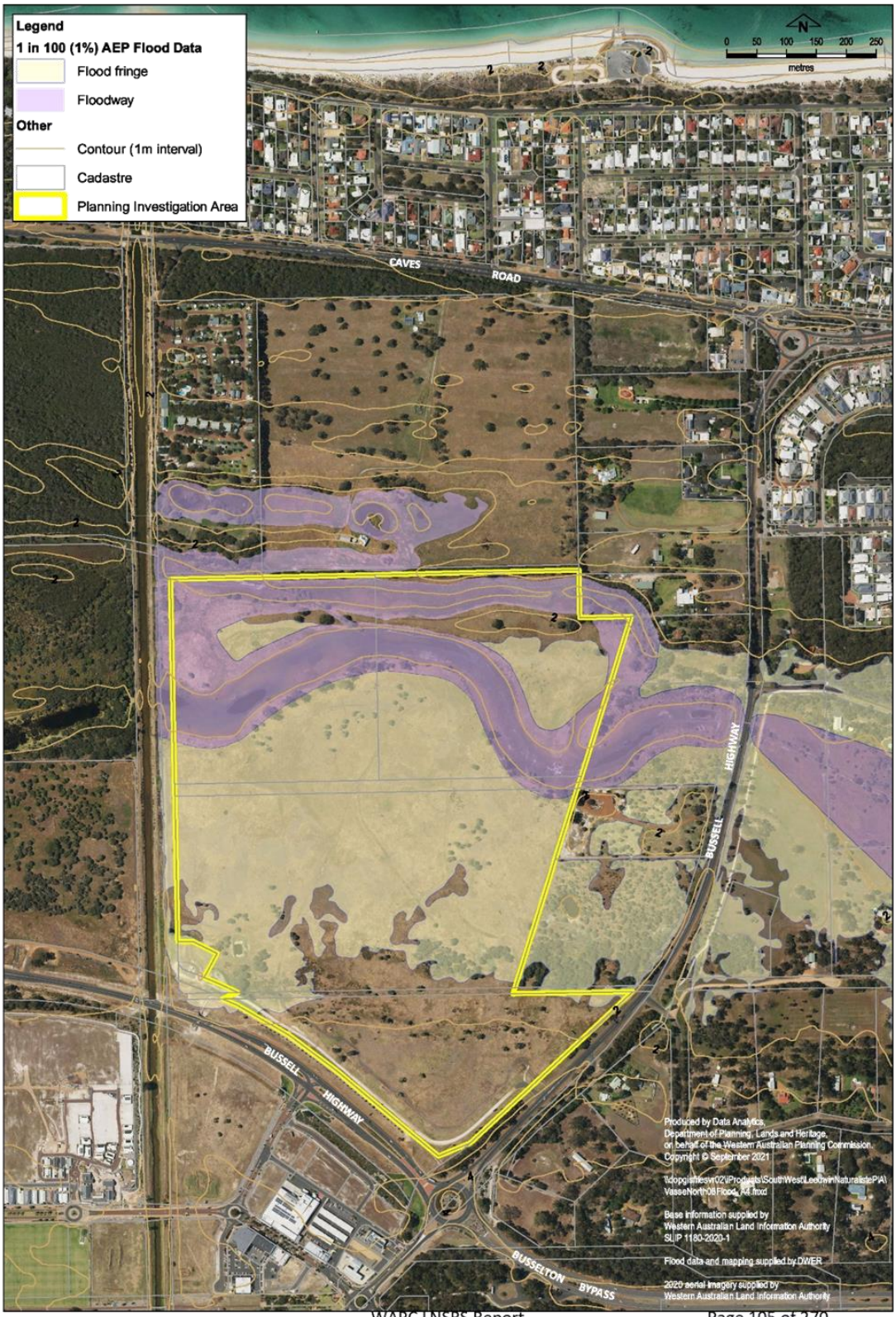
Vasse North Planning Investigation Area




**Flood Risk**

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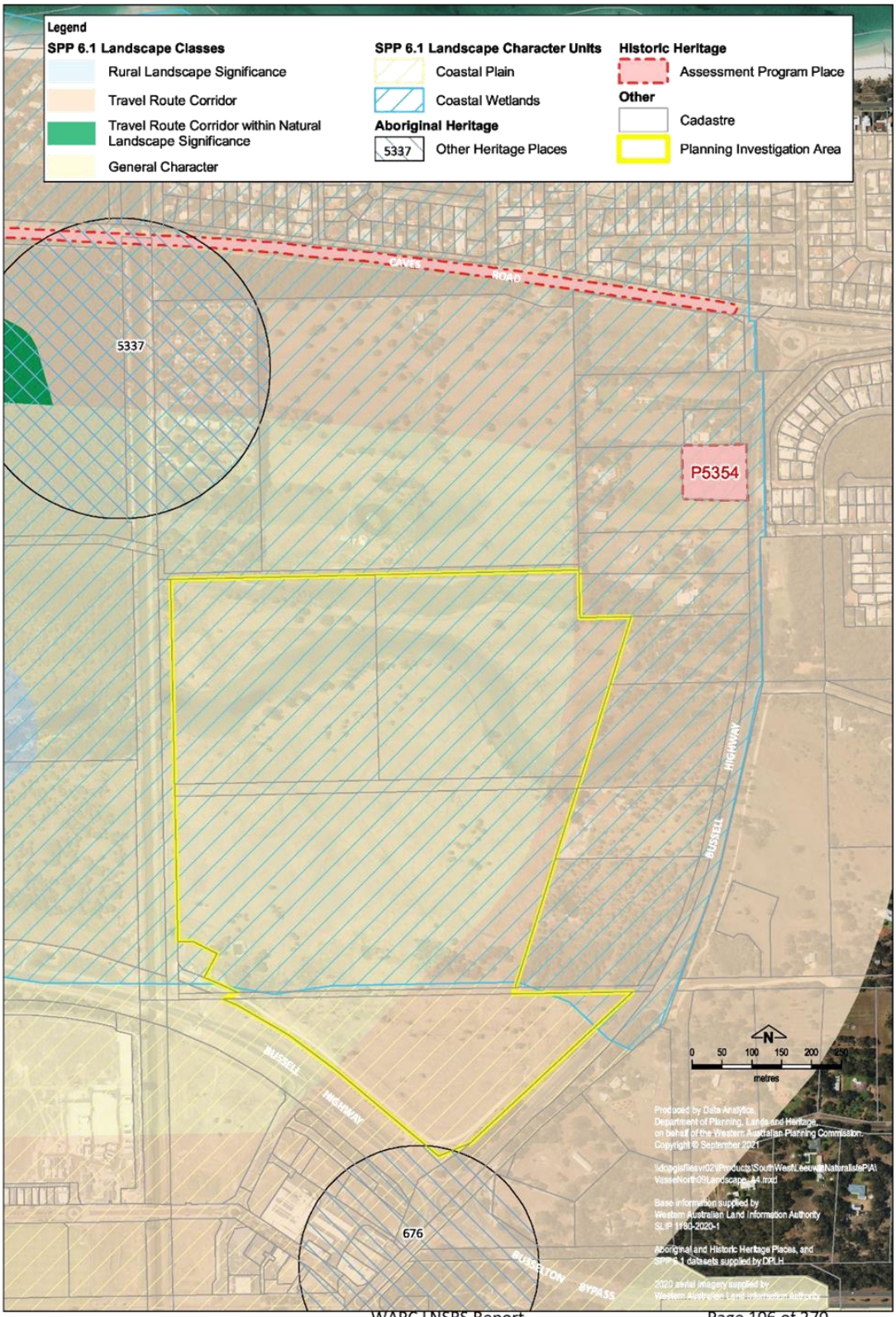




**Landscape** Map 9

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Vasse North Planning Investigation Area




**Transport**

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Department of Planning, Lands and Heritage
GOVERNMENT OF WESTERN AUSTRALIA

# Dunsborough Planning Investigation Area

## Preliminary Report

October 2021

www.dplh.wa.gov.au

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| Dunsborough PIA Report – Version Control | | | |
|---|---|---|---|
| **Version** | **Date** | **Responsibility** | **Notes** |
| 1.0 | 5 Oct 2021 | RPP | For executive review |
| 2.0 | 12 Oct 2021 | RPP | Coordination edit and in response to executive review. |

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## Acronyms

| | |
|---|---|
| **AEP** | Annual Exceedance Probability |
| **ASS** | Acid sulfate soils |
| **BRM** | Basic Raw Materials |
| **BUWM** | Better Urban Water Management Guidelines |
| **DMIRS** | Department of Mines, Industry Regulation and Safety |
| **DPIRD** | Department of Primary Industries and Regional Development |
| **DPLH** | Department of Planning, Lands and Heritage |
| **DWER** | Department of Water and Environmental Regulation |
| **DWMS** | District water management strategy |
| **GDS** | Gas Distribution System |
| **LPS** | City of Busselton Local Planning Strategy 2020 |
| **MRWA** | Main Roads Western Australia |
| **NEPM** | National Environment Protection (Ambient Air Quality) Measure |
| **PIA** | Planning Investigation Area |
| **TEC** | Threatened Ecological Community |
| **WAPC** | Western Australian Planning Commission |

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# 1 Executive Summary

The Leeuwin-Naturaliste Sub-regional Strategy (the Strategy) identifies the Dunsborough Planning Investigation Area (PIA) as land that will be subject to further planning investigations to consider its suitability for a possible change of land use.

The Dunsborough PIA is to the south east of the Dunsborough Lakes golf course estate on the opposite side of Commonage Road, approximately 2.5km from the town centre. Defining the boundary of the PIA is an outcome of the investigations contained in this report however, to undertake the investigations an initial spatially defined extent is required. This is referred to as the 'enquiry area' and can be understood as the 380ha of land broadly between Commonage Road, Genoli Road and Caves Road.

This report is an investigation using available data to assess whether the area is suitable for a possible change of land use. In this context, 'change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to 'Urban'.

Although the extent of planning investigation undertaken has been limited to the considerations defined in the Strategy, some other considerations have been assessed where they are material to the investigation. All key considerations detailed in the Strategy have been assessed as shown in Section 1.1 'Findings'.

The report demonstrates that the enquiry area is generally free of constraints related to environmental, water and landscape values, and is located in the logical urban growth front for Dunsborough, thereby enabling the cost-efficient provision of utility infrastructure. It is anticipated that potential impacts on pockets of remnant vegetation and waterways stemming from land use intensification can be appropriately managed within the planning framework.

A supply and demand assessment of residential land in Dunsborough estimates that the existing supply is not sufficient to accommodate forecast dwelling demand to 2039, with an additional 90ha of urban land required to address the estimated shortfall of approximately 900 dwellings. Additional land will be required for the incorporation of remnant vegetation and waterways in public open space, and for the potential provision of employment land and/or replacement playing fields.

A final PIA boundary has been formulated comprised of six land parcels with a total size of 142ha. The investigation concludes that there are no considerations that preclude designating the land to 'Urban' in the Strategy.

Therefore, it is recommended that references to the Dunsborough PIA be deleted from the Strategy and that the land use designation be changed to 'Urban' for the relevant land parcels.

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## 1.1 Findings

The table below shows the key findings for each consideration and a link to the section of the report where the consideration is interpreted and analysed.

*Figure 1 - Findings*

| Key consideration | Outcome | Section |
|---|---|---|
| Biodiversity value protection | ✓ | 4.1 Environment |
| Protection of significant environmental values | ✓ | 4.1 Environment |
| Bushfire risk | ✓ | 4.2 Bushfire |
| Drainage | ✓ | 4.3 Water |
| Water source impact (groundwater and surface water) | ✓ | 4.3 Water |
| Landscape value protection | ✓ | 4.4 Landscape |
| Utility services capacity | ✓ | 4.5 Utilities |
| Provision of land for employment generating activities | ✓ | 4.6 Employment |
| Land assembly (possible diversity of owners) | ✓ | 4.7 Land Assembly |
| Planning Investigation Area extent definition | ✓ | 4.8 PIA Extent |

| Key | |
|---|---|
| ✓ | Investigation of the key consideration indicates that the land is **suitable** for a change of land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban'. |
| ✗ | Investigation of the key consideration has identified **concerns** with changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban'. |
| – | Investigation of the key consideration with a view to changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban' cannot be determined due to data limitations and is **inconclusive**. |

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## 1.2 Recommendation

**It is recommended that the Strategy be amended to:**

1. **Delete the Dunsborough PIA.**

2. **Designate the following lots as 'Urban':**
   - **Lot 726 on Deposited Plan 251194.**
   - **Lot 3 on Diagram 53663.**
   - **Lot 2 on Diagram 53663.**
   - **Lot 11 on Diagram 90086.**
   - **Lot 12 on Diagram 90086.**
   - **Lot 22 on Deposited Plan 51474.**

3. **Expand the definition the 'Urban' land use designation to include land that has been investigated and identified as being suitable for urban in the future.**

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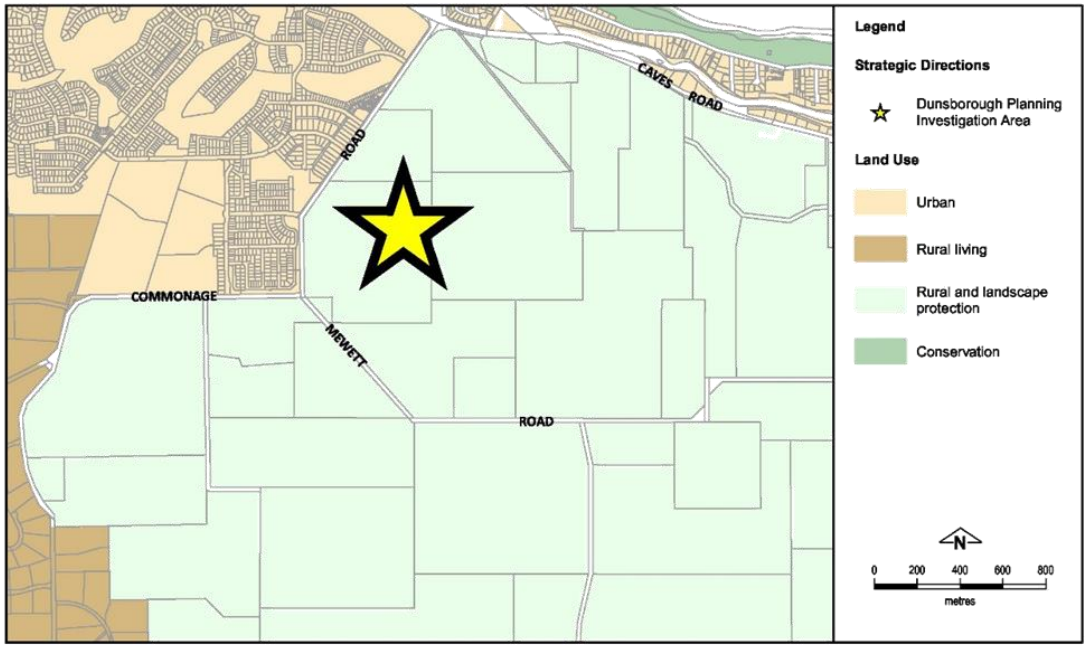
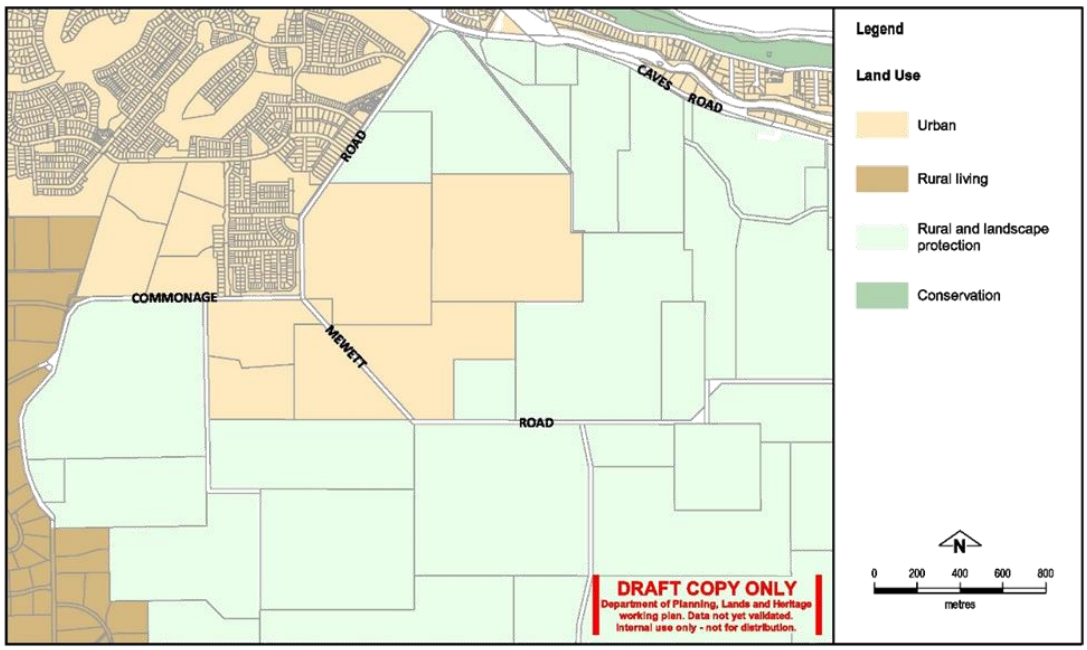
# Dunsborough Planning Investigation Area

Proposed amendment to Leeuwin-Naturaliste Sub-regional Strategy




**Existing Strategy Plan**




**Proposed Strategy Plan**

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# 2 Introduction

## 2.1 Background

In May 2019 the Western Australian Planning Commission (WAPC) published the Leeuwin-Naturaliste Sub-regional Strategy (the Strategy).

WAPC action five, listed in section 5 of the Strategy is as follows:

Undertake detailed planning investigations to explore the suitability of the following areas for a possible change of use:

- Dunsborough Planning Investigation Area
- Margaret River Planning Investigation Area
- Vasse North Planning Investigation Area
- Vasse South Planning Investigation Area
- Abbey Planning Investigation Area.

The Strategy defines Planning Investigation Area (PIA) as:

> *land that will be subject to further planning investigation/s to consider its suitability, and the area of land to be identified, for a possible change of use.*

The Strategy states that:

> *These investigations will determine whether it is possible and/or appropriate to rezone the land. The investigations are required to be undertaken prior to any related local planning scheme amendment process.*
>
> *The designation of an Investigation Area should not be construed as WAPC support for a change from the existing zoning, as this will depend on the outcome of further investigations.*

The Strategy identifies 10 'key considerations' that should be considered for the Dunsborough PIAs, being:

- Biodiversity value protection
- Bushfire risk
- Drainage
- Landscape value protection
- Protection of significant environmental values
- Utility services capacity
- Water source impact (groundwater and surface water).
- Provision of land for employment generating activities
- Land assembly (possible diversity of owners)
- Planning Investigation Area extent definition.

## 2.2 Purpose

The purpose of this preliminary investigation report is to:

- Interpret the key considerations through the prism of the State Planning Strategy, including defining a clearly articulated investigation extent / limitation.
- Identify data source/s, including clarifying how the key consideration will be investigated if there is no data source.
- Analyse relevant issues.
- Establish findings from analysis of relevant issues.
- Recommend amendments to the Strategy to support the findings.

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### 2.3 Method

The extent of planning investigation undertaken is limited to the key considerations defined in the Strategy. Issues and concerns that are not within the limitations of the applicable key considerations are out-of-scope. Issues or concerns that are out-of-scope, but considered to be material to the investigation of the PIA are listed in the 'other considerations' section.

The underlying principle informing the method of investigations explored in this report is:

> *investigations are to be to the same base standard as the assessment that informed the designation of land uses in the preparation of the Leeuwin-Naturaliste Sub-regional Strategy.*

The base standard is characterised as a desktop analysis of known, existing and available data sources. This report uses the same approach and is to be appropriately referenced. This report is not to be peer reviewed.

For the purposes of this investigation, 'possible change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to the 'Urban' land use designation. The Strategy defines the 'Urban' designation as follows:

> *Land that is:*
>
> *within the extent of an established townsite that is used for a range of uses typically undertaken within a town, including: residential, industrial, commercial, tourism, public and private institutions, and public purposes use including recreation, open space, utilities, emergency services, and cemeteries; and,*
>
> *adjoining land already zoned in a local planning scheme for 'Future Development' or similar and/or that has structure planning in place.*

If the investigation findings and recommendation identify land within the enquiry area as being suitable for a change of use, the above definition will need to be expanded to include land that has been investigated and identified as being suitable for urban in the future.

If the investigation findings and recommendation identify that there are concerns with identifying land within the enquiry area as 'Urban' in the Strategy, that land may be identified for another existing or proposed land use designation as appropriate.

If analysis of a key consideration cannot be determined due to data limitations, this will not preclude completing the preliminary investigation, subject to noting the inconclusive nature of that investigation.

## 3 Dunsborough PIA

### 3.1 Description

Strategic direction 5 of the Strategy provides guidance regarding the Dunsborough PIA as follows:

> *Designate the Dunsborough Planning Investigation Area over land to the south-east of Dunsborough for detailed investigation by the WAPC on the suitability of this land for a potential change of use.*

The existing built-up area of Dunsborough extends to Commonage Road, which forms the eastern edge of the Dunsborough Lakes residential and golf course estate. Fronting Commonage Road to the north-west are developed residential areas and the Dunsborough Lakes Enterprise Park, comprised of service commercial uses.

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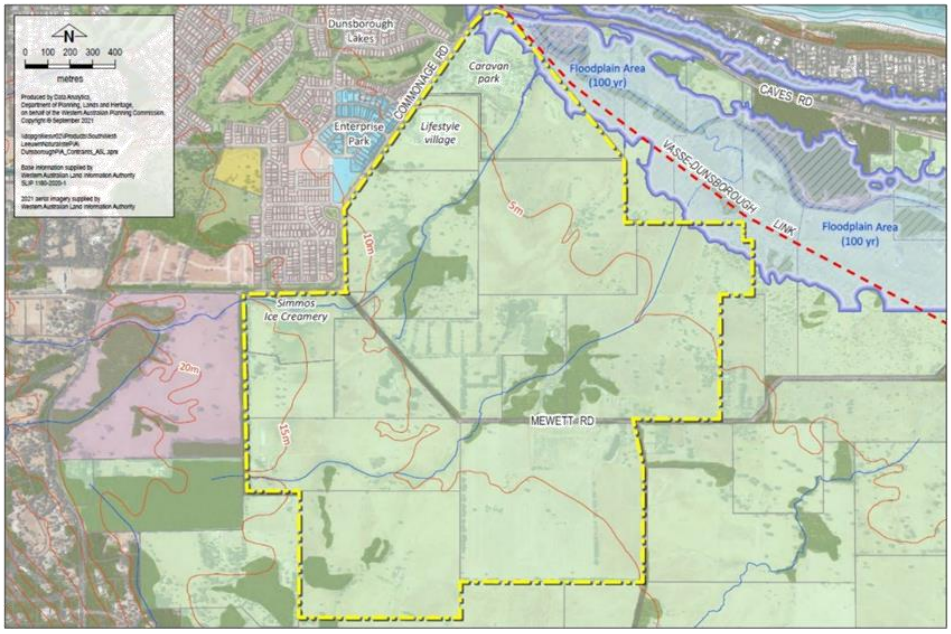
Defining the boundary of the PIA is an outcome of the investigations, however in order to undertake the investigations an initial spatially defined extent is required. For clarity, in this document that extent is referred to as the 'enquiry area'.

The enquiry area is comprised of 13 land parcels broadly to the south east of Commonage Road, with a total size of approximately 380ha. The enquiry area can be seen in Figure 2 and is bounded by:

1. **west**: Commonage Road and Genoli Road.
2. **north**: the alignment of the proposed Vasse-Dunsborough Link.
3. **south**: the southern boundaries of: Lot 1039 on Plan 255734 (#73 Genoli Road), Lot 432 on Plan 113232 (#112 Genoli Road), Lot 50 on Plan 87423 (#152 Mewett Road), and Lot 2 on Plan 78600 (#151 Mewett Road).
4. **east**: the eastern boundaries of: Lot 50 on Plan 87423 (#152 Mewett Road), and Lot 2 on Plan 78600 (#151 Mewett Road).

*Figure 2 – Dunsborough enquiry area context illustration*




Within the enquiry area, fronting Commonage Road to the east and south are the following developments:

- Dunsborough Lakes Holiday Resort (Lot 2761 on DP 26681)
- Garden centre (Lot 2761 on DP 26681)
- Toby's Inlet Lifestyle Village, currently under construction (Lot 21 on DP 51474)
- Dunsborough Rail Carriages and Farm Cottages (Lot 22 on DP 51474)
- Simmo's Ice Creamery (Lot 11 on D 90086)

Beyond this is rural land that has seen widespread clearing of native vegetation to enable agricultural pursuits, predominantly grazing.

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Mewett Road, a dedicated public road constructed to a bitumen standard, runs through the enquiry area and provides an east-west connection between Commonage Road and Quindalup Siding Road.

## 3.2 Leeuwin-Naturaliste Sub-regional Strategy

The Strategy includes a Strategy Plan that designates broad land use categories and other strategic directions. (See Map 1)

The enquiry area is designated as 'Rural and Landscape Protection' with a symbol denoting the Dunsborough PIA. Built-up land to the west of Commonage Road is designated as 'Urban'.

The Strategy Plan also spatially represents future transport infrastructure, namely the Vasse-Dunsborough Link and the extension of Biddle Road.

## 3.3 City of Busselton Local Planning Strategy

The strategic intent of the WAPC's *Leeuwin-Naturaliste Sub-regional Strategy* is broadly captured and reflected in the City of Busselton's Local Planning Strategy (2019).

The Local Planning Strategy identifies the enquiry area as 'Rural' with a symbol denoting the Dunsborough PIA in a corresponding location.

Land to the north and west of Commonage Road is identified as 'Existing Urban' and 'Current Urban Growth'. The land parcel to the immediate west of the enquiry area, being Lot 6 on Diagram 71498, is identified as 'Existing/Current Industrial/Service Commercial', with a numeric cross-reference referring to this as the 'Dunsborough Light Industrial' area.

## 3.4 Local Planning Scheme

The enquiry area is within the scheme area of the City of Busselton Local Planning Scheme No. 21 (LPS 21).

The classification of land in LPS 21 is shown in Map 2. Land in the enquiry area is classified as 'Rural' zone.

The Scheme prescribes Additional Uses for Lot 22 (Simmo's Ice Creamery) and Special Provisions for Lot 2761 (Dunsborough Lakes Holiday Resort) and Lot 21 (Toby's Inlet Lifestyle Village).

The LPS 21 Scheme map identifies a number of Special Control Areas over land proximate to Caves Road, including the following:

- Wetland Area
- Landscape Value Area
- Special Character Area

The land parcel to the west of the enquiry area is zoned 'Light Industry'.

## 3.5 Land Ownership

The enquiry area is comprised of 13 freehold land titles and two road reserves.

All freehold titles are held in fee simple by private interests. The table below provides a breakdown of land titles in the enquiry area by ownership type.

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*Figure 3 – Land ownership type*

| Land ownership type | No. of lots within enquiry area |
|---|---|
| Private individual/s | 6 |
| Private corporation | 5 |
| Private individual/s and corporations | 2 |

The land ownership details can be seen on Map 3, and further information on land assembly is provided in section 4.7.

# 4 Analysis

The key considerations are interpreted through the WAPC State Planning Framework. The table below illustrates where each key consideration has been addressed.

*Figure 4 – Section structure*

| Section | | Key consideration (Section 7 of Strategy) |
|---|---|---|
| 4.1 | Environment | • Biodiversity value protection |
| | | • Protection of significant environmental values |
| 4.2 | Bushfire | • Bushfire risk |
| 4.3 | Water | • Drainage |
| | | • Water source impact (groundwater and surface water) |
| 4.4 | Landscape | • Landscape value protection |
| 4.5 | Utilities | • Utility services capacity |
| 4.6 | Employment | • Provision of land for employment generating activities |
| 4.7 | Land assembly | • Land assembly (Possible diversity of owners) |
| 4.8 | PIA Extent | • Planning investigation area extent definition |

## 4.1 Environment

Two of the seven universal key considerations in the Strategy focus on the natural environment, with significant overlap:

- Biodiversity value protection
- Protection of significant environmental values.

For coherence and clarity, these are considered together, as below.

### Interpretation

State Planning Policy 2.0 - Environment and Natural Resources Policy (SPP 2.0) contains policy measures on the following:

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- agricultural land and rangelands (covered by Agricultural Use Protection and State Planning Policy 2.5 – Rural Planning (SPP 2.5))
- air quality
- biodiversity
- greenhouse gas emissions and energy efficiency
- landscape
- marine resources and aquaculture
- minerals, petroleum and basic raw materials (BRM)
- soil and land quality
- water resources.

Having regard to the definitions of 'environment' and 'environmental values' in the Environmental Protection Act 1986, and investigations required by other key considerations it is appropriate to interpret 'environmental values' as referring to the following elements listed in SPP2.0:

- agricultural land
- air quality
- biodiversity
- soil and land quality
- minerals, petroleum and BRM.

**In the context of this assessment, 'environmental values' investigation is interpreted to mean:**

- **Assessment as to whether the agricultural land, air quality, biodiversity, soil and land quality and minerals, petroleum and BRM characteristics of the enquiry area may preclude changing the use of the land.**

## Analysis

### *Agricultural land*

SPP 2.5 defines Agricultural Use as:

> *A subset of rural land used specifically for agricultural purposes including agriculture – extensive, agriculture – intensive, pastoral uses, plantations and agro forestry. This may include industry – primary production, but does not include rural living.*

Relevant to agricultural use, SPP 2.5 makes a distinction between 'rural land' and 'priority agricultural land', with a greater level of protection afforded to 'priority agricultural land'. SPP 2.5 supports "existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;".

A key consideration is retaining land identified as priority agricultural land in a planning strategy or scheme for that purpose.

SPP 2.5 defines priority agricultural land as:

> *Land of State, regional or local significance for food production purposes due to its comparative advantage in terms of soils, climate, water (rain or irrigation) and access to services. Priority agricultural land is derived from High Quality Agricultural Land data that has been subject to consultation and refinement, and has removed land required for existing and future urban/development areas, public use areas and land required for environmental purposes.*

A priority agricultural land assessment has not been identified or conducted for the Dunsborough area. The Department of Primary Industries and Regional Development (DPIRD) identifies 'high quality agricultural land' using a methodology that combines land and water resource information, to highlight

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areas of land valuable to agriculture and worthy of protection to ensure that resources meet future industry needs.

An assessment of the Dunsborough PIA enquiry area has not been undertaken. In that regard, this investigation remains unable to be determined and is inconclusive. Nevertheless, given that the PIA includes land that is currently used for low value agricultural uses such as grazing and non-agricultural purposes it is considered unlikely that the land would be characterised as priority agricultural land, on assessment.

*Air Quality*

SPP 2.0 establishes that planning should have regard to the National Environment Protection (Ambient Air Quality) Measure (NEPM), which sets protection goals for carbon monoxide, nitrogen dioxide, photochemical oxidants, sulfur dioxide, lead and particles (PM10 and PM2.5).

The Department of Water and Environmental Regulation operates and maintains an air quality monitoring site in Busselton – the nearest site to the enquiry area. Before 2019/20, one air quality pollutant (PM2.5) was monitored in Busselton. A PM10 particle monitor has since been installed. Data is only publicly available for PM2.5.

DWER's Air Quality Monitoring in Busselton (July 2016) includes the following key points:

- Air quality in Busselton is considered good on most days, although some poor air quality events occur in any given year.
- Poor air quality events have been primarily attributed to prescribed fire hazard reduction burns or bushfires.
- Monitoring will continue in accordance with NEPM as the national standard.

SPP 2.0 also includes a policy measure for planning to have regard to the potential for conflict between sensitive land uses and activities with air emission impacts. A range of activities that have the potential to impact on air quality is identified in the Environmental Protection Authority's (EPA) *Environmental Factor Guideline: Air Quality 2020* (AQ-Guideline). These activities include:

- waste to energy plants.
- oil and gas capture, processing and refining.
- heavy industries that emit atmospheric waste.
- bulk handling and transport (via road and rail) of materials.
- port operations.
- stockpiling of bulk material.
- crushing and screening of materials
- incineration of wastes.
- mining and associated processes
- chemical manufacturing and processing.

None of the activities listed in the AQ-Guideline are proximate to the enquiry area.

Given its proximity to existing residential areas, the enquiry area is not considered to be suitable for a change of use that would constitute an activity that may be considered harmful under the AQ Guideline.

*Biodiversity*

SPP 2.0 establishes that planning should consider mechanisms to protect areas of high biodiversity and/or conservation value. Of most relevance to the enquiry area, this includes land containing Threatened Flora or Threatened Ecological Communities, or that which is habitat to Threatened Fauna.

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Environmental legislation at the State and Commonwealth level provides statutory listing and protection for ecological communities, flora and fauna/fauna habitats of conservation significance. A desktop review of relevant geospatial datasets has identified the following (see Map 4):

*Figure 5 - Biodiversity of conservation significance*

| Value | Not mapped within or proximate to enquiry area | Mapped within or proximate to enquiry area | | Description |
|---|---|---|---|---|
| | | Within | Proximate | |
| Threatened Ecological Community (TEC) / Priority Ecological Community (PEC) | | | ✓ | Possible occurrence of PEC proximate to the drainage line to Toby Inlet, and TEC and PEC on slopes of Whicher Scarp. |
| Threatened and priority flora | ✓ | | | - |
| Threatened and priority fauna/fauna habitat | | ✓ | ✓ | Enquiry area is within the distribution area for threatened black cockatoos.<br>Recordings of Threatened and Priority Fauna in the general vicinity, mostly areas of woodland, forest remnants, and the fringing vegetation along the drainage line to Toby Inlet and associated wetland.<br>Areas require investigation as possible Carnaby's Cockatoo Feed Areas, being patches of remnant and riparian vegetation.<br>Enquiry area is within the supporting habitat area for Ringtail Possums. |

In the absence of detailed site-specific assessments for the enquiry area confirming the existence of conservation significant ecological communities, flora or fauna, the desktop analysis does not identify any biodiversity factors that would preclude a possible change of use.

Several patches and strips of remnant vegetation occur within the enquiry area, with conservation values unknown. Given the extent of clearing, future development associated with a change of use would be able to occur in a manner that seeks to avoid or minimise adverse impacts, directly or indirectly, on any areas with conservation value. This could be through design responses such as the retention of native vegetation in public open space and/or road reserves, and the use of conservation covenants.

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If the enquiry area is to be considered for a change of use, the following would be required in subsequent planning stages:

I. Native vegetation is retained, wherever possible, through planning mechanisms such as public open space or conservation covenants.

II. A detailed vegetation assessment is carried out to further classify vegetation types and condition in accordance with EPA guidelines to determine the presence or absence of PECs or TECs.

III. A targeted search for conservation significant flora is conducted in accordance with EPA guidelines to ensure that no flora of conservation significance will be impacted.

IV. A field survey to confirm and map fauna habitats and to determine the presence or absence of potential conservation significant fauna is undertaken in accordance with EPA guidelines.

V. The highest priority proximity value natural area corridors of a suitable width are excluded from development wherever possible to minimise the long-term impact on local fauna.

VI. If conservation significant ecological communities, flora and fauna/fauna habitats are found to be present, approvals and/or offsets under the *Environmental Protection Act 1986 (WA)* and *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)* may be required.

*Soil and Land Quality*

Acid Sulfate Soils

SPP 2.0 establishes that planning decision-making should identify existing and potential areas affected by acid sulfate soils (ASS) and, where appropriate, facilitate measures to reduce impacts.

ASS are naturally occurring soils, sediments and peats that contain iron sulphides. When exposed to atmospheric oxygen, ASS can form sulfuric acid and consequently release aluminium, nutrients and heavy metals (particularly arsenic) into the soil matrix. The release of these products into the soil and groundwater can be detrimental to biota, human health and built infrastructure.

The Department of Water and Environmental Regulation has published ASS risk maps of the Swan Coastal Plain. In relation to the enquiry area (see Map 5):

- The majority is mapped as **Class 2**: Moderate to low risk of ASS occurring within 3m of the natural surface but high to moderate risk of ASS beyond 3m of natural soil surface.
- The northeast portion is mapped as **Class 1**: High to moderate risk of ASS occurring within m of the natural surface.

The WAPC's *Acid Sulfate Soils Planning Guideline* (ASS Guideline) confirms that ASS are technically manageable in the majority of cases, with the only exception being in the case of marinas, boat harbours and canal estates. Investigations are required at structure planning stage to determine the presence and distribution of ASS, and demonstrate the capacity of the land to sustain the proposed land uses.

Based on the DWER data, it appears that the enquiry area is generally not suitable for land uses that required relatively deep soil extraction, including:

- extractive industries
- golf course
- marina

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- canal estate
- ornamental lakes
- developments that require building construction below the existing ground level.
- developments that require sewerage or subsoil drainage systems below the existing ground level.

Based on the available information, it appears that the possible existence of acid sulfate soils is not a reason to preclude changing the use of the land. Detailed assessment of disturbance risk and mitigation options can be addressed in subsequent planning stages, if required.

### Contaminated Sites

SPP 2.0 establishes that planning should recognise and consider land that is degraded or contaminated, or has the potential to become so.

DWER is responsible for administering and enforcing the *Contaminated Sites Act 2003*, which includes classifying sites on the Contaminated Sites Database. A search has been undertaken, and the enquiry area does not contain any sites on the Contaminated Sites Database.

The development history of the site has not been able to be confirmed as a part of this investigation. Based on the available information, it appears that site contamination is not a reason to preclude consideration to change the use of the land.

### *Minerals, Petroleum and BRM*

SPP 2.0 establishes that planning should identify and protect important and economic mineral resources to enable mineral exploration and mining.

DMIRS is responsible for administering the 'Mines, mineral deposits and prospects' database under the *Mining Act 1970*. The *Petroleum and Geothermal Energy Resources Act 1967* requires the provision of information on petroleum activities, with DMIRS administering a petroleum exploration database.

A search of the relevant databases for the enquiry area did not identify any mineral resources or petroleum activity that requires protection from urban land development.

The WAPC's State Planning Policy 2.4: Planning for Basic Raw Materials seeks to protect basic raw materials (BRM) in significant geological supplies and extraction sites. Available geospatial data indicates that the enquiry area does not include any significant geological supplies or extraction sites.

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the environmental values of the enquiry area has focused on protection of the following:

- agriculture
- air quality
- biodiversity
- soil and land quality
- minerals, petroleum and BRM

An analysis of available datasets has identified that protection of these environmental values is not a consideration that would preclude changing the designation of the enquiry area in the Strategy.

Any proposal to amend the City of Busselton Local Planning Scheme No. 21 to rezone the enquiry area will need to be accompanied by detailed site-specific assessments to determine the presence or absence of environmental constraints such as conservation-significant biodiversity or acid sulfate soils. The

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*Environmental Protection Act 1986* sets out a regime which requires the environmental assessment of such proposals where there is likely to be a significant effect on the environment.

Other environment related considerations such as landscape and water resources are addressed later in this report.

## 4.2 Bushfire

'Bushfire risk' is a universal key consideration in the Strategy.

### Interpretation

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) defines 'bushfire risk' as:

> *The chance of a bushfire igniting, spreading and causing damage to people, property and infrastructure.*

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services Commissioner.

Section 6.2 of SPP 3.7 provides that:

> *Higher order strategic planning documents such as frameworks, region schemes and sub-regional structure plans should include high level consideration of relevant bushfire hazards when identifying or investigating land for future development.*

**In the context of this assessment, 'bushfire risk' investigation is interpreted to mean:**

- **Consideration as to whether the likely Bushfire Hazard Level assessment of the PIA extent may preclude changing the use of the land.**

### Analysis

The majority of land within the enquiry area is designated as a Bushfire Prone Area by the Fire and Emergency Services Commissioner, with the exception of small pockets of land along the southeast edge of Commonage Road.

The Strategic Bushfire Hazard Assessment provides a pre-development bushfire hazard level (BHL) assessment, based on the existing vegetation (see Map 6). The majority of the area is assessed as having a Moderate BHL, correlating to areas with the Class G Grassland vegetation classification. Pockets are assessed as having an Extreme BHL, correlating to areas with the Class A Forest vegetation classification.

The Strategic Bushfire Hazard Assessment also provides a post-development bushfire attack level (BAL) contour assessment, based on potential post-development conditions. To inform this, DPLH provided Strategen-JBS&G with areas where vegetation will be required to be retained post-development. These areas, with an Extreme BHL, are assessed as BAL-FZ. Around the perimeter of these areas, the BAL contours transition from BAL-FZ to BAL-12.5. Areas to be modified to a non-vegetated and low threat state (due to being urbanised) are assessed as BAL-Low.

In terms of landscape scale bushfire risk, the Strategic Bushfire Hazard Assessment considers that there is insufficient intact forest vegetation to generate a landscape scale bushfire risk to the enquiry area. The greatest fire threat to future development is from remnant vegetation to the southwest of the enquiry area, with the potential to support fire runs of up to 750 metres through intact jarrah/marri/peppermint forest.

The Strategic Bushfire Hazard Assessment concludes that:

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- Bushfire hazards and associated bushfire risks can be managed through standard bushfire mitigation responses.
- Bushfire management measures would need to be developed early in the planning process.
- The Dunsborough PIA can be developed with a manageable level of bushfire risk whilst maintaining full compliance with SPP 3.7, the Guidelines and AS 3959.

### Outcome

The Strategic Bushfire Hazard Assessment concludes that development within the enquiry area can occur with a manageable level of bushfire risk.

Development of the enquiry area can occur in manner that achieves bushfire management objectives without adversely affecting biodiversity conservation. Pockets of remnant vegetation can be retained whilst also ensuring a rating of BAL-29 or lower is achieved for all future development, through measures such as utilising asset protection zones at interfaces with vegetation and building setbacks.

Having regard to the State Planning Framework, bushfire risk is not a consideration that would preclude changing the designation of the enquiry area in the Strategy.

## 4.3 Water

Two of the universal key considerations in the Strategy focus on water-related issues, being:

- Drainage
- Water source impact (groundwater and surface water).

The need for integrated water resource management is recognised by the State Government through a suite of policy statements and strategies across the water and planning portfolios.

Integrated water resource management is an approach that holistically considers all aspects of water including drinking water, groundwater, stormwater, wastewater, flooding, wetlands and waterways.

A key principle of this approach is the integration of water and land use planning – development and water resource management are interrelated and should be delivered in an integrated manner. The WAPC's State Planning Framework outlines how water resource management should be integrated into planning processes. Relevant provisions of the State Planning Framework include:

- State Planning Policy 2.0 – Environment and Natural Resources Policy (SPP 2.0)
- State Planning Policy 2.7 – Public Drinking Water Source (SPP 2.7)
- State Planning Policy 2.9 – Water Resources (SPP 2.9)
- Better Urban Water Management Guidelines (BUWM)
- Draft State Planning Policy 2.9 – Planning for Water
- Draft State Planning Policy 2.9 – Planning for Water Guidelines.

To reflect the principles of integrated water resource management and emphasise their interconnected nature, the investigation of the 'Drainage' and 'Water source impact (groundwater and surface water)' considerations are consolidated in this section.

### Interpretation

*Drainage*

The term 'drainage' is not defined in the State Planning Framework. It is commonly understood to mean the natural or artificial removal of a surface's water from an area with an excess of water.

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The related concept of 'stormwater' is addressed in the State Planning Framework as a component of urban water management.

SPP 2.0 includes the following relevant policy measures:

> *Encourage urban water management through water sensitive design approaches that better manage stormwater quality and quantity; that reduce the impact of stormwater flows to streams, wetlands and coastal waters; and that control or remove pollutants and nutrients.*
>
> *Ensure the provision of adequate setbacks between development and the foreshores of wetlands, waterways, estuaries and the coast, in order to maintain or improve the ecological and physical function of water bodies. Such setbacks will aim to maintain the natural drainage function…and facilitate filtration of sediment and waste associated with surface run-off from adjacent land uses.*

Detailed guidance on urban water management is provided in State Planning Policy 2.9 and BUWM. SPP 2.9 provides guidance for the determination of appropriate buffering of waterways and estuaries.

**In the context of this assessment, 'drainage' investigation is interpreted to mean;**

- **Consideration as to whether urban water management requirements, and the potential need to provide an appropriate setback to any wetland or waterway, may preclude changing the use of the land.**

*Water Source Impact (Groundwater and Surface Water)*

The following State Planning Policies are relevant to this section:

- SPP 2.7
- SPP 2.9

SPP 2.7 applies to proclaimed Public Drinking Water Source Areas and is focused on protecting public water supplies that are obtained from groundwater and surface water resources.

SPP 2.9 includes the following:

> *Water resources are defined as 'water in the landscape (above and below ground) with current or potential value to the community and the environment. Water resources that may be the subject of this policy include the following natural or modified features:*
>
> - *wetland (such as a seasonal or intermittent lake, swamp, marsh, spring, dampland and tidal flat, and including significant artificial wetlands)*
> - *waterway (such as river, stream and creek)*
> - *estuaries*
> - *groundwater*
> - *surface water*
> - *irrigation dam*
> - *floodplain*
> - *foreshore*
> - *stormwater*
> - *existing and future surface and groundwater drinking water catchments and sources (for example reservoirs and borefields) for public and private supplies*
> - *wastewater.*

Wetland, waterway, estuaries, groundwater, surface water, irrigation dam, floodplain, foreshore and stormwater elements of SPP 2.9 are either considered elsewhere in this review or are not relevant to the assessment of the PIA.

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**In the context of this assessment, 'water source (groundwater and surface water)' investigation is interpreted to mean:**

- **Assessment as to whether an existing or proposed proclaimed Public Drinking Water Source Area may preclude changing the use of the land.**

## Analysis

### *Drainage*

Integrated water resource and land use planning seeks to ensure an appropriate level of consideration is given to the total water cycle at each stage of the planning system.

Planning at the scale of this PIA investigation should ideally be supported by a district water management strategy (DWMS). The purpose of such a document is to demonstrate that an area is capable of supporting the change in land use and to identify land areas required for water management.

A DWMS covering the enquiry area does not exist.

Should this investigation conclude that the land is suitable for a change of use, future planning stages would need to be accompanied by a district water management strategy and/or a local water management strategy. Such strategies would include detailed, site-specific work on the following:

- Water balance modelling
- Hydrological regime of water dependent ecosystems and ecological health
- Groundwater monitoring and modelling
- Surface water monitoring and modelling
- Monitoring of flows in existing streams or drainage systems.

In relation to wetlands, the eastern portion of the enquiry area is covered by the Geomorphic Wetlands: Swan Coastal Plain dataset. The majority of this area is classified as 'Palusplain' with a management category of 'Multiple Use'. (See Map 7)

The western portion of the enquiry area is covered by a dataset titled Geomorphic Wetlands: Leeuwin Naturaliste Ridge and Donnybrook to Nannup – Unreviewed. This preliminary dataset classifies the area as 'Palusplain', with no management category assigned.

Beyond the enquiry area, to the north of the future Vasse-Dunsborough Link is an area classified as 'Sumpland' with a management category of 'Conservation'.

A general description and summary of DBCA's objectives for each management category follows:

*Figure 6 - DBCA wetland management categories*

| Management Category | General Description | Management Objectives |
|---|---|---|
| **Conservation** | Wetlands which support a high level of attributes and functions | Highest priority wetlands.<br>Objective is to preserve and protect the existing conservation values of the wetlands through various mechanisms including:<br>- preservation in national parks, crown reserves and State owned land protection under Environmental Protection Policies.<br>- wetland covenanting by landowners.<br>- no development of clearing is considered appropriate. These are the most valuable wetlands and any activity that may lead to further loss or degradation is inappropriate |
| **Resource Enhancement** | Wetlands which may have been partially modified but still support | Priority wetlands. |

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| | | |
|---|---|---|
| | substantial ecological attributes and functions | Ultimate objective is to manage, restore and protect towards improving their conservation value. These wetlands have the potential to be restored to Conservation category. This can be achieved by restoring wetland function, structure and biodiversity.<br><br>Protection is recommended through a number of mechanisms |
| **Multiple Use** | Wetlands with few remaining important attributes and functions | Use, development and management should be considered in the context of ecologically sustainable development and best management practice catchment planning through landcare. |

SPP 2.9 reinforces the above management objectives via policy measures that seek to protect, manage, conserve and enhance/restore the attributes, functions and values of Conservation and Resource Enhancement wetlands. In relation to Multiple Use wetlands, SPP 2.9 seeks to ensure the use of best management practices in their development and use, consistent with the principles of total water cycle management.

In relation to waterways, the enquiry area lies within the Geographe Bay Catchment and the Toby Inlet sub-catchment. Several minor non-perennial watercourses traverse the PIA in a north-easterly direction from the Whicher Scarp and flow to the sumpland connected to Toby Inlet.

In considering the suitability of the land for a potential change of use:

- Areas of multiple use wetlands (and areas with no management category assigned) are suitable for a change of use, subject to this being in the context of ecologically sustainable development and best management practice catchment planning.
- The boundary of the PIA should consider the application of a buffer for the conservation category wetland.
- The waterways that traverse the PIA can be incorporated in the design of public open space and/or drainage networks at the detailed planning stage, and do not preclude a change of use of the land.
- Subsequent planning phases will require site-specific assessments of wetlands and waterways to determine their attributes, values and functions, and to determine appropriate setbacks.

*Water Source (Groundwater and Surface Water)*

The public drinking water supply for Dunsborough is obtained from groundwater abstracted from Water Corporation wellfields, located approximately 3km southeast of the Caves Road and Commonage Road intersection.

The production bores draw from the Leederville (confined) aquifer and in a minor way from the Sue Coal Measures. The Leederville formation in this area is stratified, flat-lying and predominantly shaly, and is therefore not considered vulnerable to contamination form land uses around the bore fields.

These wellfields were proclaimed as the Quindalup Water Reserve in 2008. The land in the Water Reserve is managed for Priority 1 water source protection. The boundaries of the Water Reserve reflect the location of the production bores, and are located outside the enquiry area along Mewett Road, Quindalup Siding Road and Vasse-Yalingup Siding Road.

No land within the enquiry area has been identified as an existing or proposed public drinking water source area.

### Outcome

The integrated water resource management approach recognises the interconnectedness of all aspects of water including drinking water, groundwater, stormwater, wastewater, flooding, wetlands and

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waterways. The investigation of the 'Drainage' and 'Water source impact (groundwater and surface water)' considerations has occurred within this framework.

An analysis of available datasets has identified that land within the enquiry area is classified as a palusplain, with a management category of Multiple Use or none assigned. SPP 2.9 provides for development of Multiple Use wetlands, subject to best management practice in accordance with the principles of total water cycle management.

Preparation of a district water management strategy and/or a local water management strategy will be required in subsequent stages of planning, to ensure integration of water and land use planning.

The enquiry area is not affected by existing or proposed public drinking water source areas.

Having regard to the State Planning Framework, drainage and water source are not considerations that would preclude changing the designation of the enquiry area in the Strategy.

In relation to other water related considerations, the Strategy does not identify flood risk or coastal inundation as key considerations for the Dunsborough PIA. These are addressed in Section 4.9.

## 4.4 Landscape

'Landscape value protection' is a key consideration in the Strategy.

### Interpretation

SPP 2.0 includes guidance regarding planning strategies, schemes and decision-making, noting that they should:

> *Identify and safeguard landscapes with high geological, geomorphological or ecological values, as well as those of aesthetic, cultural, or historical value to the community, and encourage the restoration of those that are downgraded.*

For the purposes of this investigation, the landscape consideration guidance provided in SPP 2.0 is interpreted through the existing heritage regime and State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge.

#### *Heritage Regime*

Landscapes can be recognised by the heritage regime as having varying levels of significance and protection. For the purposes of this investigation, heritage regime is a term used to collectively refer to the following.

*Figure 7 - Heritage regime*

| Legislation / head of power | Organisation |
|---|---|
| *Heritage of Western Australia Act 2018* | Heritage Council of Western Australia |
| *Environment Protection and Biodiversity Conservation Act 1999* | Australian Heritage Council |
| *City of Busselton Local Planning Scheme No. 21* | City of Busselton |
| *Aboriginal Heritage Act 1972* | Aboriginal Culture and Materials Committee |

#### *Planning regime*

Landscapes can be recognised by the planning regime as having varying levels of significance and protection. For the purposes of this investigation, planning regime is a term used to collectively refer to the following elements of the State Planning Framework:

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- State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (1998)
- Visual Landscape Planning in Western Australia Manual (2007)

The *Visual Landscape Planning in Western Australia Manual* (2007) provides that landscape values may be characterised as:

> *Those landscape characteristics that the community considers are significant for reasons such as their aesthetic (predominantly visual), social, environmental, and heritage values.*

State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge includes the following regarding landscape values:

> *Features within the landscape that are highly valued, as defined by documented research. A more detailed description of landscape values in the Leeuwin-Naturaliste is provided in the supporting Leeuwin-Naturaliste Landscape Assessment Study.*

**In the context of this assessment, 'landscape value protection' investigation is interpreted to mean:**

- **Assessment as to whether the landscape that the PIA land is wholly or partly within has landscape values that have been recognised in the heritage regime, and that may preclude changing the use of the land.**
- **Assessment as to whether the aesthetic landscape values of the PIA may preclude changing the use of the land, having due regard to the 'Visual Landscape Planning in Western Australia Manual' and SPP 6.1.**

## Analysis

### *Landscape values - Heritage*

There are no places within the enquiry area that have recognised landscape values under the heritage regime. (See Map 9)

Caves Road was nominated for the State Register in 2018 and is currently being assessed. The nomination was made on the basis of the road's historic significance to the region and the fact that it largely follows one of the early tourist trails developed in 1902 that toured caves of the area. The boundary of the nominated area is the Caves Road road reserve.

It is noted that the Slab Cottage Group, a group of buildings located outside the enquiry area on the property at 1087 Caves Road in Quindalup, is included on the State Heritage Register and the City of Busselton's Heritage List. The place has cultural significance for its close association with the Quindalup timber mill and jetty. Its cultural significance does not stem from values pertaining to the landscape.

### *Landscape values – Planning*

SPP 6.1 identifies areas of landscape significance based on an assessment of aesthetic, social or historic features. The two classes of landscape significance are:

| | |
|---|---|
| **Natural Landscape Significance** | *areas in this class include all the natural characteristics which contribute to significant natural landscapes.* |
| **Rural Landscape Significance** | *areas in this class include all the natural and cultural characteristics which contribute to significant rural landscapes.* |

Within the enquiry area, a pocket of land (approximately 13ha in size and correlating to a patch of remnant vegetation on Lots 1, 2 and 3 on Mewett Road) is identified as 'Rural Landscape Significance' (see Map 7). The remainder is identified as the following landscape classes:

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- 'General Character'.
- 'Travel Route Corridor' (300m wide strip of land along Commonage Road).

In terms of landscape character units, the enquiry area is identified as the 'Coastal Plain' landscape character unit.

In areas of Rural Landscape Significance, development or change of use should protect the rural character of the land. The policy does not include policy measures of direct relevance to the Coastal Plain landscape character unit.

SPP 6.1 also includes a land use strategy plan that identifies the enquiry area as 'Agriculture and Rural Landscape'. LUS 4.10 establishes that conserving productive agricultural potential and rural landscape values will be the principal criterion in assessing a change of use.

In terms of existing public viewpoints, there are no views into the enquiry area from Caves Road due to screening by vegetation and topography. Each of the three public roads within or immediately adjacent to the enquiry area (Commonage Road, Genoli Road and Mewett Road) have mature remnant vegetation in the road reserve which restricts views into the enquiry area.

Since gazettal of SPP 6.1 in 1998, the landscape values of the land adjoining Commonage Road have undergone significant change. Land on the western side of Commonage Road that was formerly used for rural purposes has now been urbanised. The Toby's Inlet Lifestyle Village is currently being constructed on Lot 21, resulting in an urban type use to the southeast of Commonage Road.

The changing landscape values suggest that the enquiry area may be able to sustain a change of use that integrates with the existing urbanised area and is sympathetic to the general intent of landscape protection in the Leeuwin-Naturaliste Sub-region. Subsequent planning stages can include measures such as the following to minimise the visual impact of any new development:

- Retention of the existing trees within the road reserves of Commonage Road, Mewett Road and Genoli Road.
- Planting of trees to screen views into the enquiry area, if necessary.
- Protection of the patch of remnant vegetation on the pocket of land assessed as having 'Rural Landscape Significance'.

### Outcome

The enquiry area does not contain any places recognised as having landscape values by the heritage regime. A 13ha portion of land with remnant vegetation is identified as 'Rural Landscape Significance' in the landscape classes map of SPP 6.1. The rural landscape values of this land can be protected in subsequent planning stages through design measures such as retaining the remnant vegetation in public open space.

There are no views into the enquiry area from Caves Road and the landscape values of Commonage Road have been changing as the adjoining land is progressively urbanised.

Having regard to the State Planning Framework, landscape value protection is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

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## 4.5 Utilities

'Utility services capacity' is a universal key consideration in the Strategy.

### Interpretation

State Planning Policy 3.0 – Urban Growth and Settlement (SPP 3.0) includes the following:

> *Planning for new growth and settlements should be coordinated with the cost-efficient provision of infrastructure and services such as roads, public transport, water supply, sewerage, electricity, gas, telecommunications, drainage, open space, schools, health and recreational facilities.*

The term 'utilities' is not defined in the State Planning Framework. For the purposes of this assessment, utility services are regulated essential services generally required for urban land uses, and limited to:

- water
- wastewater
- energy.

SPP 3.0 does not include a definition or explanation of 'capacity'. A common meaning of that term is "the maximum amount that something can contain". The WAPC's *Busselton Regional Land Supply Assessment* 2016 identifies water, wastewater and energy as the regulated essential services to be considered in this regard.

**In the context of this assessment, 'utility services capacity' investigation is interpreted to mean:**

- **High-level consideration of the availability of regulated water, wastewater and energy services capacity and whether it may preclude changing the use of the land.**

### Analysis

Dunsborough potable water supply is provided by the Water Corporation. Water is abstracted from local groundwater sources and treated at the Dunsborough Water Treatment Plant. Water is also purchased from Busselton Water to meet peak demands. Busselton Water has access to the Yarragadee aquifer, with existing licenced entitlement to 8,100 ML per annum of water available for public water supply. There is potential for Water Corporation to extend its Water Supply Agreement with Busselton Water in order to supply water for future growth.

In relation to water conveyance, bulk water is pumped from the water treatment plant to storage tanks and then supplied to customers via a network of reticulation pipes. Future growth in Dunsborough, including in the enquiry area, will likely require incremental upgrades of the water distribution main network and duplication of water storage tanks.

Wastewater services in Dunsborough are also provided by the Water Corporation. Wastewater is conveyed via a network of reticulation pipes to the Dunsborough Wastewater Treatment Plant. It is anticipated that the wastewater conveyance network will be at capacity once development of existing planned areas is complete. It is likely that new infrastructure (pump stations, gravity sewers and pressure mains) would be required to service development within the enquiry area. Duplication of the wastewater treatment plant would be required to provide for the long-term requirements of Dunsborough.

Western Power provides electricity services to Dunsborough, and the enquiry area is within the South West Inteconnected System. The area serviced by the Busselton substation, which includes the enquiry area, has the following forward network capacity (as forecast by Western Power's Network Capacity Mapping Tool):

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*Figure 8 - Forward network capacity*

| Year | Forecast remaining capacity |
|---|---|
| 2021 | Between 15 MVA and 20 MVA |
| 2026 | Between 5 MVA and 10 MVA |
| 2031 | Between 5 MVA and 10 MVA |
| 2036 | Less than 5 MVA |

The adjoining Dunsborough Lakes residential and golf course estate is serviced via underground distribution cables. Any future development within the enquiry area can be serviced by an extension of the existing reticulated network and associated upgrades.

### Outcome

Dunsborough is provided with water, wastewater and electricity services via reticulated networks by regulated providers. The potable water supply has significant capacity to facilitate future growth. The wastewater and electricity services are likely to require capacity upgrades in the future as part of the long term service planning for these utilities.

The enquiry area is contiguous with the existing urbanised extent, and reticulation networks can be extended without the need to leapfrog broad areas of land.

Having regard to the State Planning Framework, utility services capacity is not a consideration that would preclude changing the designation of the enquiry area in the Strategy.

## 4.6 Employment

'Provision of land for employment generating activities' is a key consideration in the Strategy that is specifically relevant to the Dunsborough PIA.

### Interpretation

The WAPC's State Planning Framework does not contain a definition directly relating to 'land for employment generating activities'.

The term 'employment land' is used in the WAPC's monitoring reports such as the *Economic and Employment Lands Monitor* (EELS) and the Land Use and Employment Survey (LUES). The former contains the following definition of employment land:

> *Employment land is broadly defined as land that could be used for employment generating activities, including land zoned for industrial and commercial purposes.*

In terms of 'employment generating activities', the LUES uses a range of primary land use categories which generate employment, including:

- Primary-Rural
- Manufacturing/Processing/Fabrication
- Storage/Distribution
- Service Industry
- Shop/Retail
- Other Retail
- Office/Business
- Health/Welfare/Community Services
- Entertainment/Recreational/Cultural

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- Residential
- Utilities/Communications

The term 'employment land' is used interchangeably with the term 'land for employment generating activities'.

**In the context of this assessment, 'land for employment generating activities' is interpreted to mean**

- **Assessment of the existing supply and forecast demand (to 2039) for employment land.**
- **Assessment of the enquiry area to confirm if it is suitable for employment land.**

## Analysis

### *Supply*

An overview of the existing supply and forecast demand for employment land in Dunsborough is provided in the WAPC's *Busselton Regional Land Supply Assessment* (RLSA) and the City of Busselton's Local Planning Strategy.

The RLSA identifies a total of 510ha of land zoned for industrial purposes within the City of Busselton, approximately 13% of which is located in Dunsborough, including:

- Clark Street Industrial Area (3ha)
- Dunsborough Lakes Enterprise Park (7ha)
- Dunsborough Light Industrial Area (54ha)

The Local Planning Strategy notes that subdivision and development of the Dunsborough Light Industrial Area has not progressed and is unlikely to occur, largely due to environmental constraints. Given this, Dunsborough will be reliant on the Vasse Light Industrial Area and industrial expansion areas in Busselton.

In terms of commercial land, the Dunsborough town centre provides the focus for retail and commercial activities in the local area with approximately 12,000m$^2$ of retail/service floorspace. It supports two supermarkets plus numerous smaller retail and commercial premises.

Quantifying future demand for employment land is challenging, due to the cyclical nature of economic growth and the complexity of interacting economic and demographic growth drivers. Industrial land markets are often highly dynamic and it is difficult to predict the specific needs of industry in the future.

The RLSA identifies that very large areas of land have been identified for industrial expansion in Busselton and Vasse, stating:

> *There is sufficient stock of land available to facilitate a seven-fold expansion in the City's industrial sectors.*

However, the vast majority of this industrial expansion land is located around the Busselton Airport and there is minimal land available for light industrial and service commercial type uses in Dunsborough.

The Local Planning Strategy outlines that physical expansion of the Dunsborough Town Centre footprint to the southern side of Caves Road may be required to meet demand for additional floorspace from an expanded population. This will require the identification of land elsewhere in Dunsborough for the development of replacement playing fields, potentially within the enquiry area.

Land within the enquiry area, depending on the outcome of this investigation, could also be required as a neighbourhood centre to provide for local daily convenience shopping for residential areas within the enquiry area (potential) and the eastern and southern portions of Dunsborough Lakes.

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In light of the preceding, Dunsborough is likely to require additional employment land – to accommodate future light industrial, service commercial and retail/commercial uses especially – to meet the demands of a growing population in the 2039 time horizon of the Strategy.

### *Suitability*

Land within the enquiry area is currently used for a variety of employment generating activities. The *2018 Leeuwin Naturaliste Land Use and Employment Survey* collected the following data for land parcels within the enquiry area:

*Figure 9 - Land Use and Employment Survey 2018*

| Land parcel & business name | Planning Land Use Code | Employees (full & part time) |
|---|---|---|
| Simmo's Ice Creamery (Lot 11 on D 90086) | Entertainment/Recreational/Cultural<br>Manufacturing/Processing/Fabrication<br>Office/Business<br>Shop/Retail<br>**Total** | 13<br>18<br>4<br>95<br>**130** |
| Dunsborough Rail Carriages and Farm Cottages (Lot 22 on DP 51474) | Residential | 20 |
| Dunsborough Lakes Holiday Resort / Garden centre (Lot 2761 on DP26681) | Entertainment/Recreational/Cultural<br>Manufacturing/Processing/Fabrication<br>Office/Business<br>Residential<br>Other Retail<br>Shop/Retail<br>Storage/Distribution<br>**Total** | 28<br>2<br>37<br>34<br>2<br>25<br>7<br>**135** |

Once constructed, the Toby's Inlet Lifestyle Village will generate employment across a range of categories, and other land parcels within the enquiry area are currently, or have in the past, been used for Primary-Rural employment generating activities.

In terms of its suitability for employment land, the enquiry area contains land that is generally free of constraints and is physically capable of being developed for a range of uses. Any development that would generate off-site impacts – such as air, noise, odour, emissions and safety risks – would need to be appropriately separated from sensitive land uses.

Due to proximity to existing and future residential areas, the most suitable type of employment land for the enquiry area would be light industrial and commercial. The enquiry area would also be a suitable location for the establishment of replacement playing fields to offset the loss of existing playing fields, which would result from the Dunsborough town centre expanding its footprint south of Caves Road.

### Outcome

Forecast population growth in Dunsborough will require the identification of additional employment land, particularly for industrial and commercial purposes. There is minimal land available for light industrial and service commercial type uses. Potential expansion of the Dunsborough town centre would require the provision of replacement playing fields.

A range of employment generating activities currently exist within the enquiry area, and it contains unconstrained land that may be suitable for additional employment generating activities and/or playing fields. Any potential employment land within the enquiry area would need to be compatible with the surrounding residential areas, in order to avoid land use conflict with sensitive uses.

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The strategic identification of new industrial and commercial areas to meet long term requirements is best addressed at the settlement (Dunsborough) and/or municipality (City of Busselton) scale, through a high level assessment forming part of the process for a Scheme review and/or an amendment to the Local Planning Strategy.

The 'Urban' designation in the Strategy is for land, within or adjoining a town, that is used for a variety of purposes, including: industrial, commercial, tourism, public and private institutions, recreation and open space. Changing the designation of the enquiry area to 'Urban' would provide for the potential identification of employment land at subsequent planning stages, if desired by the proponent or considered appropriate by the City of Busselton.

Having due regard to the State Planning Framework, the identification of land for employment generating activities is not a consideration that would preclude changing the designation of the enquiry area in the Strategy.

## 4.7 Land Assembly

'Land assembly (possible diversity of owners)' is a key consideration in the Strategy that is specifically relevant to the Dunsborough PIA.

### Interpretation

'Land assembly' is not a term defined in the State Planning Framework. In the context of this assessment, land assembly is interpreted to mean the potential level of difficulty in coordinating and managing land holdings to successfully advance changing the use of land.

**In the context of this assessment, 'land assembly (possible diversity of owners)' investigation is interpreted to mean:**

- **Assessment of the potential level of difficulty in coordinating and managing landholdings to successfully advance changing the use of land within the Dunsborough enquiry area, including:**
  - **limiting fragmentation**
  - **identifying larger landholdings**
  - **limiting the number of owners.**

### Analysis

There is no discrete data that specifically addresses land assembly, and the intentions of landowners have not been ascertained. As such, analysis of this key consideration is informed by the findings of the other key considerations, cadastre and land ownership information provided in the table below:

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*Figure 10 - Land assembly*

| | Owner Name | Land parcel | Size (ha) |
|---|---|---|---|
| Outside of Ambit | | | |
| | | Lot 1 on D78600 | 8.1 |
| | | Lot 2 on D78600 | 53.9 |
| | | Lot 432 on DP113232 | 40.5 |
| | | Lot 1039 on DP225734 | 30.8 |
| | | Lot 2761 on DP26681 | 37.1 |
| | | Lot 12 on D90086 | 10.4 |
| | | | |
| | | Lot 2 on D53663 | 14.9 |
| | | Lot 11 on D90086 | 12.8 |
| | | Lot 726 on DP251194 | 40.6 |
| | | Lot 21 on DP51474 | 12.2 |
| | | Lot 3 on D53663 | 26.7 |
| | | | |
| | | Lot 50 on D87423 | 57.0 |
| | | Lot 22 on DP51474 | 36.7 |

In terms of consolidated landholdings, only two landowners within the enquiry area own multiple lots, being Outside of Ambit (Lot 50 being co-owned with a corporation).

Land titles within the enquiry area range from 8.1ha to 57ha, with an average size of 29.4ha and a median size of 30.8ha. The four largest landholdings adjoin Mewett Road or the unnamed road reserve bisecting Lot 2761, without frontage to Commonage Road.

In terms of ownership, all land within the enquiry area is held by private interests.

Land assembly for urban development is a complex process that is driven by market forces. In line with forecasts for the population of Dunsborough to continue to grow, demand for housing and a corresponding increase in property values is likely to facilitate land assembly for future urban development.

### Outcome

The enquiry area is comprised of 13 land parcels, which are owned by varying private interests.

The hypothetical urbanisation of the enquiry area would require coordination of multiple landowners across multiple land parcels, as opposed to the development of *in globo* land by a single owner.

The land assembly process for Dunsborough Lakes residential and golf course estate, which originally also had a degree of land fragmentation, was driven by market forces – as is typical of the free market system. It is expected that forecast demand for additional housing in Dunsborough would similarly drive land assembly within the enquiry area.

Based on a review of property details, land assembly is not a consideration that would preclude changing the designation of the enquiry area in the Strategy.

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## 4.8 PIA Extent

'Planning Investigation Area extent definition' is a key consideration in the Strategy that is specifically relevant to the Dunsborough PIA.

### Interpretation

'Planning Investigation Area' is not a term defined in the State Planning Framework. The Strategy describes it as: *"Land that will be subject to further investigation/s to consider its suitability, and the area of land to be identified, for a possible change of use".*

The Strategy does not further define its intent when prescribing this key consideration.

At its 28 April 2021 meeting the WAPC adopted the following principles for defining the Dunsborough PIA extent:

- Exclude land zoned or otherwise identified for urban type uses (residential, industrial, urban development, etc).
- Consider the forecast demand for urban land to 2039 for Dunsborough (Strategy's time horizon).
- Prioritise land abutting existing urban type uses.
- Clip the PIA boundary to cadastre.

**In the context of this assessment, 'Planning Investigation Area extent definition' investigation is interpreted to mean:**

- **Define the extent of land within the Dunsborough enquiry area that is suitable for designation in the Strategy as 'Urban', having regard to:**
  - **outcomes of all key consideration investigations**
  - **demand and supply for urban land to 2039 for Dunsborough.**

### Analysis

*Demand and supply*

Analysis of this key consideration is informed by the findings of the other key considerations, and analysis of the forecast supply and demand for residential land in Dunsborough to 2039.

DPLH has prepared the *Leeuwin-Naturaliste Sub-region Residential Land Supply and Demand Assessment* (the 'Land Assessment') to inform the investigation of this consideration for the Dunsborough, Vasse South and Margaret River PIAs. The Land Assessment:

- identifies the current supply of residential land for Dunsborough, Margaret River and Vasse,
- estimates demand for residential land to 2039 in these localities,
- assesses whether the current supply of residential land is sufficient to meet estimated demand to 2039, and
- identifies the volume of land required, if any, to meet estimated demand to 2039.

The identification of current supply is based on the number of greenfield lots and dwellings (assuming a 1:1 ratio) provided for by the current local planning framework. It considers the whole length of the land development pipeline, including: lots available for purchase, lots proposed to be created via subdivision approval, lots identified in a local structure plan, and potential yield of land zoned for residential or urban development.

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The Land Assessment identifies a current supply of an additional 1,200 greenfield lots/dwellings, based on the existing local planning framework.

The Land Assessment uses historical rates of dwelling construction as the basis for estimating future demand for residential dwellings. In the 15 years to 31 December 2020, construction was completed on an annual average of 113 dwellings in Dunsborough. Based on projecting this historic expressed demand to 2039, it is estimated that an additional 2,147 dwellings will be required in Dunsborough between 2020 and 2039.

The Land Assessment therefore assesses that the supply of residential lots and land is not sufficient to meet projected demand, as follows:

*Figure 11 - Land supply assessment*

| Demand (lots/dwellings) | Supply (lots/dwellings) | Supply is short of demand by: |
|---|---|---|
| 2,242 | 1,329 | 913 lots/dwellings |

*Land requirements*

To inform the PIA extent consideration, the Land Assessment quantifies the volume of net and gross urban land that will be required to provide an additional 913 dwellings to meet demand to 2039.

Based on Dunsborough's existing net site dwelling density of 15 dwellings per hectare, it is estimated that 61ha of net urban land will be required. This net amount includes only the site area of lots actually developed for residential use, and does not include other urbanised portions of land zoned for urban development such as roads, parks and other incidental uses (termed 'Gross zone dwelling density').

DPLH's established method for converting gross urban land to net is to use a conversion ratio of 0.7, meaning that 30% of gross land is used for purposes other than the site area of dwellings (ie roads, parks etc). Therefore, the estimated land requirement for an additional 61ha of net urban land converts to 87ha of gross urban land. These figures represent land requirements for residential purposes only.

In addition, the investigation of other considerations in this report includes the following findings that impact on land requirements:

- There are pockets of remnant vegetation within the enquiry area, comprised of underrepresented vegetation complexes and that require investigation as Carnaby's Cockatoo Feed Areas. These areas, along with any other land containing conservation significant biodiversity, are to be retained within public open space through subsequent planning stages.
- The waterways traversing the enquiry should be incorporated in the design of public open space and/or drainage networks, in accordance with principles of total water cycle management.
- Dunsborough is likely to require additional employment land to meet anticipated growth to 2039, especially for light industrial and service commercial purposes.
- A neighbourhood centre may be required within the enquiry area to provide for local daily convenience shopping.
- Land within the enquiry area may be suitable for the development of new playing fields to offset the possible loss of Dunsborough's existing playing fields that would result from expansion of the town centre to the south of Caves Road.

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Based on the above, it is recommended that additional land in the order of magnitude of 50ha be factored into the total land requirements calculation. This accounts for land that will required for purposes other than residential, should the enquiry arear be urbanised in the future.

It is therefore estimated that an amount of approximately 140ha of land in the enquiry area is required to meet the identified urban land requirements for Dunsborough to 2039.

As outlined in Section 4.6, the strategic identification of new employment land and land required for public purposes (such as education, health and recreation) is best addressed through a high level assessment forming part of a Scheme review and/or an amendment to the Local Planning Strategy. Should such a process occur, additional land on top of the 140ha outlined above may be identified to meet the long term needs of Dunsborough. This type of high level assessment is beyond the scope of the investigation of the Dunsborough PIA.

*Formulation of PIA extent*

The PIA extent is the area that this investigation has deemed suitable for a change in land use designation in the Strategy to 'Urban'. The PIA extent can be seen in Figure 12. The PIA extent is comprised of the following six land parcels:

*Figure 12 - PIA extent*

| Land parcel | Size (ha) |
|---|---|
| Lot 726 on DP 251194 | 40.6 |
| Lot 3 on D 53663 | 26.7 |
| Lot 2 on D 53663 | 14.9 |
| Lot 11 on D 90086 | 12.8 |
| Lot 12 on D 90086 | 10.4 |
| Lot 22 on DP 51474 | 36.7 |
| **Total** | **142.1ha** |

In formulating the PIA extent, the principles adopted by the WAPC have been given due regard as follows:

*Figure 13 - WAPC principles of PIA extent*

| WAPC principle | Comments |
|---|---|
| Exclude land zoned or otherwise identified for urban type uses. | • Land within the PIA extent is zoned 'Rural'.<br>• An urban type use (lifestyle village) currently under construction on Lot 21 has been excluded from the PIA extent.<br>• The PIA extent excludes Lot 6 on D 71498, zoned 'Light Industry' (known as Dunsborough Light Industrial Area). |
| Consider the forecast demand for urban land to 2039 for Dunsborough | • The PIA extent has a total size of 142ha.<br>• The Land Assessment estimated that approximately 140ha of urban land is required to meet demand to 2039. |
| Prioritise land abutting existing urban type uses. | • The PIA extent includes the land parcels adjoining Commonage Road, and the land parcels adjoining these lots. |
| Clip the PIA boundary to cadastre. | • The PIA extent is based on cadastral boundaries. |

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### Outcome

An assessment of the supply and demand for residential land in Dunsborough has identified a shortfall of 947 lots/dwellings by 2039.

Based on Dunsborough's existing net site dwelling density of 15 dwellings per hectare, it is estimated that 63ha net / 90ha gross of urban land will be required to meet residential demand to 2039.

This report has identified that additional land in the order of magnitude of 50ha will be required for the retention of native vegetation, incorporation of waterways in the drainage network, and the potential provision of employment land and/or replacement playing fields within the enquiry.

Based on this, a PIA extent has been formulated comprised of six land parcels with a total size of 142ha, as described in Figure 12. The PIA extent is consistent with the principles adopted by the WAPC and is recommended for a change of land use designation in the Strategy to 'Urban'.

## 4.9 Other Considerations

### Flood risk

Based on a review of DWER's floodplain mapping, the enquiry area does not appear to be subject to major surface flooding (see Map 7). Data on groundwater inundation is not available.

A portion of land – located on the periphery of the enquiry area, broadly between the Vasse-Dunsborough Link and Caves Road – is mapped as a floodplain, based on a 1 in 100 year (1%) annual exceedance probability (AEP) flood event. This area generally lies below the 2m AHD contour and functions as a receiving system for the waterways that traverse the enquiry area.

As outlined in Section 4.6, subsequent planning stages will require the preparation of a district water management strategy and/or local water management strategy. Such a study will be supported by pre and post development flood modelling to identify flood management strategies, including:

- opportunities and constraints for the above mentioned receiving system,
- measures to demonstrate that proposed development has adequate flood protection and will not detrimentally affect the existing flood regime, and
- areas required within the PIA extent for flood management.

Flood risk can be appropriately managed and is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

### Coastal hazard

The draft *City of Busselton Coastal Hazard Risk Management and Adaptation Plan* (February 2021) (draft CHMRAP) identifies that the urban area in Quindalup is vulnerable to coastal erosion and coastal inundation.

The draft CHMRAP recommends an integrated inundation protection solution for the Quindalup section of coast. It is also identifies that a minimum finished floor level of 3.0m AHD for new development could accommodate the potential coastal inundation impact of a 1 in 500 years storm event resulting in a storm surge as high as 2.9m AHD in around 2040, given projected sea level by that time. The proposed integrated inundation protection solution would increasingly have effect beyond 2040.

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The land within the PIA extent is above 3m AHD, with the exception of a portion of Lot 726. Any future development within the PIA extent will be capable of achieving a finished floor level of 3.0m AHD without the need for significant elevation of the finished floor level.

Coastal hazard can be appropriately managed and is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

### Vasse-Dunsborough Link

The Vasse-Dunsborough Link is a MRWA project to plan for a future road corridor between Vasse and Dunsborough to provide a better level of service and complement other existing and planned roads.

The preferred corridor for the link was selected by MRWA and has been endorsed by the City of Busselton and the WAPC (see Map 1).

Key aspects of the concept plan for the link include:

- The link is being planned as a four lane divided highway.
- The link will connect with the existing Caves Road/Commonage Road roundabout in the west and the existing Busselton Bypass/Bussell Highway roundabout in the east.
- At-grade intersections will be provided at Mewett Road, Quindalup Siding Road and Chain Avenue.
- Approximately 1km east of the Commonage Road roundabout, Caves Road will be realigned to the south to connect with the link at an at-grade intersection.

There is currently no funding for the construction of the link and land is yet to be acquired for the corridor. Land within the PIA extent is unlikely to be required for the future road reserve. Detailed planning at subsequent planning stages can address the interface between the PIA extent and the future link.

### Local Planning Strategy

The City of Busselton's Local Planning Strategy includes a settlement framework with the following information for Dunsborough:

*Figure 14 – Settlement framework for Dunsborough*

| Settlement type | Approx current population | Approx maximum population/ development potential |
|---|---|---|
| Major Town | 5,000 | 15,000+ |

The Local Planning Strategy has a longer time horizon (25 years-plus) compared to the Leeuwin-Naturaliste Sub-regional Strategy's time horizon of 2039, and the approximate maximum population figure of 15,000 represents a threefold population increase.

The estimated 2,242 additional dwellings to be delivered by 2039 could provide for an additional 5,800 residents, based on the state-wide average household size of 2.6 persons per dwelling. It is therefore likely that additional urban land, on top of the PIA extent of 142ha identified in this report, will be required over the long-term timeframe (25 years plus) in order for Dunsborough to meet its maximum population/development potential identified in the Local Planning Strategy.

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The strategic identification of long-term urban expansion areas is best addressed at the settlement (Dunsborough) and/or municipality (City of Busselton) scale, through a high level assessment forming part of the process for a Scheme review and/or an amendment to the Local Planning Strategy, or similar.

# 5 Conclusion

This report has investigated the key considerations for the Dunsborough PIA outlined in the Strategy based on a desktop analysis of known, existing and available data sources.

The investigations have found that the enquiry area is generally free of major constraints relating to environment, water and landscape values. The enquiry area contains pockets of remnant vegetation, with mechanisms in place to ensure the protection of any conservation significant biodiversity values in subsequent planning stages. The WAPC's State Planning Framework contains policy measures that would require remnant vegetation and waterways to be retained, such as by inclusion in public open space and/or drainage networks.

The enquiry area is physically capable of accommodating development, subject to the appropriate management of acid sulfate soil risk, and can be provided with utility services via extension of existing reticulated networks and capacity upgrades, where required.

Based on a supply and demand assessment, it is estimated that approximately 90ha of gross urban land will be required to meet the demand for residential land in Dunsborough to 2039. Additional land will be required for the incorporation of remnant vegetation and waterways in public open space, and for the potential provision of employment land and/or replacement playing fields.

An area of land with a total size of 142ha has been identified as being suitable for a change of land use.

It is recommended that the land use designation be changed to 'Urban' and that references to the Dunsborough PIA be removed from the Strategy.

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## Maps

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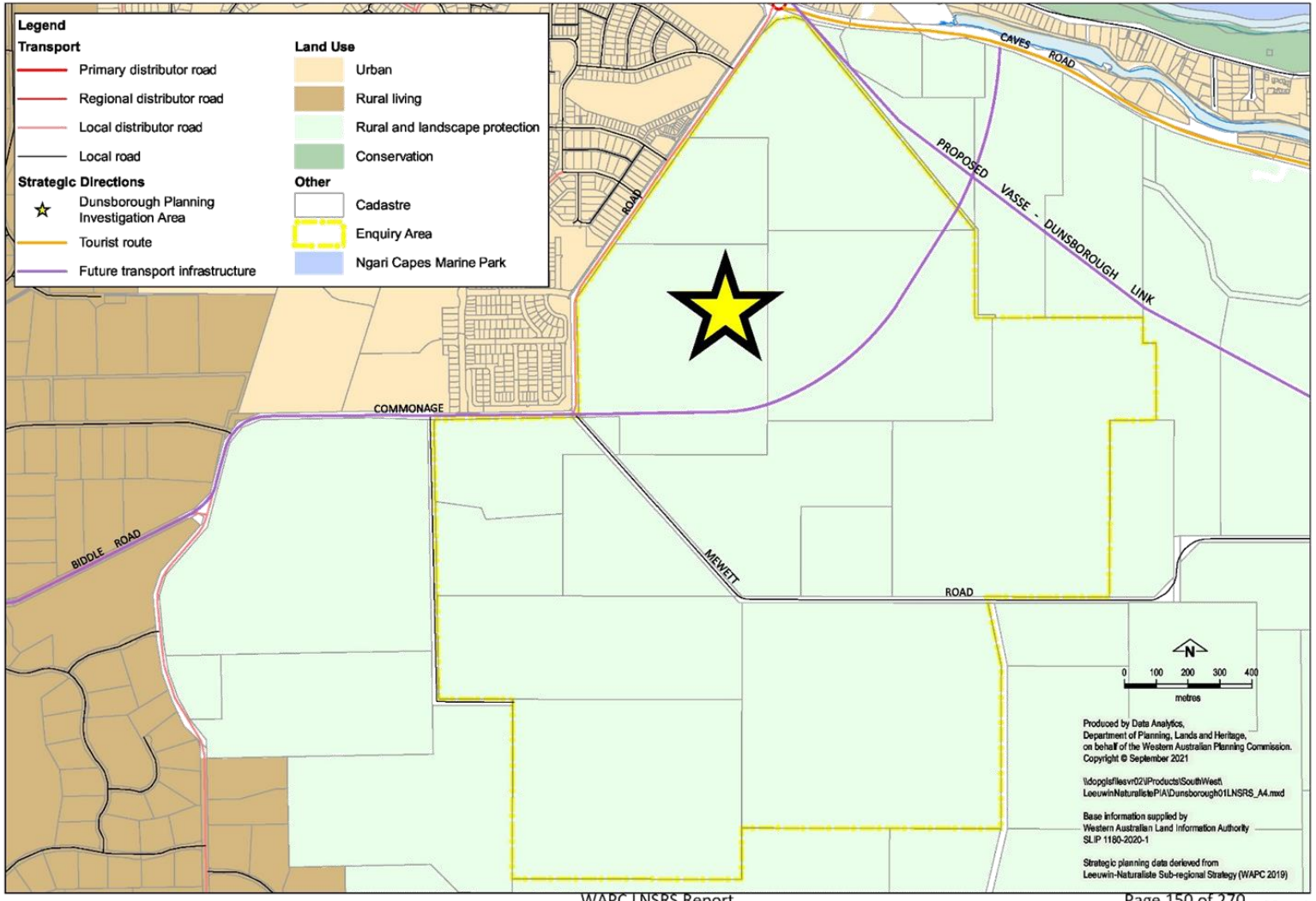
Dunsborough Planning Investigation Area




**Strategy Plan: Leeuwin-Naturaliste Sub-regional Strategy** Map 1

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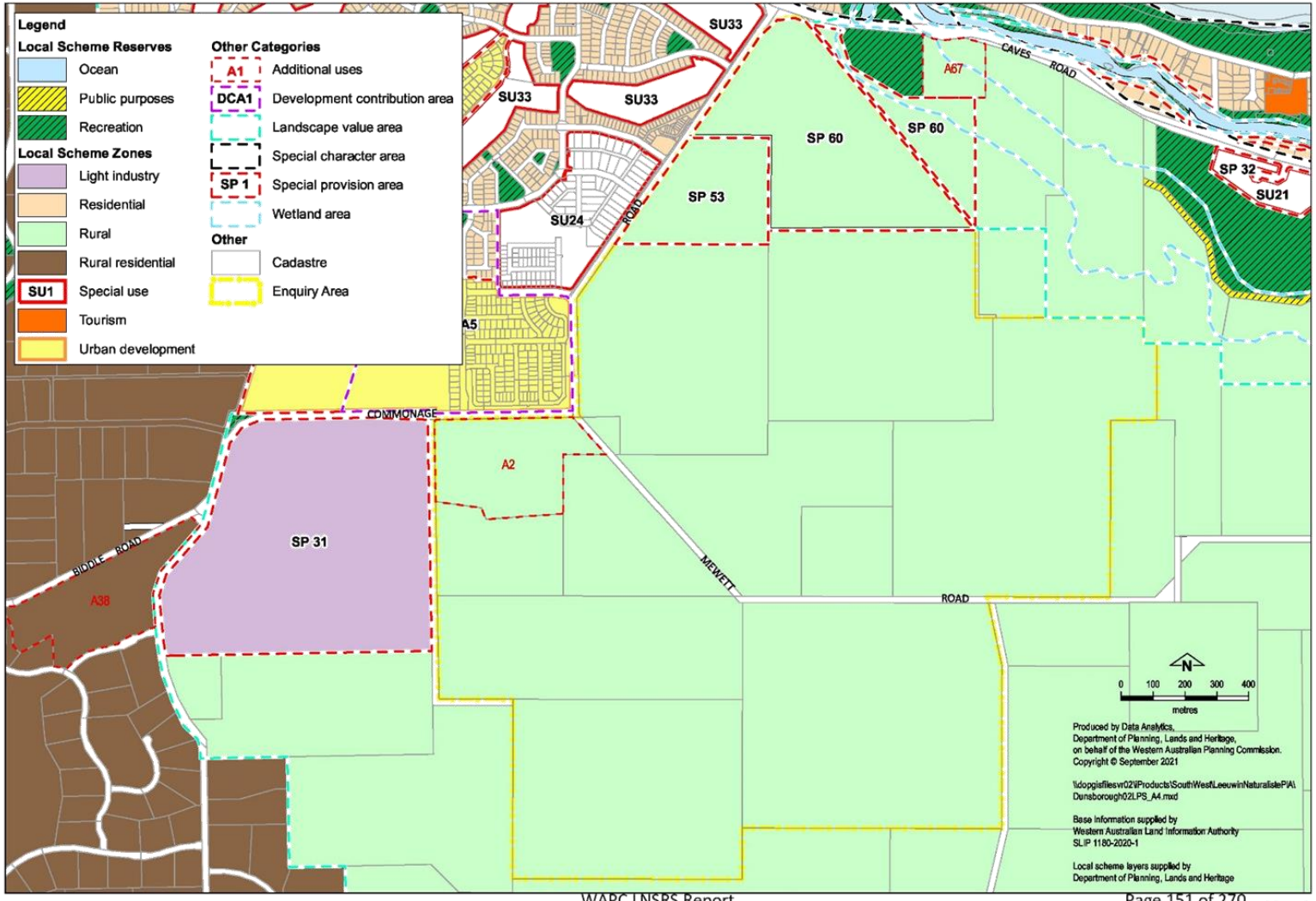
Dunsborough Planning Investigation Area






**City of Busselton Local Planning Scheme No. 21** Map 2

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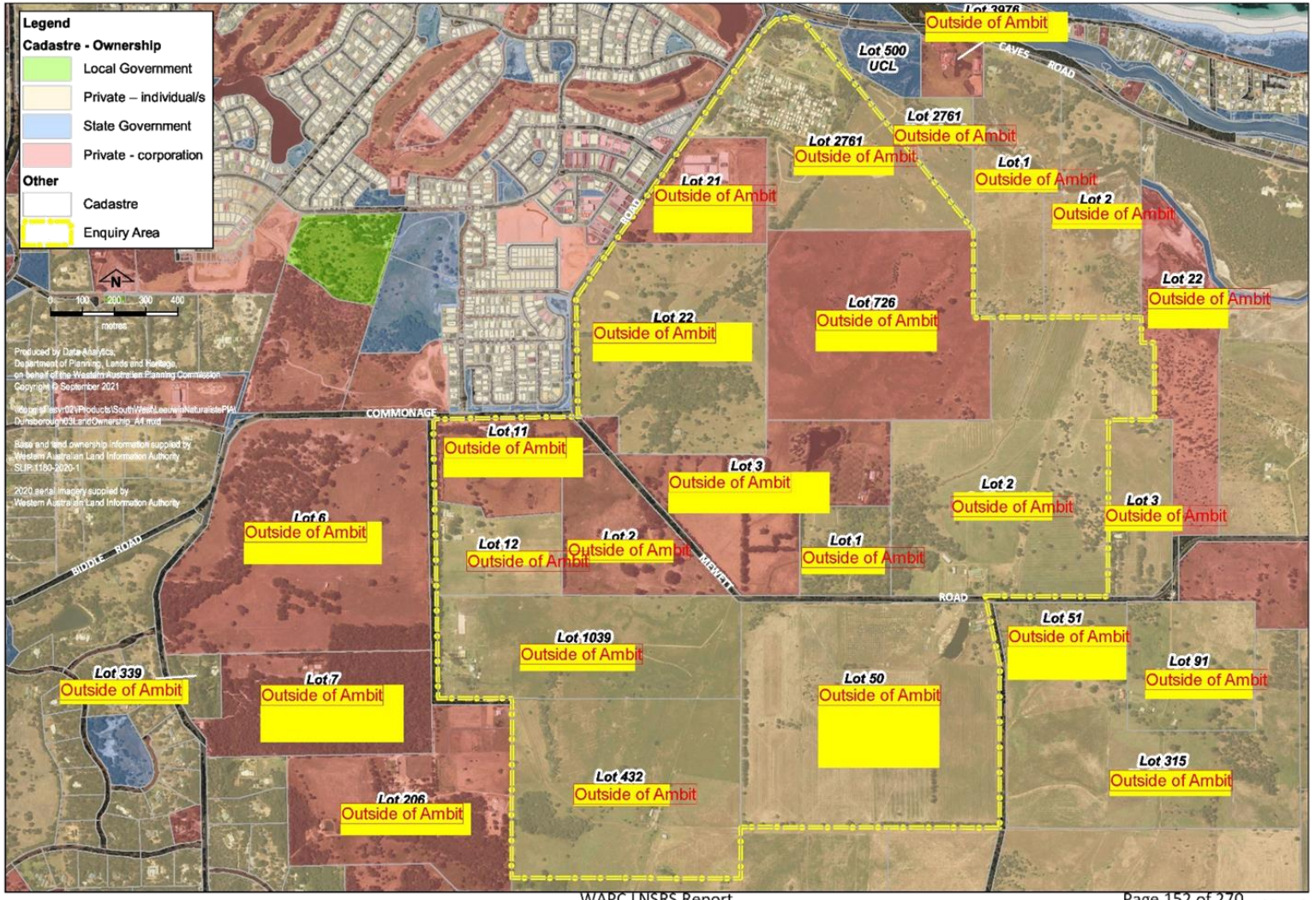
Dunsborough Planning Investigation Area




**Land Ownership**

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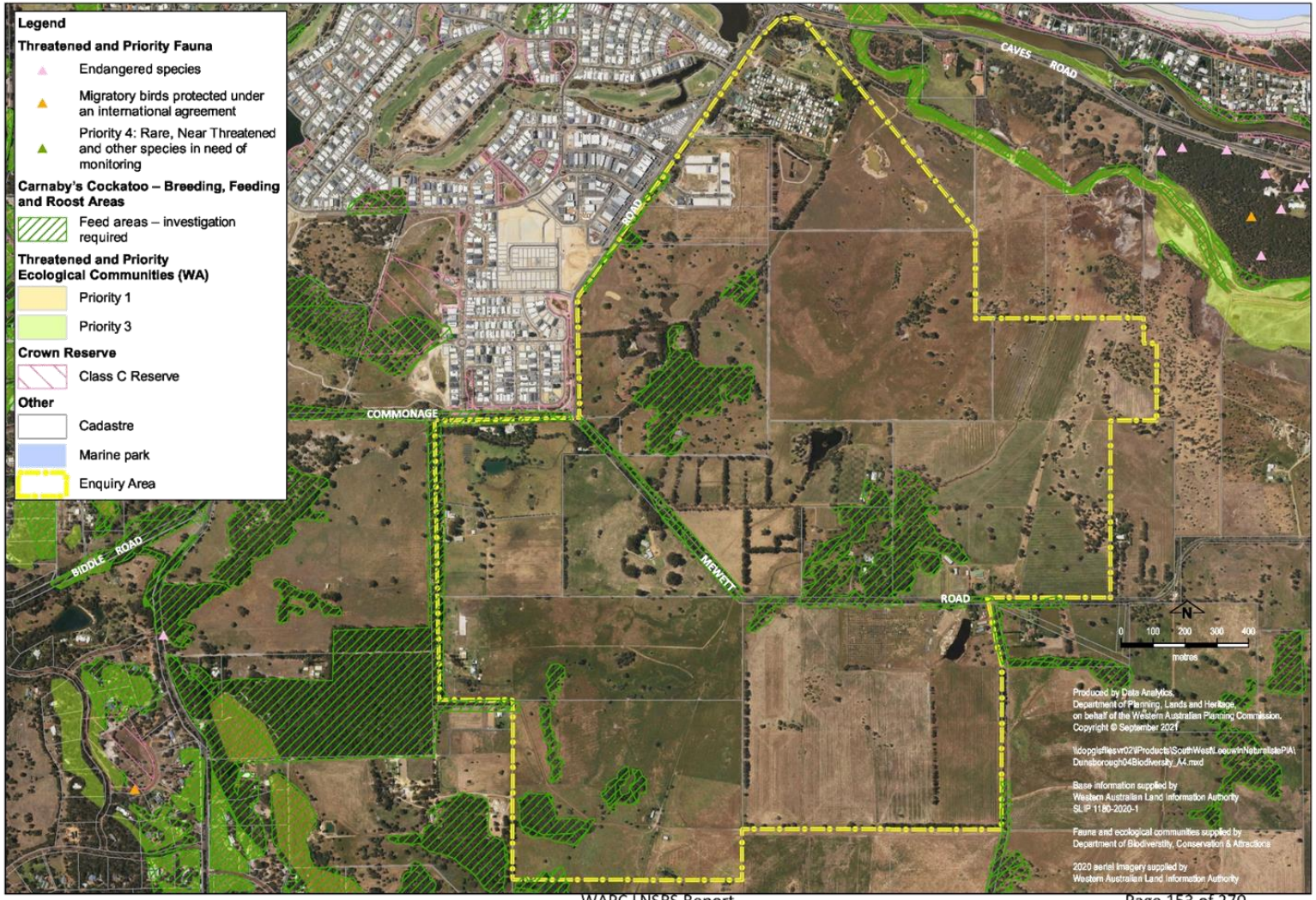
Dunsborough Planning Investigation Area




**Biodiversity**

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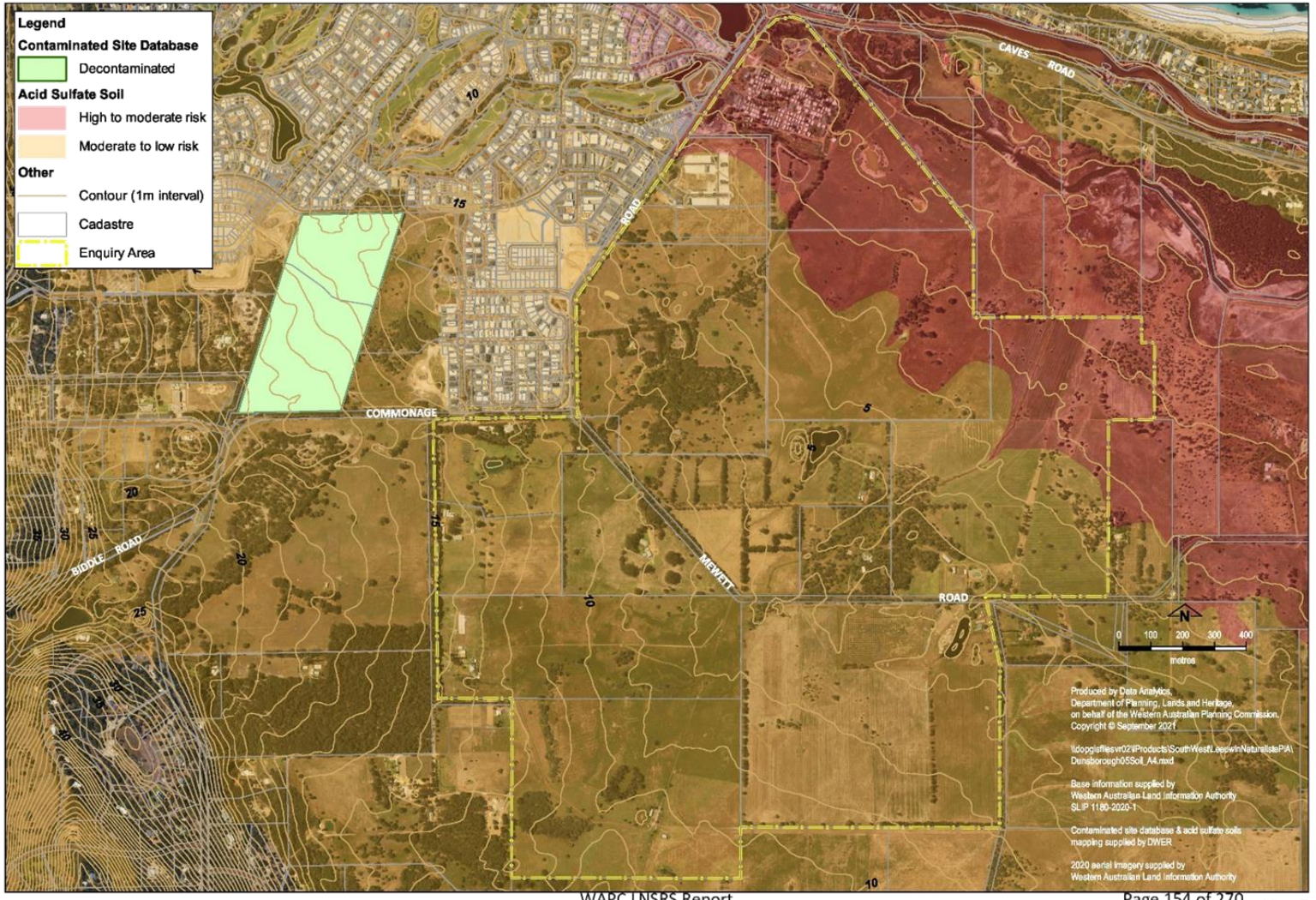
Dunsborough Planning Investigation Area




**Soil and Land Quality**

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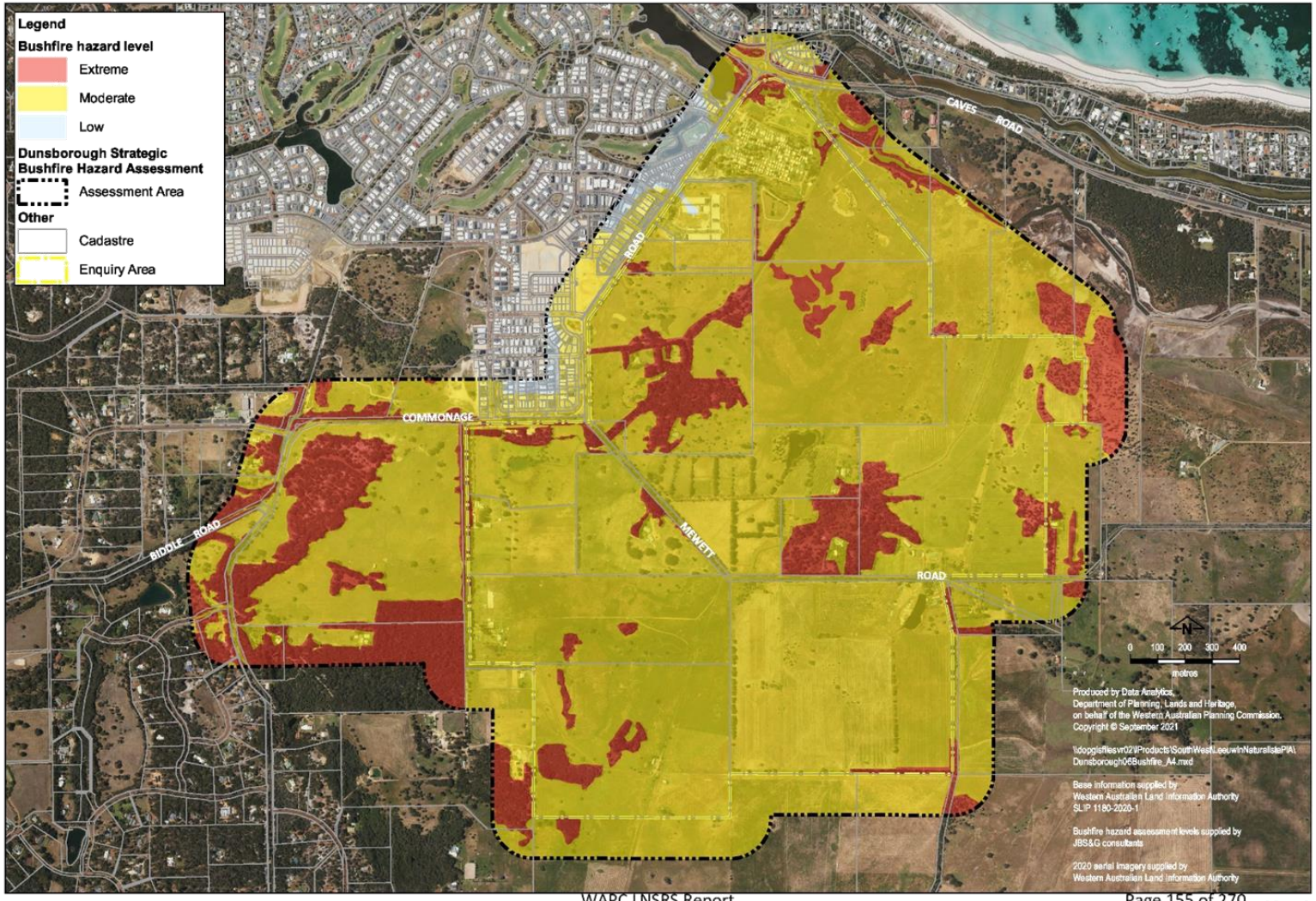
Dunsborough Planning Investigation Area




**Bushfire**

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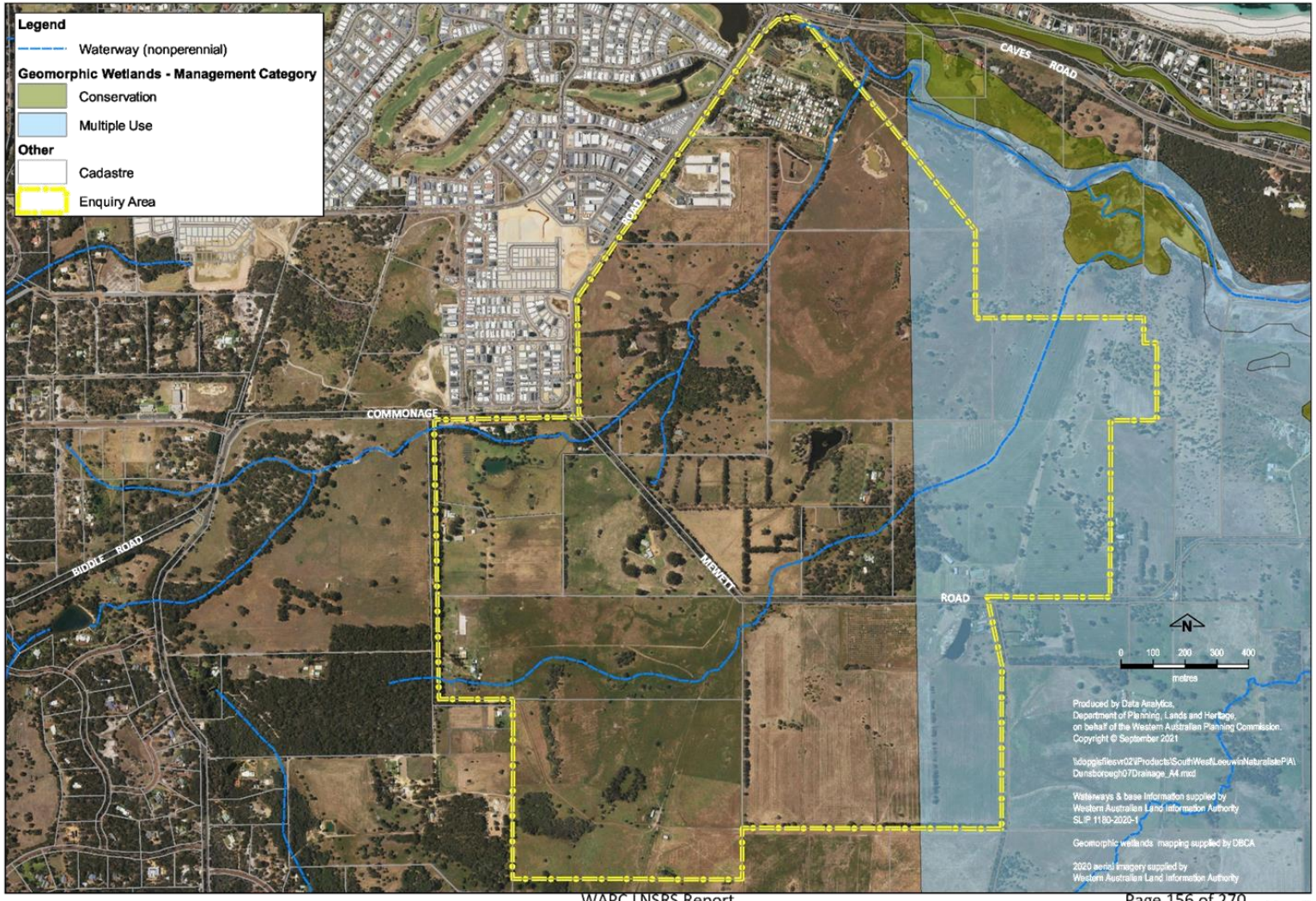
Dunsborough Planning Investigation Area




**Drainage**

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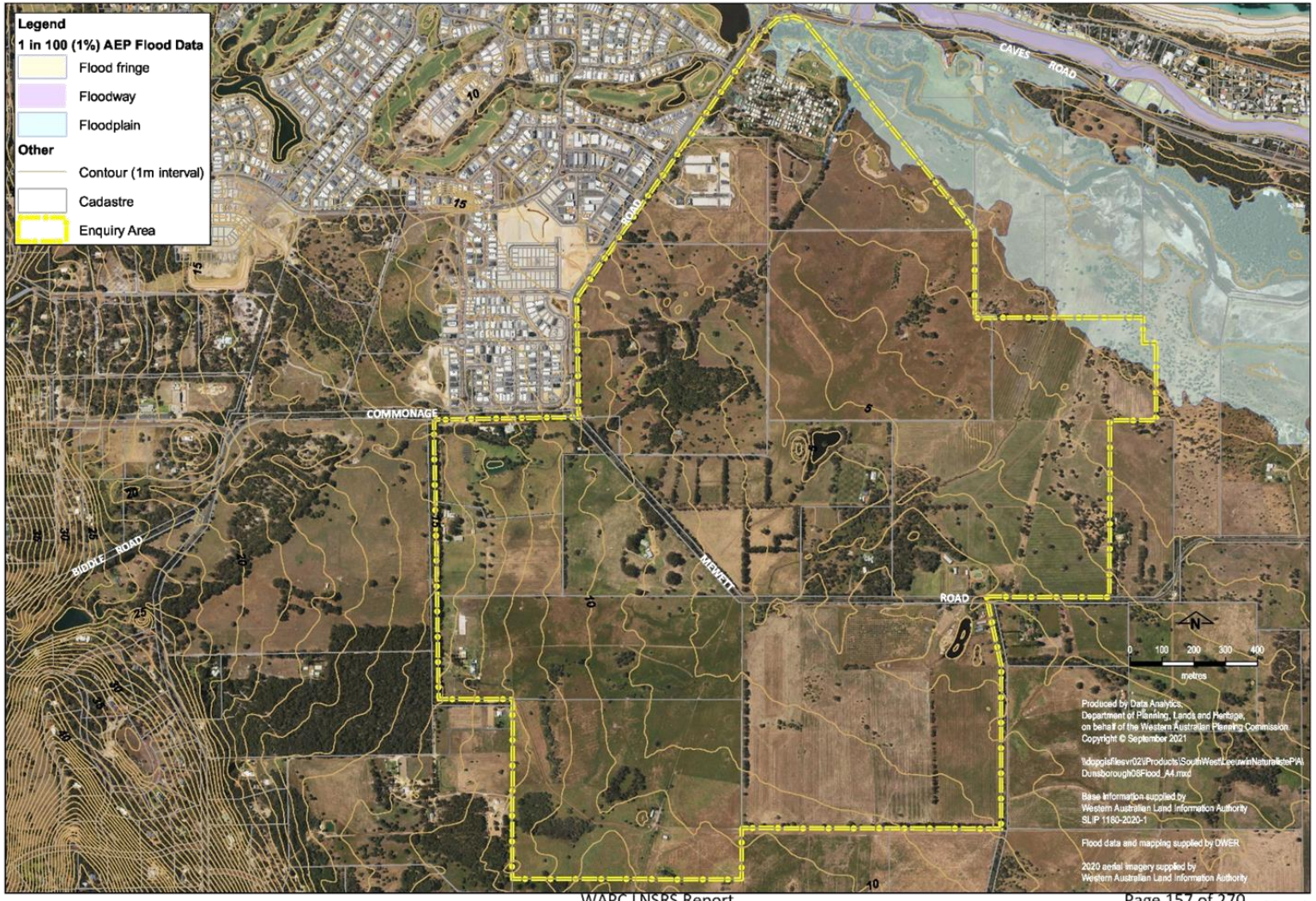
Dunsborough Planning Investigation Area




**Flood Risk**

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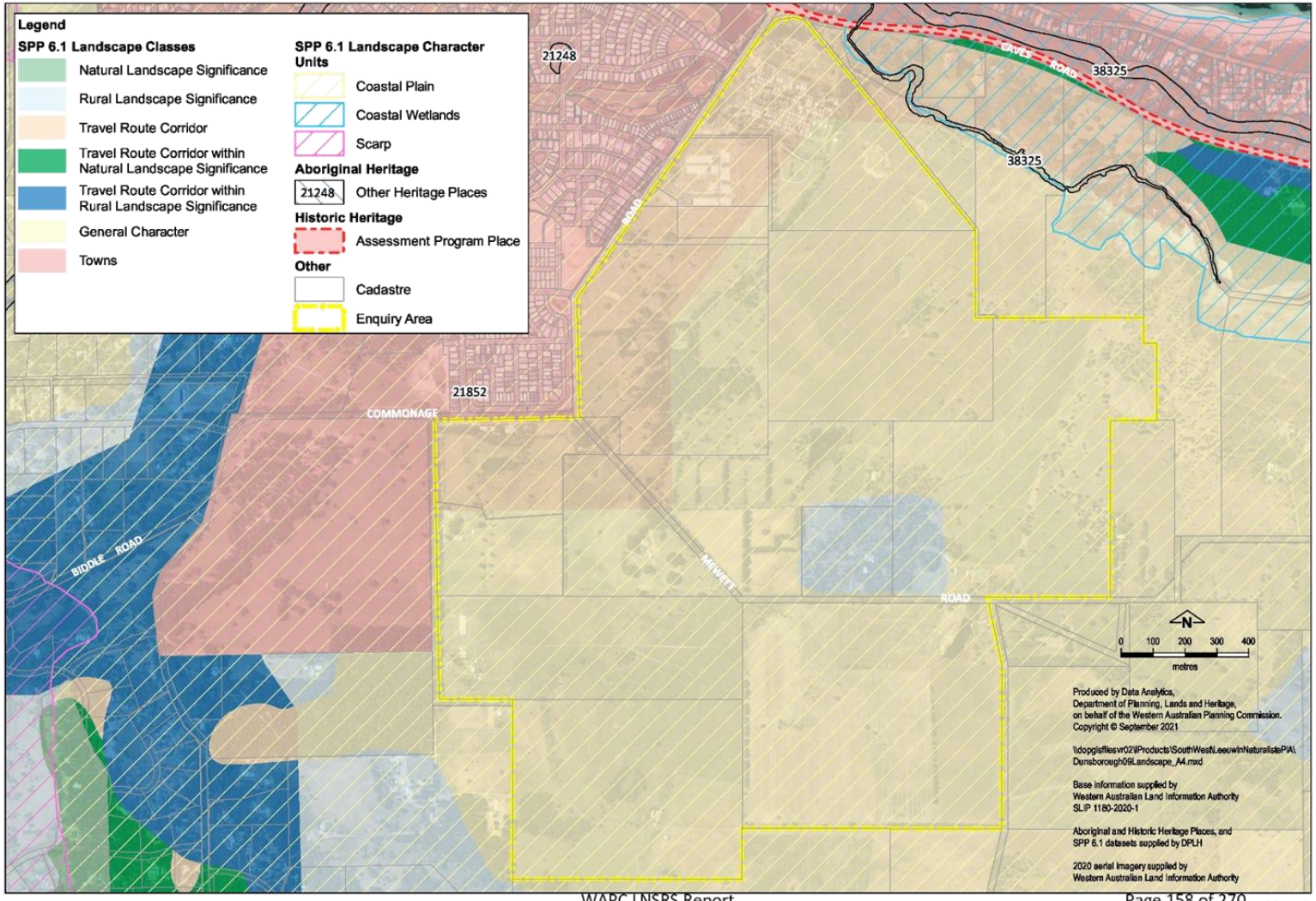
Dunsborough Planning Investigation Area




**Landscape**

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Department of Planning, Lands and Heritage
GOVERNMENT OF WESTERN AUSTRALIA

# Vasse South Planning Investigation Area

## Preliminary Report

October 2021

www.dplh.wa.gov.au

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| Vasse South PIA Preliminary Report – Version Control | | | |
|---|---|---|---|
| **Version** | **Date** | **Responsibility** | **Notes** |
| 1.0 | 5 October 2021 | RPP | For executive review. |
| 2.0 | 12 October 2021 | RPP | Coordination edit and in response to executive review. |

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## Acronyms

| | |
|---|---|
| **AEP** | Annual Exceedance Probability |
| **ASS** | Acid sulfate soils |
| **BRM** | Basic Raw Materials |
| **BUWM** | Better Urban Water Management Guidelines |
| **DBCA** | Department of Biodiversity, Conservation and Attractions |
| **DMIRS** | Department of Mines, Industry Regulation and Safety |
| **DPIRD** | Department of Primary Industries and Regional Development |
| **DPLH** | Department of Planning, Lands and Heritage |
| **DWER** | Department of Water and Environmental Regulation |
| **DWMS** | District water management strategy |
| **GDS** | Gas Distribution System |
| **LPS** | City of Busselton Local Planning Strategy |
| **MRWA** | Main Roads Western Australia |
| **NEPM** | National Environment Protection (Ambient Air Quality) Measure |
| **PIA** | Planning Investigation Area |
| **TEC** | Threatened Ecological Community |
| **WAPC** | Western Australian Planning Commission |

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# 1 Executive Summary

The Leeuwin-Naturaliste Sub-regional Strategy (the Strategy) identifies the Vasse South Planning Investigation Area (PIA) as land that will be subject to further planning investigations to consider its suitability for a possible change of land use.

The Vasse South PIA is a rural locality within the City of Busselton, approximately 10 kilometres south-west of the Busselton town centre. Defining the boundary of the PIA is an outcome of the investigations contained in this report however, to undertake the investigations an initial spatially defined extent was required. This is referred to as the 'enquiry area' and is framed by Bussell Highway, Northerly Street, Florence Road, Rendezvous Road, Boallia Road, Marbellup Road, and Franklin Road, an unnamed unsealed road and vegetation at the southern boundary.

This report is an investigation using available data to assess whether the area is suitable for a possible change of land use. In this context, 'change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to 'Urban'.

Although the extent of planning investigation undertaken has been limited to the considerations defined in the Strategy, some other considerations have been discussed where they are material to the investigation. All key considerations detailed in the Strategy have been assessed as shown in Section 1.1 - Findings.

The report demonstrates that the enquiry area is relatively unconstrained by environmental attributes such as threatened or priority ecological communities, wetlands or susceptibility to flooding/inundation. It is anticipated that other potential issues stemming from land use intensification can be appropriately managed within the planning framework.

Investigation into the 'basic raw materials demand (land fill to raise ground level)' key consideration has identified that further studies are required before its impact on changing the land use designation can be determined.

Department of Planning, Lands and Heritage (DPLH) forecasting estimates that Vasse has a current supply of approximately 2,596 lots/dwellings and a demand for 1,406 lots/dwellings to 2039, resulting in a 1,190 lot/dwelling surplus. This indicates there is a sufficient supply of urban land and additional land is not required for urban purposes within the Strategy's time horizon.

It is recommended that the Vasse South PIA be deleted from the Strategy and that the land use designation over the enquiry area remain unchanged.

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## 1.1 Findings

The table below shows the findings for each key consideration and a link to the relevant section of the report where the consideration is interpreted and analysed.

*Figure 1 - Findings*

| Consideration | Outcome | Section |
|---|---|---|
| Biodiversity value protection | ✓ | 4.1 Environment |
| Protection of significant environmental values | ✓ | 4.1 Environment |
| Bushfire risk | ✓ | 4.2 Bushfire |
| Drainage | ✓ | 4.3 Water |
| Flood risk | ✓ | 4.3 Water |
| Water source impact (groundwater and surface water) | ✓ | 4.3 Water |
| Landscape value protection | ✓ | 4.4 Landscape |
| Utility services capacity | ✓ | 4.5 Utilities |
| Agricultural use protection | ✓ | 4.6 Agriculture |
| Land assembly (possible diversity of owners) | ✓ | 4.7 Land Assembly |
| Basic raw materials demand (land fill to raise ground level) | – | 4.8 Basic Raw Materials |
| Planning Investigation Area extent definition | ✗ | 4.9 Planning Investigation Area Extent |

| Key | |
|---|---|
| ✓ | Investigation of the key consideration indicates that the land is **suitable** for a change of land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban'. |
| ✗ | Investigation of the key consideration has identified **concerns** with changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban'. |
| – | Investigation of the key consideration with a view to changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban' cannot be determined due to data limitations and is **inconclusive**. |

## 1.2 Recommendation

It is recommended that the Strategy be amended to:

- delete the Vasse South PIA.

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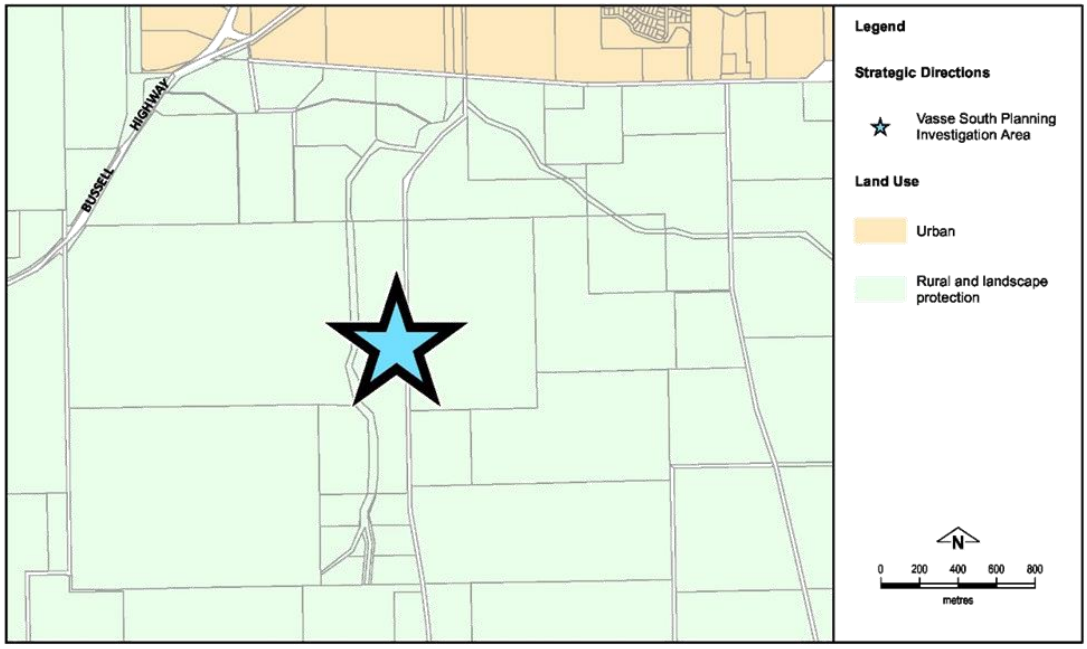
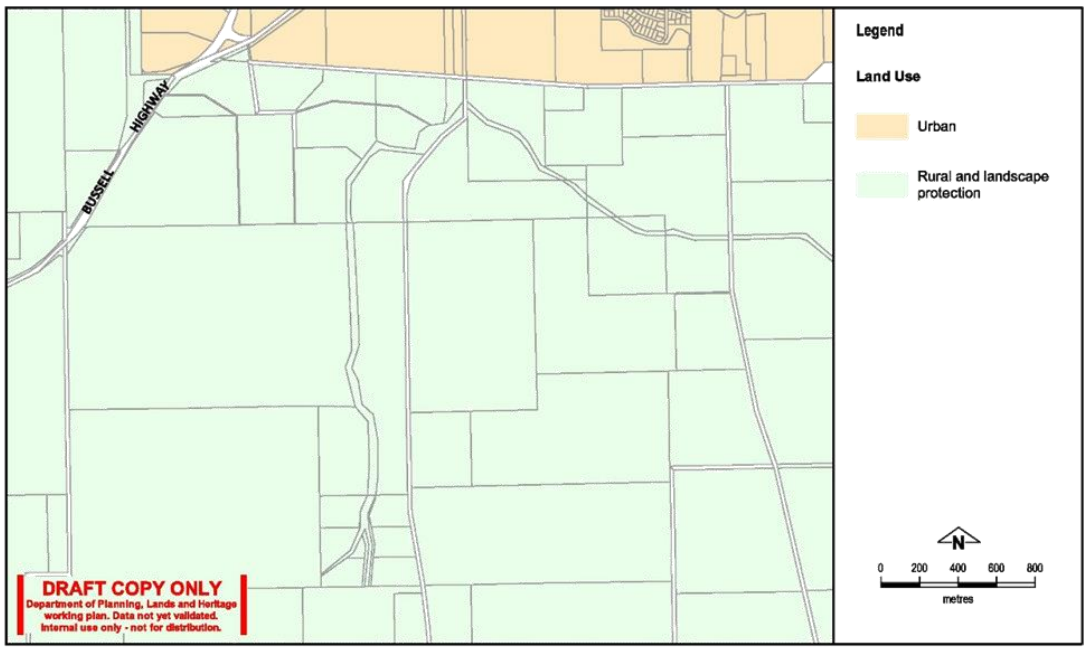
# Vasse South Planning Investigation Area

Proposed amendment to Leeuwin-Naturaliste Sub-regional Strategy




**Existing Strategy Plan**




**Proposed Strategy Plan**

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# 2 Introduction

## 2.1 Background

In May 2019 the Western Australian Planning Commission (WAPC) published the Leeuwin-Naturaliste Sub-regional Strategy (the Strategy).

WAPC action five, listed in section 5 of the Strategy is as follows:

> *Undertake detailed planning investigations to explore the suitability of the following areas for a possible change of use:*
>
> - *Dunsborough Planning Investigation Area*
> - *Margaret River Planning Investigation Area*
> - *Vasse North Planning Investigation Area*
> - *Vasse South Planning Investigation Area*
> - *Abbey Planning Investigation Area.*

The Strategy defines a PIA as:

> *land that will be subject to further planning investigation/s to consider its suitability, and the area of land to be identified, for a possible change of use.*

The Strategy states that:

> *These investigations will determine whether it is possible and/or appropriate to rezone the land. The investigations are required to be undertaken prior to any related local planning scheme amendment process.*
>
> *The designation of an Investigation Area should not be construed as WAPC support for a change from the existing zoning, as this will depend on the outcome of further investigations.*

The Strategy identifies 12 'key considerations' that should be considered for the Vasse South PIA, being:

- biodiversity value protection
- bushfire risk
- drainage
- landscape value protection
- protection of significant environmental values
- utility services capacity
- water source impact (groundwater and surface water)
- agricultural use protection
- flood risk
- basic raw materials demand (land fill to raise ground level)
- land assembly (possible diversity of owners)
- Planning Investigation Area extent definition.

## 2.2 Purpose

The purpose of this preliminary report is to:

- Interpret the key considerations through the prism of the State Planning Strategy, including defining a clearly articulated investigation extent/limitation.
- Identify data source/s, including clarifying how the key consideration will be investigated if there is no data source.
- Analyse relevant issues.
- Establish findings from analysis of relevant issues.
- Recommend amendments to the Strategy to support the findings.

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## 2.3 Method

The extent of planning investigation undertaken is limited to the key considerations defined in the Strategy. Issues and concerns that are not within the limitations of the applicable key considerations are out-of-scope. Issues or concerns that are out-of-scope, but considered to be material to the investigation of the PIA are listed in the 'other considerations' section.

The underlying principle informing the method of investigations explored in this report is:

> *investigations are to be to the same base standard as the assessment that informed the designation of land uses in the preparation of the Leeuwin-Naturaliste Sub-regional Strategy.*

The base standard is characterised as a desktop analysis of known, existing and available data sources. This report uses the same approach and is to be appropriately referenced. This report is not to be peer reviewed.

For the purposes of this investigation, 'change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to 'Urban'. The Strategy defines the 'Urban' designation as follows:

> *Land that is:*
>
> *within the extent of an established townsite that is used for a range of uses typically undertaken within a town, including: residential, industrial, commercial, tourism, public and private institutions, and public purposes use including recreation, open space, utilities, emergency services, and cemeteries; and,*
>
> *adjoining land already zoned in a local planning scheme for 'Future Development' or similar and/or that has structure planning in place.*

If the investigation findings and recommendation identify land within the enquiry area as being suitable for a change of use, the above definition will need to be expanded to include land that has been investigated and identified as being suitable for urban purposes in the future.

If the investigation findings and recommendation identify that there are concerns with identifying land within the enquiry area as 'Urban' in the Strategy, that land may be identified for another existing or proposed land use designation as appropriate.

If analysis of a key consideration cannot be determined due to data limitations, this will not preclude completion of the preliminary investigation, subject to noting the inconclusive nature of that investigation.

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# 3 Vasse South Planning Investigation Area

## 3.1 Description

Strategic direction eight of the Strategy provides guidance regarding the Vasse South PIA as follows:

> *Designate the Vasse South Planning Investigation Area over land to the south of Vasse for detailed investigation by the WAPC on the suitability of this land for a potential change of use.*

Map 1 shows an excerpt of the Strategy Plan, including the land use designations and an indicative PIA location. Defining the boundary of the PIA is an outcome of the investigations, however in order to undertake the investigations an initial spatially defined extent was required. The map below illustrates the spatial extent of the investigations. For clarity, in this document that extent is referred to as the 'enquiry area'.

The enquiry area is south of the Vasse urban area. It is approximately 868ha. The enquiry area is within the Vasse locality. The enquiry area is bounded by:

**North:** Northerly Street, Florence Road and Rendezvous Road

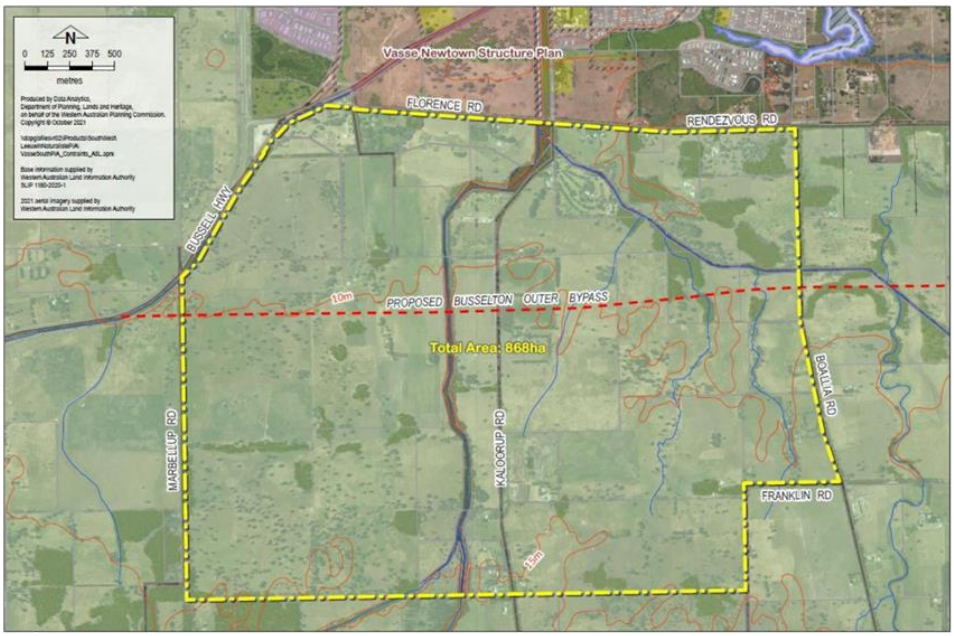
**East:** Boallia Road

**South:** Franklin Road and an unnamed unsealed road

**West:** Bussell Highway and Marbellup Road.

The enquiry area currently contains a mix of agricultural and other rural uses. The land is predominantly cleared, with scattered paddock trees and some remnant vegetation along road reserves and waterways.

*Figure 2 - Enquiry area context illustration*



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## 3.2 Leeuwin-Naturaliste Sub-regional Strategy

The Strategy includes a Strategy Plan that designates broad land use categories and other strategic directions. The enquiry area is designated as 'Rural and Landscape Protection' (see Map 1).

The Strategy Plan also spatially represents future transport infrastructure, namely the proposed Busselton Outer Bypass.

## 3.3 Local Planning Strategy

The *City of Busselton Local Planning Strategy* (LPS) was endorsed by the WAPC in March 2020. The LPS aligns with the Strategy, identifying the land south of Vasse as a PIA and subject to detailed planning investigations by the WAPC.

The LPS identifies 'Vasse South' as an 'Urban Growth Area' within the Busselton-Vasse Urban Area settlement. The LPS states that key issues and considerations for the area are as per the Vasse Townsite Strategy and PIA provisions of the Strategy.

The LPS states:

> *Strategically, the location of medium-term urban growth areas within the Busselton-Vasse Urban Area consolidates urban development north of the planned Busselton Outer Bypass.*

An objective of the LPS is that the principal settlement of the Busselton-Vasse Urban Area will experience continued growth as a regional centre through the identification of suitable areas for planned, progressive expansion. Further, the LPS states the approach to achieve this is to:

> *Support and pro-actively plan for urban expansion of both the Busselton-Vasse Urban Area ... within the established urban growth area framework, including via: the identification of urban growth areas for both the medium term (10 - 15 years) and long term (25+ years) (noting current urban growth areas are already identified and zoned in the City's local planning scheme); immediate consideration be given to the commencement of rezoning/structure planning processes for medium term urban growth areas to ensure continuity of land/housing supply and diversity.*

## 3.4 Local Planning Scheme

The enquiry area is within the *City of Busselton Local Planning Scheme No. 21* (the Scheme). The majority of the enquiry area is zoned 'rural' with some State-owned lots reserved for 'public purposes' (Water Corporation drain) (see Map 2).

In January 2021 amendment 28 to the Scheme was published in the Government Gazette. Initially this amendment included a 'Development Investigation Area' over Lots 84, 112, a portion of 200, 462, 1246, 1247, 1248, 1249, 1250 and 1251. The 'Development Investigation Area' was removed from the amendment prior to gazettal and does not form part of the Scheme.

## 3.5 Land Ownership

Outside of Ambit Outside of Ambit

The majority of landholdings are freehold in private ownership (see Map 3). The [redacted] own approximately 380ha in the north-western portion of the enquiry area. Also of note, a [redacted] own approximately 55ha in the north-eastern portion of the enquiry area.

Outside of Ambit

The public purposes reserve is a combination of State-owned Crown and freehold land and is managed by the Water Corporation. Kaloorup Road transects the enquiry area and Westbrook Close provides access for the lots in the north-western corner.

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# 4 Analysis

The key considerations are interpreted through the WAPC State Planning Framework. The table below illustrates where each key consideration has been addressed.

*Figure 3 - Section structure*

| Section | | Key consideration (Section 7 of the Strategy) |
|---|---|---|
| 4.1 | Environment | • Biodiversity value protection |
| | | • Protection of significant environmental values |
| 4.2 | Bushfire | • Bushfire risk |
| 4.3 | Water | • Drainage |
| | | • Flood risk |
| | | • Water source impact (groundwater and surface water) |
| 4.4 | Landscape | • Landscape value protection |
| 4.5 | Utilities | • Utility services capacity |
| 4.6 | Agriculture | • Agricultural use protection |
| 4.7 | Land assembly | • Land assembly (Possible diversity of owners) |
| 4.8 | Basic Raw Materials | • Basic raw materials demand (Land fill to raise ground level) |
| 4.9 | Planning Investigation Area Extent | • Planning Investigation Area extent definition |

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## 4.1 Environment

Two of the 12 key considerations in the Strategy focus on the natural environment, with significant overlap:

- biodiversity value protection
- protection of significant environmental values.

For coherence and clarity, these are considered together below as 'environmental values'.

### Interpretation

*State Planning Policy 2.0 Environment and Natural Resources Policy* (SPP 2.0) contains policy measures on the following:

- agricultural land and rangelands (also covered by the agricultural use protection consideration and *State Planning Policy 2.5 Rural Planning* (SPP 2.5))
- air quality
- biodiversity
- greenhouse gas emissions and energy efficiency
- landscape
- marine resources and aquaculture
- minerals, petroleum and basic raw materials (BRM)
- soil and land quality
- water resources.

Having regard to the definitions of 'environment' and 'environmental values' in the *Environmental Protection Act 1986*, and investigations required by other key considerations, it is appropriate to interpret 'environmental values' as referring to the following elements listed in SPP 2.0:

- air quality
- biodiversity
- soil and land quality
- minerals, petroleum and BRM.

**In the context of this assessment, 'environmental values' investigation is interpreted to mean:**

- **Assessment as to whether the air quality, biodiversity, soil and land quality and minerals, petroleum and BRM characteristics of the enquiry area may preclude changing the use of the land.**

### Analysis

*Air Quality*

SPP 2.0 establishes that planning should have regard to the National Environment Protection (Ambient Air Quality) Measure (NEPM), which sets protection goals for carbon monoxide, nitrogen dioxide, photochemical oxidants, sulfur dioxide, lead and particles (PM10 and PM2.5).

The Department of Water and Environmental Regulation (DWER) operates and maintains an air quality monitoring site in Busselton. Before 2019/20, one air quality pollutant (PM2.5) was monitored in Busselton. A PM10 particle monitor has since been installed. Data is only publicly available for PM2.5.

DWER's *Air Quality Monitoring in Busselton* (July 2016) includes the following key points:

- Air quality in Busselton is considered good on most days, although some poor air quality events occur in any given year.
- Poor air quality events have been primarily attributed to prescribed fire hazard reduction burns or bushfires.

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- Monitoring will continue in accordance with NEPM as the national standard.

SPP 2.0 also includes a policy measure for planning to have regard to the potential for conflict between sensitive land uses and activities with air emission impacts. A range of activities that have the potential to impact on air quality is identified in the Environmental Protection Authority *Environmental Factor Guideline: Air Quality 2020* (AQ-Guideline). These activities include:

- energy plant waste
- oil and gas capture, processing and refining
- heavy industries that emit atmospheric waste
- bulk handling and transport (via road and rail) of materials
- port operations
- stockpiling of bulk material
- crushing and screening of materials
- incineration of wastes
- mining and associated processes
- chemical manufacturing and processing.

None of the activities listed in the AQ-Guideline are proximate to the enquiry area.

Given its proximity to existing sensitive receptors and the development of future residential areas, it is unlikely the enquiry area would be suitable for a change of use that would constitute an activity that may be considered harmful under the AQ-Guideline.

*Biodiversity*

SPP 2.0 establishes that planning should consider mechanisms to protect areas of high biodiversity and/or conservation value. Environmental legislation at State and Commonwealth levels provide statutory listing and protection for ecological communities, flora and fauna/fauna habitats of conservation significance. A desktop review of relevant Department of Biodiversity, Conservation and Attractions (DBCA) geospatial datasets has identified the following (refer to Map 4):

*Figure 4 - Conservation significance*

| Value | Mapped within or proximate to subject area | | Description |
|---|---|---|---|
| | Within | Proximate | |
| Threatened Ecological Community (TEC) / Priority Ecological Community | | ✓ | Possible occurrence of TECs (Banksia Woodlands) to the east of the enquiry area. |
| Threatened and priority flora | | ✓ | Recordings of threatened flora and priority three (poorly known species) flora to the east of the enquiry area. |
| Threatened and priority fauna/fauna habitat | ✓ | ✓ | Recordings of threatened and priority fauna in strips of remnant vegetation along road reserves and waterways.<br>Enquiry area is within the distribution area for threatened black cockatoo species (Carnaby's, Baudin's and Forest Red-tailed).<br>Patches of remnant and riparian vegetation require investigation as possible Carnaby's Cockatoo Feed Areas.<br>Northern portion is within the supporting habitat area for Ringtail Possums. |

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In the absence of detailed site-specific assessments for the enquiry area confirming the existence of conservation significant ecological communities, flora and/or fauna, the desktop analysis does not identify any biodiversity factors that would preclude a change of use.

The enquiry area has been substantially cleared, with strips of remnant vegetation along road reserves and waterways. Small patches of remnant vegetation and individual paddock trees are present throughout the site.

Given the extent of clearing, future development associated with a change of use would likely be able to occur in a manner that seeks to avoid or minimise adverse impacts, directly or indirectly, on any areas with conservation value. This could be through design responses such as the retention of native vegetation in public open space and/or road reserves.

If a change of use is to proceed, detailed site-specific assessments of biodiversity impacts would be required as part of subsequent planning stages, including any proposal to amend the Scheme zoning. Any proposals will require thorough environmental assessment in the form of statutory environmental referrals under State, and possibly Commonwealth, legislation.

*Soil and Land Quality*

Acid Sulfate Soils

SPP 2.0 establishes that planning decision-making should identify existing and potential areas affected by acid sulfate soils (ASS) and, where appropriate, facilitate measures to reduce impacts.

ASS are naturally occurring soils, sediments and peats that contain iron sulphides. When exposed to atmospheric oxygen, ASS can form sulfuric acid and consequently release aluminium, nutrients and heavy metals (particularly arsenic) into the soil matrix. The release of these products into the soil and groundwater can be detrimental to biota, human health and built infrastructure.

DWER has published ASS risk maps of the Swan Coastal Plain. The enquiry area is mapped as *Class 2: Moderate to low risk of ASS occurring within 3m of the natural surface but high to moderate risk of ASS beyond 3m of natural soil surface*. Specifically, DWER spatial data shows the majority of the enquiry area has a risk category of 'moderate to low risk' however some 'high to moderate risk' areas are located on Lots 100, 41, 42 and 240 (see Map 5).

The WAPC *Acid Sulfate Soils Planning Guideline* confirms that ASS are technically manageable in the majority of cases, with exceptions being in the case of marinas, boat harbours and canal estates. Investigations are required at structure planning stage to determine the presence and distribution of ASS, and demonstrate the capacity of the land to sustain the proposed land uses.

Based on the DWER data, it appears that portions of Lots 100, 41, 42 and 240, are generally not suitable for land uses that required significant amounts of excavation, drainage, or groundwater extraction, including:

- coastal developments (such as canal estates, residential estates, tourist developments and golf courses)
- ornamental lakes and artificially deepening lakes, waterways and wetlands
- developments requiring deep sewerage or subsoil drainage systems
- developments with building construction below ground level
- extractive industries.

Based on the available information, it appears that the possible existence of acid sulfate soils is not a reason to preclude changing the use of the land. Detailed assessment of disturbance risk and mitigation options can be addressed in subsequent planning stages, if required.

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### Contaminated Sites

SPP 2.0 establishes that planning should recognise and consider land that is degraded or contaminated, or has the potential to become so.

DWER is responsible for administering and enforcing the *Contaminated Sites Act 2003*, which includes classifying sites on the Contaminated Sites Database, maintained by DWER. A search of the Contaminated Sites Database, has identified two sites within the enquiry area (see Map 5):

- Lot 1247 (12) Florence Road is a decontaminated site classified on 3 December 2020.
- Lot 5146 (reserve R 45348) is awaiting classification.

Based on the available information, it appears that site contamination is not a reason to preclude a change of use of the land.

### *Minerals, Petroleum and Basic Raw Materials*

SPP 2.0 establishes that planning should identify and protect important and economic mineral resources to enable mineral exploration and mining.

The Department of Mines, Industry Regulation and Safety (DMIRS) is responsible for administering the Mines, Mineral Deposits and Prospects Database under the *Mining Act 1970*. The *Petroleum and Geothermal Energy Resources Act 1967* requires the provision of information on petroleum activities, with DMIRS administering a petroleum exploration database.

A search of the relevant databases for the enquiry area did not identify any mineral resources or petroleum activity that requires protection from urban land development.

The WAPC's *State Planning Policy 2.4 Planning for Basic Raw Materials* (SPP 2.4) seeks to protect BRM in significant geological supplies and extraction sites. Available geospatial data indicates that the enquiry area does not include any significant geological supplies or extraction sites.

### Outcome

Interpreted within the context of the WAPC State Planning Framework, the investigation of the environmental values of the enquiry area has focused on protection of the following:

- air quality
- biodiversity
- soil and land quality
- minerals, petroleum and BRM.

An analysis of available datasets has identified that protection of these environmental values is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

Any proposal to amend the Scheme to rezone the enquiry area will need to be accompanied by detailed site-specific assessments to determine the presence or absence of environmental constraints such as conservation-significant biodiversity or acid sulfate soils. The *Environmental Protection Act 1986* sets out a regime which requires the environmental assessment of such proposals where there is likely to be a significant effect on the environment.

Other environment related considerations such as landscape and water resources are addressed later in this report.

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## 4.2 Bushfire

'Bushfire risk' is a key consideration in the Strategy.

### Interpretation

*State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) defines 'bushfire risk' as:

> *The chance of a bushfire igniting, spreading and causing damage to people, property and infrastructure.*

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services Commissioner.

Section 6.2 of SPP 3.7 provides that:

> *Higher order strategic planning documents such as frameworks, region schemes and sub-regional structure plans should include high level consideration of relevant bushfire hazards when identifying or investigating land for future development.*

**In the context of this assessment, 'bushfire risk' investigation is interpreted to mean:**

- **Consideration as to whether the likely Bushfire Hazard Level may preclude changing the use of the land.**

### Analysis

A strategic bushfire hazard assessment was prepared in 2020 by Strategen-JBS&G to:

- provide a broad overview of the bushfire risk profile and exposure
- identify the potential bushfire opportunities and constraints for future land use intensification
- inform future bushfire investigations and assessments.

The assessment is limited to a strategic level of investigation and all data will need to be confirmed through future planning processes via detailed site investigation and Bushfire Hazard Level /Bushfire Attack Level contour mapping and reporting. The assessment is specific to a defined site 8 km west-southwest of the Busselton town centre (see Map 6 for this extent).

The enquiry area is wholly identified as 'bushfire prone' and is subject to assessment against SPP 3.7 and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines).

The strategic bushfire hazard assessment found that the entire area is considered to be bushfire prone. The assessment concludes that the bushfire hazards and associated bushfire risks both within and adjacent to the defined site could be managed through standard bushfire mitigation responses to meet the relevant objectives, standards and compliance requirements of SPP 3.7, the Guidelines and Australian Standard 3959.

The defined site is considered to have the potential to be developed with a manageable level of bushfire risk. Bushfire management measures tailored to the specific risk profile for the Vasse South PIA should be developed early in the planning process through careful development design. Bushfire Management Plans will need to be prepared to accompany future planning applications to address the relevant requirements of SPP 3.7, and demonstrate how future development will meet the criteria of the Guidelines.

### Outcome

Interpreted within the context of the WAPC State Planning Framework, the investigation of bushfire risk has focused on the vulnerability of land in the north-west of the enquiry area.

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An analysis of the strategic bushfire hazard assessment prepared by Strategen-JBS&G has identified that bushfire risk is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

In future planning stages compliance with SPP 3.7, the Guidelines and AS 3959 will need to be ensured through the established statutory bushfire management planning assessment and documentation processes.

## 4.3 Water

Three of the key considerations in the Strategy focus on water-related issues, being:

- drainage
- water source impact (groundwater and surface water)
- flood risk.

The need for integrated water resource management is recognised by the State Government through a suite of policy statements and strategies across the water and planning portfolios.

Integrated water resource management is an approach that holistically considers all aspects of water including drinking water, groundwater, stormwater, wastewater, flooding, wetlands and waterways.

A key principle of this approach is the integration of water and land use planning – development and water resource management are interrelated and should be delivered in an integrated manner. The WAPC State Planning Framework outlines how water resource management should be integrated into planning processes. Relevant provisions of the State Planning Framework include:

- SPP 2.0
- *State Planning Policy 2.9 Water Resources* (SPP 2.9)
- *Better Urban Water Management Guidelines* (BUWM)
- *Draft State Planning Policy 2.9 Planning for Water*
- *Draft State Planning Policy 2.9 Planning for Water Guidelines*.

To reflect the principles of integrated water resource management and emphasise their interconnected nature, the investigation of the 'Drainage', 'Water source impact (groundwater and surface water)' and 'Flood risk' considerations are consolidated in this section.

### Interpretation

#### *Drainage*

The term 'drainage' is not defined in the State Planning Framework. It is commonly understood to mean the natural or artificial removal of a surface's water from an area with an excess of water.

The related concept of 'stormwater' is addressed in the State Planning Framework as a component of urban water management.

SPP 2.0 includes the following relevant policy measures:

- *Encourage urban water management through water sensitive design approaches that better manage stormwater quality and quantity; that reduce the impact of stormwater flows to streams, wetlands and coastal waters; and that control or remove pollutants and nutrients.*
- *Ensure the provision of adequate setbacks between development and the foreshores of wetlands, waterways, estuaries and the coast, in order to maintain or improve the ecological and physical function of water bodies. Such setbacks will aim to maintain the natural drainage function…and facilitate filtration of sediment and waste associated with surface run-off from adjacent land uses.*

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Detailed guidance on urban water is provided in SPP 2.9 and BUWM. SPP 2.9 provides guidance for the determination of appropriate buffering of waterways and estuaries.

**In the context of this assessment, 'drainage' investigation is interpreted to mean:**

- **Consideration as to whether urban water management requirements, and the potential need to provide an appropriate setback to any wetland or waterway, may preclude changing the use of the land.**

*Flood Risk*

The term 'flood risk' is not defined in the State Planning Framework. It can be understood as a combination of the chance of a flood occurring and the consequences of the flood for people, property and infrastructure.

With regard to flooding, SPP 2.9 includes the following policy measure:

> *Identify all floodplains and areas that are prone to surface flooding or groundwater inundation. Ensure that no development is in a flood path that could carry an increased risk to public safety or property.*

*State Planning Policy 3.4 Natural Hazards and Disasters* includes 'flood' as a hazard consideration as follows:

> *Proposed development on a floodplain is considered acceptable with regard to major flooding as long as it does not produce an adverse impact on surrounding development and it has an adequate level of flood protection. Land uses in flood prone areas should not allow development that will obstruct floodways…The 100-year average recurrence interval flood should be used as the defined flood event.*

**In the context of this assessment, 'flood risk' investigation is interpreted to mean:**

- **Identification of floodplains and areas that are prone to surface flooding or groundwater inundation, and consideration as to whether potential development in a floodplain would increase the risk to public safety or property and may preclude changing the use of the land.**

*Water Source Impact (Groundwater and Surface Water)*

The following State Planning Policies are relevant to this section:

- *State Planning Policy 2.7 Public Drinking Water Source* (SPP 2.7)
- SPP 2.9.

SPP 2.7 applies to proclaimed Public Drinking Water Source Areas and is focused on protecting public water supplies that are obtained from groundwater and surface water resources.

SPP 2.9 includes the following:

> *Water resources are defined as 'water in the landscape (above and below ground) with current or potential value to the community and the environment'. Water resources that may be the subject of this policy include the following natural or modified features:*
>
> - *wetland (such as a seasonal or intermittent lake, swamp, marsh, spring, dampland and tidal flat, and including significant artificial wetlands)*
> - *waterway (such as river, stream and creek)*
> - *estuaries*
> - *groundwater*
> - *surface water*
> - *irrigation dam*

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- *floodplain*
- *foreshore*
- *stormwater*
- *existing and future surface and groundwater drinking water catchments and sources (for example reservoirs and borefields) for public and private supplies*
- *wastewater.*

Wetland, waterway, estuaries, groundwater, surface water, irrigation dam, floodplain, foreshore and stormwater elements of SPP 2.9 are either considered elsewhere in this review or are not relevant to the assessment of the PIA.

**In the context of this assessment, 'water source (groundwater and surface water)' investigation is interpreted to mean:**

- **Assessment as to whether an existing or proposed proclaimed Public Drinking Water Source Area may preclude changing the use of the land.**

## Analysis

### *Drainage*

Integrated water resource and land use planning seeks to ensure an appropriate level of consideration is given to the total water cycle at each stage of the planning system.

Planning at the scale of the enquiry area investigation should ideally be supported by a district water management strategy (DWMS) as recommended by the BUWM. The purpose of such a document is to demonstrate that an area is capable of supporting the change in land use and to identify land areas required for water management. A DWMS covering the enquiry area does not currently exist.

Should this investigation conclude that the land is suitable for a change of use, future planning stages would need to be accompanied by a DWMS and/or a local water management strategy. Such strategies would include detailed, site-specific work on the following:

- water balance modelling
- hydrological regime of water dependent ecosystems and ecological health
- groundwater monitoring and modelling
- surface water monitoring and modelling
- monitoring of flows in existing streams or drainage systems.

Map 7 shows a detailed overview of drainage factors in the enquiry area. Two Water Corporation open channel drains transect the enquiry area.

The enquiry area is part of the Geomorphic Wetlands - Swan Coastal Plain dataset. The majority is classified as 'Palusplain' with a management category of 'Multiple Use'. A small portion in the north-west is classified as 'Sumpland' with a management category of 'Multiple Use'.

A general description and summary of the DBCA objective for the Multiple Use management category follows:

*Figure 5 - DBCA wetland management categories*

| Management Category | General Description | Management Objective |
|---|---|---|
| **Multiple Use** | Wetlands with few remaining important attributes and functions. | Use, development and management should be considered in the context of ecologically sustainable development and best management practice catchment planning through landcare. |

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SPP 2.9 reinforces the above management objective via policy measures that seek to ensure the use of best management practices in the development and use of Multiple Use wetlands, consistent with the principles of total water cycle management.

In considering the suitability of the land for a potential change of use:

- Areas of Multiple Use wetlands are suitable for a change of use, subject to this being in the context of ecologically sustainable development and best management practice catchment planning.
- The waterways that traverse the PIA can be incorporated in the design of public open space and/or drainage networks at the detailed planning stage, and do not preclude a change of use of the land.
- Subsequent planning phases will require site-specific assessments of wetlands and waterways to determine their attributes, values and functions, and to determine appropriate setbacks.

Management of drainage, surface water features and stormwater can be addressed through the preparation of relevant water management documentation, such as a DWMS and local water management strategy at Scheme amendment and structure planning stages. These documents demonstrate how pre-development volumes/flows are maintained and water quality can be managed appropriately.

*Flood Risk*

DWER produces floodplain mapping of rivers and major watercourses and provides floodplain development advice to ensure that proposed floodplain development has adequate flood protection and does not impact on the existing flood regime of the area.

A flood with a 1% Annual Exceedance Probability (AEP) has a one in one hundred chance of being exceeded in any year. The 1% AEP event is designated as having an 'acceptable' risk for planning purposes. While DWER data does not include the enquiry area in a floodplain area, floodway or flood fringe area, flood level points are identified in the open drain which runs south-east from the centre of the enquiry area's northern boundary to the eastern boundary. The flood level points range from 4.64m (northern most point) to 7.46m (eastern most point).

It is anticipated that each planning stage will be supported by the relevant water management document as outlined in BUWM. Any future rezoning should also be accompanied by a structure plan and local water management strategy that covers the entire proposed development footprint. Fill may be required to achieve finished floor levels that take into account the risk of flooding. A detailed flood study may need to be undertaken to determine the recommended finished floor level.

*Water Source Impact (Groundwater and Surface Water)*

The public drinking water supply for Busselton and Vasse is obtained from groundwater abstracted from nine Busselton Water production bores located in the Busselton townsite.

The production bores draw from the deep and confined Yarragadee aquifer and, to a lesser extent, the Leederville aquifer. The Yarragadee aquifer runs beneath the Swan Coastal Plain west of the Darling Scarp, from Geraldton to the south coast. The *Busselton Water Reserves Drinking Water Source Protection Plan* (2009) and *Busselton Water Reserves Drinking Water Source Protection Review* (2013) state that due to the confined nature and depth of the water source there is no risk of contamination from overlying land uses.

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The bore sites form the proclaimed Busselton Water Reserve. The land in the water reserve is managed for 'Priority 1' water source protection. The boundaries of the water reserve reflect the location of the production bores, and are located outside the enquiry area.

No land within the enquiry area has been identified as an existing or proposed public drinking water source area. It is not anticipated that a change in land designation for the enquiry area will have a negative impact on any public drinking water priority areas.

### Outcome

Interpreted within the context of the WAPC State Planning Framework, the investigation of the water considerations for the enquiry area has focused on analysis of the following:

- drainage
- flood risk
- water source impact (groundwater and surface water).

An analysis of available datasets has identified that these considerations would not preclude changing the land use designation of the enquiry area in the Strategy.

Any proposal for future planning, for example amendments to the Scheme or structure planning, should be accompanied by detailed site-specific assessments to determine the presence or absence of water constraints. Water management documents may also be required in accordance with BUWM.

## 4.4 Landscape

'Landscape value protection' is a key consideration in the Strategy.

### Interpretation

SPP 2.0 includes guidance regarding planning strategies, schemes and decision-making, noting that they should:

> *Identify and safeguard landscapes with high geological, geomorphological or ecological values, as well as those of aesthetic, cultural, or historical value to the community, and encourage the restoration of those that are downgraded.*

For the purposes of this investigation, the landscape consideration guidance provided in SPP 2.0 is interpreted through the existing heritage regime and *State Planning Policy 6.1 Leeuwin-Naturaliste Ridge* (SPP 6.1).

#### *Heritage Regime*

Landscapes can be recognised by the heritage regime as having varying levels of significance and protection. For the purposes of this investigation, heritage regime is a term used to collectively refer to the following:

*Figure 6 - Heritage regime*

| Legislation / head of power | Organisation |
|---|---|
| *Heritage of Western Australia Act 2018* | Heritage Council of Western Australia |
| *Environment Protection and Biodiversity Conservation Act 1999* | Australian Heritage Council |
| *City of Busselton Local Planning Scheme No. 21* | City of Busselton |
| *Aboriginal Heritage Act 1972* | Aboriginal Culture and Materials Committee |

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*Planning regime*

Landscapes can be recognised by the planning regime as having varying levels of significance and protection. For the purposes of this investigation, planning regime is a term used to collectively refer to the following elements of the State Planning Framework:

- SPP 6.1
- *Visual Landscape Planning in Western Australia Manual* (2007).

The *Visual Landscape Planning in Western Australia Manual* provides that landscape values may be characterised as:

> *Those landscape characteristics that the community considers are significant for reasons such as their aesthetic (predominantly visual), social, environmental, and heritage values.*

SPP 6.1 includes the following regarding landscape values:

> *Features within the landscape that are highly valued, as defined by documented research. A more detailed description of landscape values in the Leeuwin-Naturaliste is provided in the supporting Leeuwin-Naturaliste Landscape Assessment Study.*

**In the context of this assessment, 'landscape value protection' investigation is interpreted to mean:**

- **Assessment as to whether the landscape that the PIA land is wholly or partly within has landscape values that have been recognised in the heritage regime, and that may preclude changing the use of the land.**
- **Assessment as to whether the aesthetic landscape values of the PIA may preclude changing the use of the land, having due regard to the *Visual Landscape Planning in Western Australia Manual* and SPP 6.1.**

## Analysis

*Landscape Values – Heritage*

The enquiry area does not have any recognised landscape values under the heritage regime.

It is noted that two places within the enquiry area are listed on the City of Busselton Municipal Heritage Inventory and Heritage List, and on the State Register of Heritage Places. Although not directly related to landscape value, this does indicate the complexity of assessing landscape values more broadly, including the possible need for a thorough heritage assessment. These sites are addressed in detail in Section 4.10.

*Landscape Values – Planning*

SPP 6.1 provides a strategic planning framework for the area and defines a number of landscape classes. Bussell Highway forms the southern boundary of the SPP 6.1 extent and is categorised as a 'Travel Route Corridor' landscape. 'Travel Route Corridor' is defined as a key area which allows:

> *people opportunities to access and experience adjoining areas and consist of a 600 metre wide corridor (300m on either side) along the Primary Transport Network. These corridors may or may not include areas where rural or natural significance have been identified.*

While the majority of the enquiry area sits outside the SPP 6.1 extent, a number of the north-western lots are partially included in the 'Transport Route Corridor' area – specifically lots 200, 1246, 1247, 1248 (see Map 8). The enquiry area is highly visible from the adjacent Travel Route Corridor. Future planning should be responsive to:

- local values
- the natural characteristics and traditional settlement patterns of the area
- protection of the rural character
- alignment with policies and guidelines for Travel Route Corridors.

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The City of Busselton uses special control areas in the Scheme to identify landscape value areas which have a high level of natural and visual amenity. This triggers additional provisions under the Scheme to ensure the amenity or scenic character of an area is not compromised. The enquiry area does not fall within one of these special control areas.

Reserve 45348 located on Florence Road is vested in the City of Busselton. The reserve purpose is 'Landscape Protection' and the primary land use is a rubbish disposal site with a secondary land use of conservation. This lot forms part of the 'Public Purposes – Drain' reserve in the Scheme.

The *Visual Landscape Planning in Western Australia Manual* provides advice on incorporating visual landscape planning into the planning system. The manual states that landscapes of regional significance should be identified in regional strategies. There is not considered to be landscapes of regional significance within the enquiry area.

While visual landscape values are not considered to be a reason to preclude changing the use of the land, some measures will need to be taken to protect and preserve significant recognised values, such as the two heritage sites. Should the change of land use proceed, rigorous consideration will then need to be given to landscape value protection and this may include a landscape value assessment. The *Visual Landscape Planning in Western Australia Manual* may be an appropriate planning instrument to address landscape considerations at later planning stages.

### Outcome

Interpreted within the context of the WAPC State Planning Framework, the investigation of the landscape values of the enquiry area has focused on protection of the following:

- heritage values
- planning values.

An analysis of available datasets, including SPP 6.1, has identified that protection of these landscape values is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

A landscape value assessment in accordance with the *Visual Landscape Planning in Western Australia Manual* may be required to address landscape considerations at later planning stages.

## 4.5 Utilities

'Utility services capacity' is a key consideration in the Strategy.

### Interpretation

*State Planning Policy 3.0 Urban Growth and Settlement* (SPP 3.0) includes the following:

> *Planning for new growth and settlements should be coordinated with the cost-efficient provision of infrastructure and services such as roads, public transport, water supply, sewerage, electricity, gas, telecommunications, drainage, open space, schools, health and recreational facilities.*

The term 'utilities' is not defined in the State Planning Framework. For the purposes of this assessment, utility services are regulated essential services generally required for urban land uses, and limited to:

- water
- wastewater
- energy.

SPP 3.0 does not include a definition or explanation of 'capacity'. A common meaning of that term is "the maximum amount that something can contain". The *Busselton Regional Land Supply Assessment 2016*

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identifies water, wastewater and energy as the regulated essential services to be considered in this regard.

**In the context of this assessment, 'utility services capacity' investigation is interpreted to mean:**

- **High-level consideration of the availability of regulated water, wastewater and energy services capacity and whether it may preclude changing the use of the land.**

## Analysis

### *Water*

Busselton Water has an operating licence that covers approximately 700,000ha and extracts water from the Yarragadee and Leederville aquifers within the Busselton-Capel groundwater area. Busselton Water services the Busselton-Vasse urban area but does not currently include the enquiry area.

Busselton Water predicts that demand for water in Busselton will more than double, from five gigalitres to 10.1 gigalitres per annum by 2060, with 353 new connections per year going forward. Busselton Water envisages that their existing licensed annual quota of 8.1 gigalitres per year would be sufficient for the next 30 years if water efficiency savings are achieved, or 17 years if water use efficiency savings are not met. Significant infrastructure upgrades may be required to meet increasing demand.

Farmers, households and local governments 'self-supply' water using their own infrastructure from a number of groundwater resources within the Busselton-Capel groundwater area and surface water resources within the Busselton Coast surface water area. Self-supplied water use comprises about 83 per cent (54.47 gigalitres) of the water allocated in the area with the remaining volume distributed through the town water supply scheme. Water availability is likely to reduce in a drying climate. Any changes to land use should account for this.

Fit for purpose water is required to maintain urban green infrastructure, and the supply is currently managed in an uncoordinated manner by end users. For the Vasse area in particular, there is a need for a more coordinated approach to securing a climate resilient source due to proclaimed surface and groundwater resources being fully allocated or difficult to access, making them commercially unviable.

### *Wastewater*

The Water Corporation operates the Busselton Wastewater Scheme. Significant capital investment has been made to the Busselton Wastewater Treatment Plant and conveyance network to ensure capacity for the Busselton Wastewater Scheme. New large pump stations have been constructed at Vasse and Yalyalup, to transfer wastewater from these developing areas directly to the wastewater treatment plant.

To meet future demand, further enhancements to the plant will be required over the next 20 years as well as upgrades to local pump stations and pressure mains. Dwellings located outside of the Busselton Wastewater Scheme area, such as the enquiry area, are currently using onsite wastewater treatment systems.

The most recent Water Corporation forecast projects an average growth in the permanent resident population serviced by the scheme of 2.5 per cent per annum over the next 20 years. Planning for the future also includes the significant increase in demand experienced during peak tourism times.

### *Energy*

Western Power manages energy supply to the South West region. The City of Busselton is covered by the Bunbury load area.

Electricity in Busselton is supplied via a single 132 kV circuit which runs from Picton to Busselton, as well as a 66 kV transmission network that extends from Picton to Margaret River. The Western Power Network Capacity Mapping Tool shows a constrained supply in Busselton at 2017 of less than 5 MVA. This is

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expected to be alleviated by the partial conversion of Busselton 66 kV substation to 132 kV, as well as the conversion of one of the Picton to Busselton 66 kV circuits to 132 kV.

Western Power has liaised with Main Roads Western Australia (MRWA) and the City of Busselton seeking a co-located corridor alignment adjacent to the proposed Busselton Outer Bypass for sections of the future 132 kV line between Busselton Airport and the Rendezvous Road substation. Western Power has proposed that existing transmission line infrastructure easements and clearances from new/infill subdivision and development are maintained through structure planning and subsequent planning mechanisms, minimising the likelihood of encroachment or intensification of conflicting land uses and development within these corridors.

ATCO Gas Australia manages natural gas supply to the Busselton area. The Busselton area is covered by the Mid-West and South-West Gas Distribution System (GDS). The GDS is a covered pipeline and is subject to an Access Arrangement that is approved by the Economic Regulation Authority of Western Australia. The GDS contains more than 12,000 kilometres of gas distribution pipelines in its network and services over 700,000 residential and business customers.

### Outcome

The investigation of the utility services capacity of the enquiry area has specifically focused on the following:

- water
- wastewater
- energy.

An analysis of available datasets has identified that availability of these utilities is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

## 4.6 Agriculture

'Agricultural use protection' is a key consideration in the Strategy that is specifically relevant to the Vasse South PIA.

### Interpretation

SPP 2.5 defines 'agricultural use' as:

> *A subset of rural land used specifically for agricultural purposes including agriculture – extensive, agriculture – intensive, pastoral uses, plantations and agro forestry. This may include industry – primary production, but does not include rural living.*

Relevant to agricultural use, SPP 2.5 makes a distinction between 'rural land' and 'priority agricultural land', with a greater level of protection afforded to 'priority agricultural land'. SPP 2.5 supports "existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food".

SPP 2.5 defines priority agricultural land as:

> *Land of State, regional or local significance for food production purposes due to its comparative advantage in terms of soils, climate, water (rain or irrigation) and access to services. Priority agricultural land is derived from High Quality Agricultural Land data that has been subject to consultation and refinement, and has removed land required for existing and future urban/development areas, public use areas and land required for environmental purposes.*

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**In the context of this assessment, 'agricultural use protection' is interpreted to mean:**

- **Consideration as to whether the existence of priority agricultural land may preclude changing the use of the land.**

### Analysis

The Department of Primary Industries and Regional Development (DPIRD) undertake high quality agricultural land assessments however this does not yet extend to the enquiry area. Upon request, DPIRD has undertaken a desktop analysis of the enquiry area and assessed the soil capability and current use of the land to determine any lots that should be regarded as 'priority agricultural land'. DPIRD has identified an area within the enquiry area covering portions of lots 1251, 1249, 84, 1250, 1252, 200 and 201 that has a medium to high capability for annual horticulture and vineyards. The rest of the enquiry area has a medium to high capability for grazing.

The LPS includes the following strategy statements:

> *Support and protect agriculture by: retaining land in rural areas primarily for agricultural purposes; avoiding the further fragmentation of land in rural areas other than where specifically supported; and keeping settlements compact and contained.*
>
> *Support the appropriate diversification of agricultural industry and land-uses in rural areas, including appropriate non-rural land uses that are incidental and/or complementary to the agricultural use of the land.*

The local planning strategy considers 'Vasse South' to form part of the Busselton-Vasse Urban Area although it is currently zoned rural.

### Outcome

Interpreted within the context of the WAPC State Planning Framework, the investigation of the enquiry area included consideration of agricultural use protection.

An analysis of available datasets has identified that protection of agricultural land uses is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

## 4.7 Land Assembly

'Land assembly (possible diversity of owners)' is a key consideration in the Strategy that is specifically relevant to the Vasse South PIA.

### Interpretation

'Land assembly' is not a term defined in the State Planning Framework. In the context of this assessment, land assembly is interpreted to mean the potential level of difficulty in coordinating and managing land holdings to successfully advance changing the use of land.

**In the context of this assessment, 'land assembly (possible diversity of owners)' investigation is interpreted to mean:**

- **Assessment of the potential level of difficulty in coordinating and managing landholdings to successfully advance changing the use of land within the enquiry area, including:**
  - **limiting fragmentation**
  - **identifying larger landholdings**
  - **limiting the number of owners.**

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## Analysis

**There is no discrete data that specifically addresses this key consideration. This analysis is informed by the findings of other key considerations, cadastre and land ownership information (see table below).**

*Figure 7 - Land ownership*

| Owner Name | Land Parcel | Size (ha) |
|---|---|---|
| Outside of Ambit | | |
| | Lot 462 on DP 301732 | 0.5 |
| | Lot 1248 on DP 82369 | 6.8 |
| | Lot 1251 on DP 82369 | 11.6 |
| | Lot 1249 on DP 82369 | 14.7 |
| | Lot 1250 on DP 82369 | 11.2 |
| | Lot 84 on DP 230877 | 16.3 |
| | Lot 200 on DP 412178 | 137.4 |
| | Lot 1246 on DP 82369 | 35.8 |
| | Lot 41 (DP 96587) | 121.4 |
| | Lot 201 (DP 412178) | 42.8 |
| | Lot 1252 (DP 82369) | 9.8 |
| | Lot 3 (DP 57112) | 6.7 |
| | Lot 2 (DP 57112) | 6.9 |
| | Lot 1 (DP 57112) | 6.3 |
| | Lot 100 (DP 301381) | 11.0 |
| | Lot 41 (DP 69786) | 2.5 |
| | Lot 42 (DP 69786) | 13.8 |
| | Lot 634 (DP 252349) | 27.8 |
| | Lot 101 (DP 301381) | 9.5 |
| | Lot 1 (DP 75945) | 24.0 |
| | Lot 2 (DP 78348) | 12.8 |
| | Lot 326 (DP 103183) | 64.7 |
| | Lot 1 (DP 13299) | 12.1 |
| | Lot 327 (DP 103439) | 52.7 |
| | Lot 1188 (DP 82276) | 67.4 |
| | Lot 1310 (DP 140038) | 22.8 |
| | | |
| | Lot 1 (DP 78348) | 40.7 |
| | Lot 59 (DP 230877) | 15.6 |
| | Lot 240 (DP 250101) | 39.3 |
| | Lot 1247 (DP 82369) | 10.9 |
| **State Government** | | |
| State of Western Australia | Lot 44 (DP 82369) | 0.5 |
| | Lot 44 (DP 162624) | 2.0 |
| | Lot 45 (DP 82369) | 0.2 |
| | Lot 46 (DP 82369) | 0.4 |
| | Lot 47 (DP 82369) | 3.8 |
| | Lot 50 (DP 5405) | 1.5 |
| | Lot 52 (DP 5405) | 1.3 |
| | Lot 5146 (DP 8361) | 1.5 |
| Water Corporation | Lot 4 (DP 13647) | 5.8 |
| | Lot 51 (DP 5405) | 0.3 |
| | Lot 3866 (DP 162624) | 0.01 |
| | Lot 3867 (DP 162624) | 0.5 |
| | Lot 3868 (DP 162624) | 0.4 |
| Unallocated Crown Land | UCL | 0.6 |
| Reserve – Landscape Protection<br>Vested: Shire of Busselton (R 45348) | Lot 5146 (DP 8361) | 1.5 |

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The Landgate cadastre and land ownership datasets illustrate fragmented ownership within the enquiry area with limited separate landholdings with the same owner (see Map 3).

The variation in lot size seen in Table 5, demonstrates the complexity of land assembly within the enquiry area. In addition to size, lot location and ownership must also be considered and weighed against each other to determine a suitable PIA boundary. To limit fragmentation and reduce the difficulty of land assembly, the PIA should be smaller than the enquiry area.

Larger land holdings have been identified such as Lot 200 (24) Westbrook Glen (137.4ha), Lot 326 (209) Kaloorup Road (64.7ha) and Lot 41 (on D 96587) (121.4ha). However, these lots are not located adjacent to existing urban development and therefore their suitability is reduced as standalone sites.

It is noted that many lots in the western side of the enquiry area are owned by the same family and most of these individuals own multiple lots.

### Outcome

Interpreted within the context of the Strategy, the investigation of the land assembly potential of the enquiry area has focused on assessment of the following:

- limiting fragmentation
- identifying larger land holdings
- limiting the number of owners.

Analysis of the available datasets has identified that land assembly and the possible diversification of owners raises some challenges bit is not a consideration that would preclude changing the land use designation in the Strategy.

## 4.8 Basic Raw Materials

'Basic raw materials demand (land fill to raise ground level)' is a key consideration in the Strategy that is specifically relevant to the Vasse South PIA.

### Interpretation

SPP 2.4 defines BRM as:

- sand (including silica sand)
- clay
- hard rock (including dimension stone)
- limestone (including metallurgical limestone)
- agricultural lime
- gravel
- gypsum
- other construction and road building materials
- materials which may substitute BRM.

The policy measures of SPP 2.4 states that higher order strategic planning documents should:

> *seek to locate new urban and industrial areas on land where the need for additional imported fill is minimised.*

**In the context of this assessment, investigation of 'basic raw materials demand (land fill to raise ground level)' is interpreted to mean:**

- **Consideration of the amount of fill required and whether this may preclude changing the use of the land.**

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### Analysis

In the Leeuwin-Naturaliste Sub-region BRM are predominately used for coastal defence, urban development, roads and agriculture. Preparing land for urban development can include increasing the finishing ground level by filling land with sand to mitigate locational characteristics, such as flooding and acid sulfate soils, and to enable drainage and essential services networks to be developed.

In addition to fill required for residential development, it is anticipated that substantial fill will be required for road construction within the enquiry area, specifically for the proposed Busselton Outer Bypass. Further details are addressed in Section 4.10.

In 2012 the WAPC released the *Basic Raw Materials Demand and Supply Study for the Bunbury–Busselton Region* (the study). The study is primarily focussed on BRM supply and demand for residential development. The study includes a Chamber of Commerce and Industry WA estimate that an average greenfield dwelling and the supporting infrastructure would require 151 tonnes of hard rock, 255 tonnes of sand, 102 tonnes of clay and 155 tonnes of limestone.

The study acknowledges that these figures are likely to be higher for the sub-region which requires greater quantities of imported fill due to the low-lying nature of the land. Recent developments in the Vasse area required approximately 900mm of fill however as the enquiry area is predominantly a wetland, greater levels of fill may be required.

It is unlikely that sufficient fill will be available proximate to the enquiry area. Therefore, fill material would be required to be imported, raising transportation and cost issues that are beyond the scope of this investigation.

It is noted while the principles and intent of the study still stand, the currency of the data has diminished over time. In addition, the study does not include strategic mapping of BRM sources and there is misalignment of the study area and the sub-regional boundaries. This is addressed in the Strategy with the identification of WAPC action three:

> *Undertake a study of the supply and demand of basic raw materials within the sub-region and the opportunities for alternative building construction techniques to reduce demand from the building and construction industries.*

Until a more recent study, with up-to-date data and revised calculations, is undertaken it is difficult to categorically state whether demand for BRM to raise ground levels would preclude a change in use.

### Outcome

Interpreted within the context of the WAPC State Planning Framework, the investigation of BRM required for urban types of development within the enquiry area has focused on aspects of demand and supply.

An analysis of available datasets has identified that it is likely significant amounts of fill will be required to support development within the enquiry area and there are limited opportunities for it to be locally sourced. Due to these factors combined with a lack of accurate data and an undefined Vasse South PIA boundary, further studies are required before the impact can be determined of this consideration on changing the land use designation.

As such, 'basic raw materials demand (land fill to raise ground level)' is a consideration that *may* preclude changing the use of the land. A WAPC action of the Strategy is to undertake a BRM supply and demand study. This study will be instrumental in informing any future decisions regarding the land use designation of the enquiry area.

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## 4.9 Planning Investigation Area Extent

'Planning Investigation Area extent definition' is a key consideration in the Strategy that is specifically relevant to the Vasse South PIA.

### Interpretation

'Planning Investigation Area' is not a term defined in the State Planning Framework. The Strategy describes 'Planning Investigation Area' as:

> *Land that will be subject to further planning investigation/s to consider its suitability, and the area of land to be identified, for a possible change of use.*

The Strategy does not further define its intent when prescribing this key consideration.

At its 28 April 2021 meeting the WAPC adopted the following principles for defining the Vasse South PIA extent:

- Exclude land zoned or otherwise identified for urban type uses (residential, industrial, urban development, etc).
- Consider the forecast demand for urban land to 2039 for Vasse South (Strategy's time horizon).
- Prioritise land abutting existing urban type uses.
- Clip the PIA boundary to cadastre.

**In the context of this assessment, 'Planning Investigation Area extent definition' investigation is interpreted to mean:**

- **Define the extent of land within the Vasse South enquiry area that is suitable for designation as 'Urban' in the Strategy, having regard to:**
  - **outcomes of all key consideration investigations**
  - **demand and supply for urban land to 2039 for Vasse.**

### Analysis

*Outcomes of all Key Considerations*

The first element of investigating the 'Planning Investigation Area extent definition' key consideration is to consider the outcomes of all other key consideration investigations.

Investigation of 'basic raw materials demand (land fill to raise ground level)' concluded that prior to changing the land use designation in the Strategy further studies are required to determine the impact of this consideration.

The remaining key consideration investigations did not identify any issues or concerns that may directly constrain the PIA boundary extent.

*Demand and Supply*

The second element of investigating the 'Planning Investigation Area extent definition' key consideration is to analyse the demand and supply for urban land in Vasse to 2039.

DPLH has prepared the Leeuwin-Naturaliste Sub-region Residential Land Supply and Demand Assessment (the 'Land Assessment') to inform the investigation of this consideration for the Dunsborough, Vasse South and Margaret River PIAs. The Land Assessment:

- identifies the current supply of residential land for Dunsborough, Margaret River and Vasse (including Kealy)
- estimates demand for residential land to 2039 in these localities

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- assesses whether the current supply of residential land is sufficient to meet estimated demand to 2039
- identifies the volume of land required, if any, to meet estimated demand to 2039.

The identification of current supply is based on the number of greenfield lots and dwellings (assuming a 1:1 ratio) provided for by the current local planning framework. It considers the whole length of the land development pipeline, including: lots available for purchase, lots proposed to be created via subdivision approval, lots identified in a local structure plan, and potential yield of land zoned for residential or urban development. The Land Assessment identifies a current supply of an additional 2,596 greenfield lots/dwellings, based on the existing local planning framework.

The Land Assessment uses historical rates of dwelling construction as the basis for estimating future demand for residential dwellings. In the 10 years to 2020, construction was completed on an annual average of 74 dwellings in Vasse. By projecting this historic expressed demand to 2039, it is estimated that 1,406 dwellings will be required in Vasse between 2020 and 2039.

The Land Assessment therefore assesses that the supply of residential lots and land exceeds demand as follows:

*Figure 8 - Land supply assessment*

| Supply (lots/dwellings) | Demand (lots/dwellings) | Surplus (lots/dwellings) |
|---|---|---|
| 2,596 | 1,406 | 1,190 |

### Outcome

Interpreted within the context of the WAPC decision dated 21 April 2021, the investigation of the PIA extent has focused on using the following parameters:

- outcomes of all key consideration investigations
- demand and supply for urban land to 2039 for Vasse.

Investigation of the BRM requirements of the enquiry area indicates that further analysis and assessment is needed prior to determining suitability for a change of land use.

An assessment of the supply and demand for residential land in Vasse has identified a surplus of 1,190 lots/dwellings by 2039. As such, it is anticipated there is sufficient existing supply and the enquiry area is not required to meet the forecast demand for urban land in the Strategy's time horizon.

Therefore, 'Planning Investigation Area extent definition' is a consideration that precludes changing the land use designation of the enquiry area in the Strategy.

## 4.10 Other Considerations

### Proposed Busselton Outer Bypass

There is concern over the ability of the existing Busselton Bypass to accommodate future traffic volumes, specifically in relation to congestion and road safety. Planning is underway for a new Busselton Outer Bypass which aims to alleviate the impact of traffic growth and potentially include options for a future transit route.

MRWA have undertaken a planning study in conjunction with the City of Busselton and DPLH to confirm the alignment of the proposed Busselton Outer Bypass. The proposed alignment is indicatively shown in the Strategy bisecting the enquiry area. MRWA has advised that this is a 5-10 year project and is

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anticipated to commence following completion of the Bunbury Outer Ring Road and Bussell Highway Duplication projects.

The proposed alignment does not preclude changing the use of the land and should be taken into account if further investigation proceeds beyond this report.

### Heritage Sites

Two heritage sites have been recognised at both local and State level (see Map 8 and the table below). While not precluding the establishment of a PIA or the change of use of the land these sites will require special consideration regarding conservation and there may be a need for a thorough heritage assessment if the land is identified as being suitable.

*Figure 9 - Heritage places*

| Place | Lot | Address | Local Heritage List | State Register | Notes |
|---|---|---|---|---|---|
| Westbrook Homestead | 200 | 24 Westbrook Glen, Vasse | PN 139 | 5372 | • Local cultural heritage value<br>• Archaeological potential<br>• High aesthetic value<br>• High degree of integrity and authenticity |
| Fernbrook Cottage | 41 and 42 | 663 Rendezvous Road, Vasse | PN 202 | 19926 | • Local cultural heritage value<br>• Archaeological potential<br>• Aesthetic value<br>• High degree of integrity and authenticity<br>• Under Heritage Agreement |

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# 5 Conclusion

This report is an investigation using available data to assess whether the enquiry area is suitable for a change of land use designation in the Strategy. The Strategy identifies 12 key considerations to be assessed for the Vasse South PIA. These are:

- biodiversity value protection
- bushfire risk
- drainage
- landscape value protection
- protection of significant environmental values
- utility services capacity
- water source impact (groundwater and surface water)
- agricultural use protection
- flood risk
- basic raw materials demand (land fill to raise ground level)
- land assembly (possible diversity of owners)
- Planning Investigation Area extent definition.

Other than 'basic raw materials demand (land fill to raise ground level)' and 'Planning Investigation Area extent definition', the considerations were found to not preclude changing the use of the land in the Strategy.

The consideration of 'basic raw materials demand (land fill to raise ground level)' involved an investigation into the amount of fill required to progress urban development in the enquiry area. This includes having regard for where the BRM may be sourced from and alignment with SPP 2.4 objectives. The undefined variables of the Vasse South PIA such as size and location, increase the uncertainty around BRM requirement. Combined with a lack of current and reliable data on BRM supply and demand, it is not possible to definitively conclude whether this consideration would or would not preclude a change use in the Strategy.

The consideration of 'Planning Investigation Area extent definition' takes into account the outcomes of the other key consideration investigations and an analysis of demand and supply for urban land in Vasse to 2039. The data indicates there is a surplus of existing land available. Therefore, additional land within the enquiry area is not required and 'Planning Investigation Area extent definition' is a consideration that precludes changing the land use designation in the Strategy.

On balance it is recommended that the Strategy be amended to remove reference to the Vasse South PIA and the existing 'Rural and Landscape Protection' designation be retained for the enquiry area.

This does not prevent the WAPC from reconsidering land uses for this site at a later date, or as part of a subsequent review of the State Planning Framework. If strategic land use considerations in the wider area were to change in the future, a review of the highest and best use of this site could be undertaken at that time.

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## Maps

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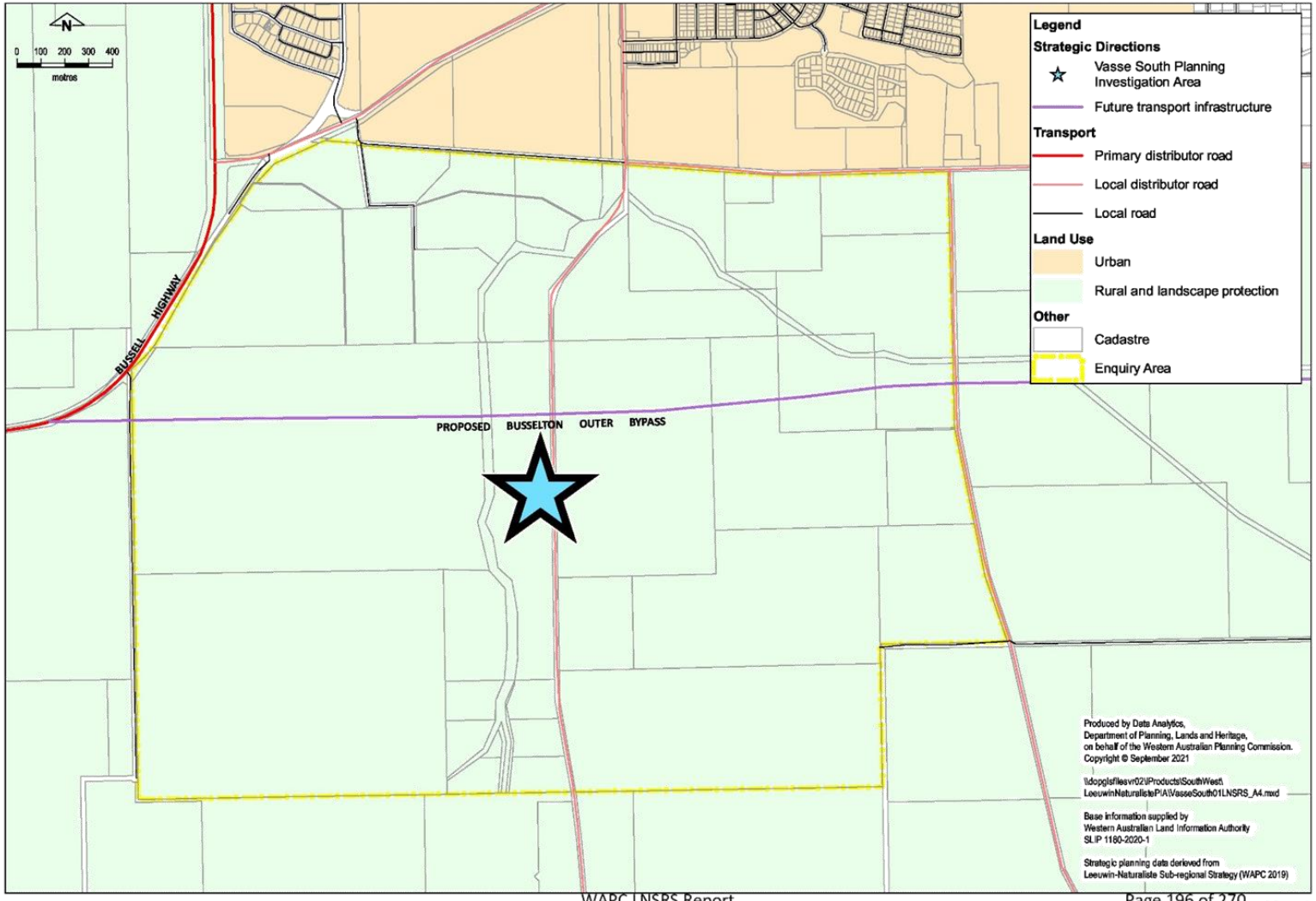
Vasse South Planning Investigation Area




**Strategy Plan: Leeuwin-Naturaliste Sub-regional Strategy**

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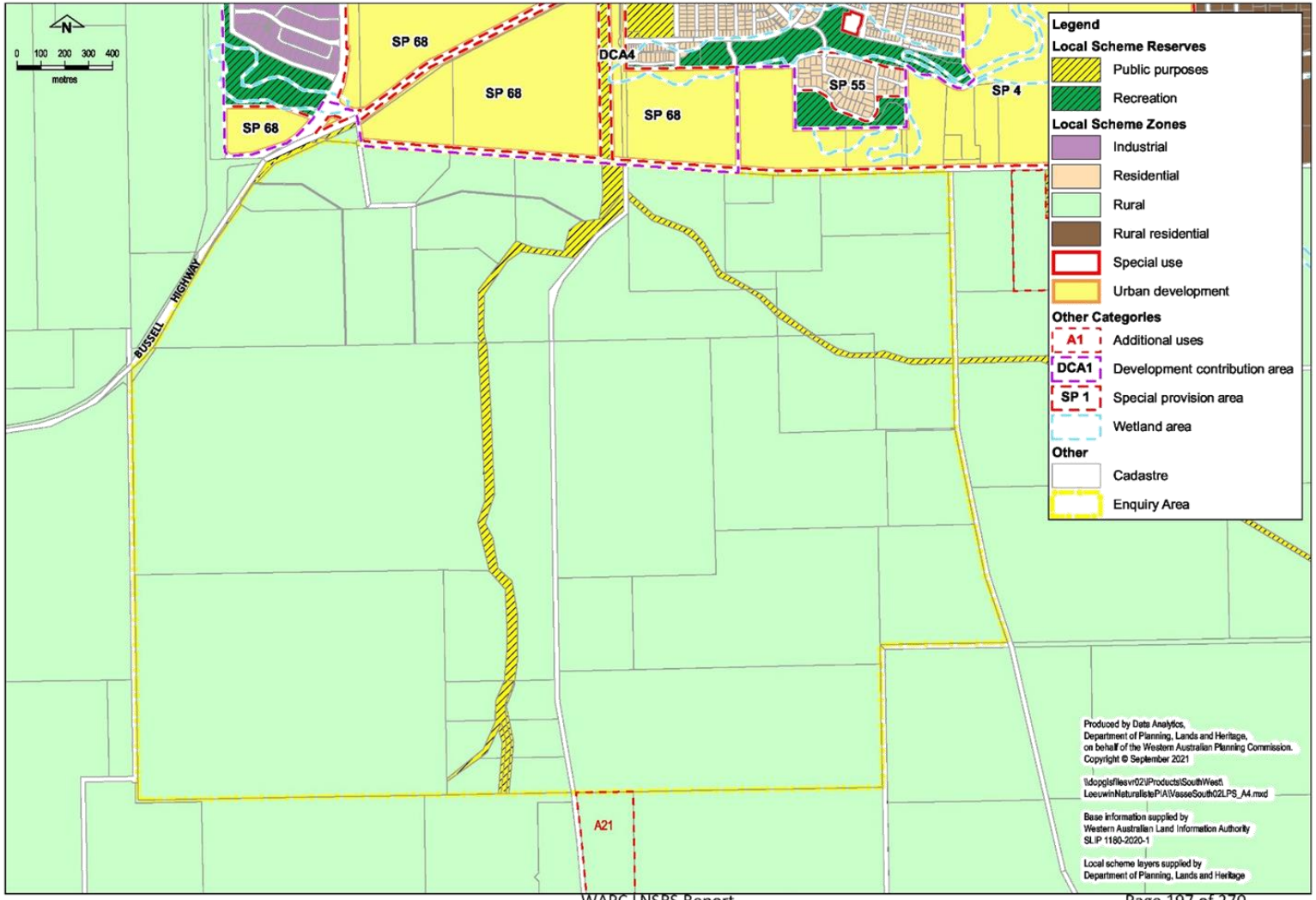
Vasse South Planning Investigation Area




**City of Busselton Local Planning Scheme No. 21**

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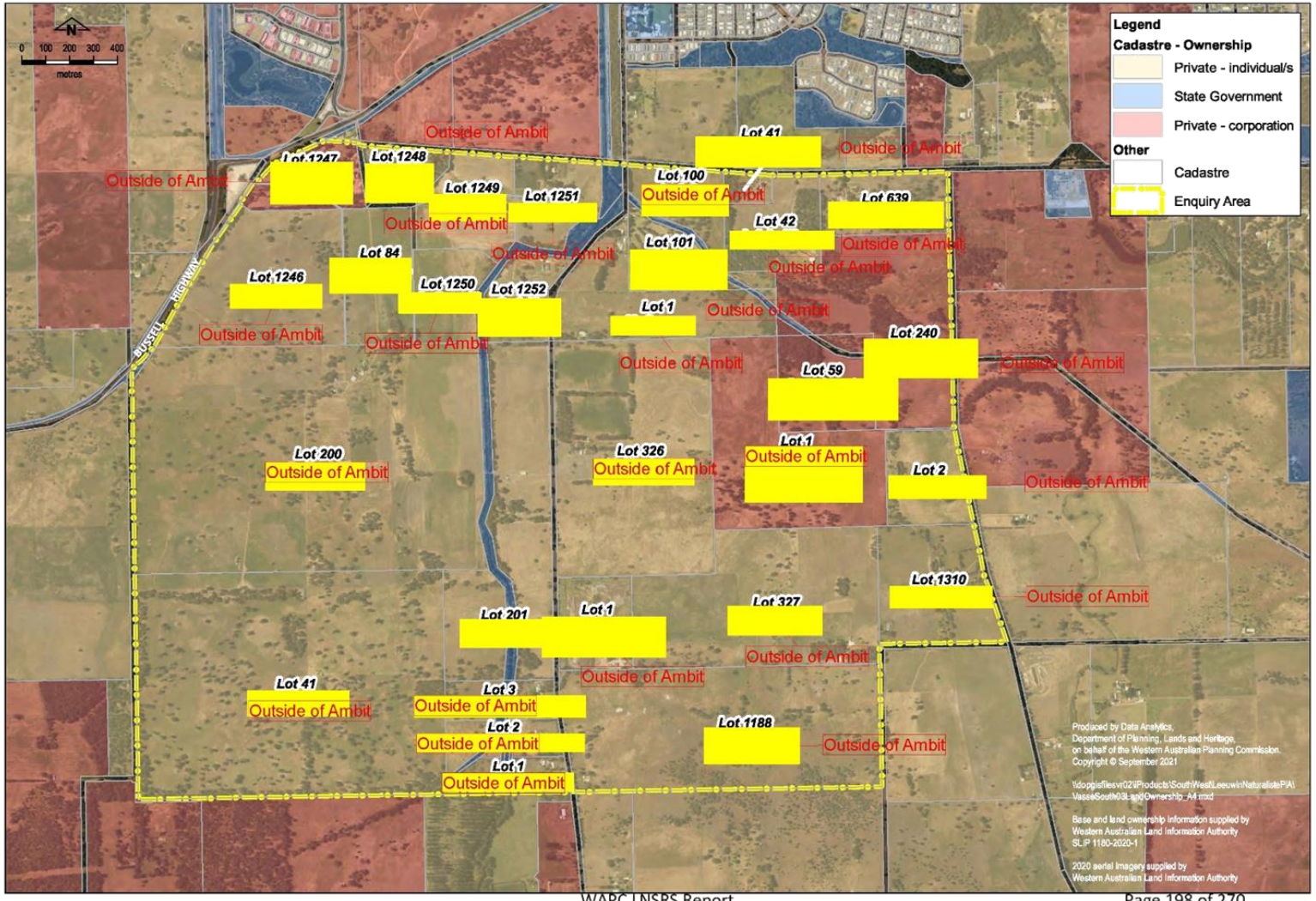
Vasse South Planning Investigation Area




**Land Ownership**

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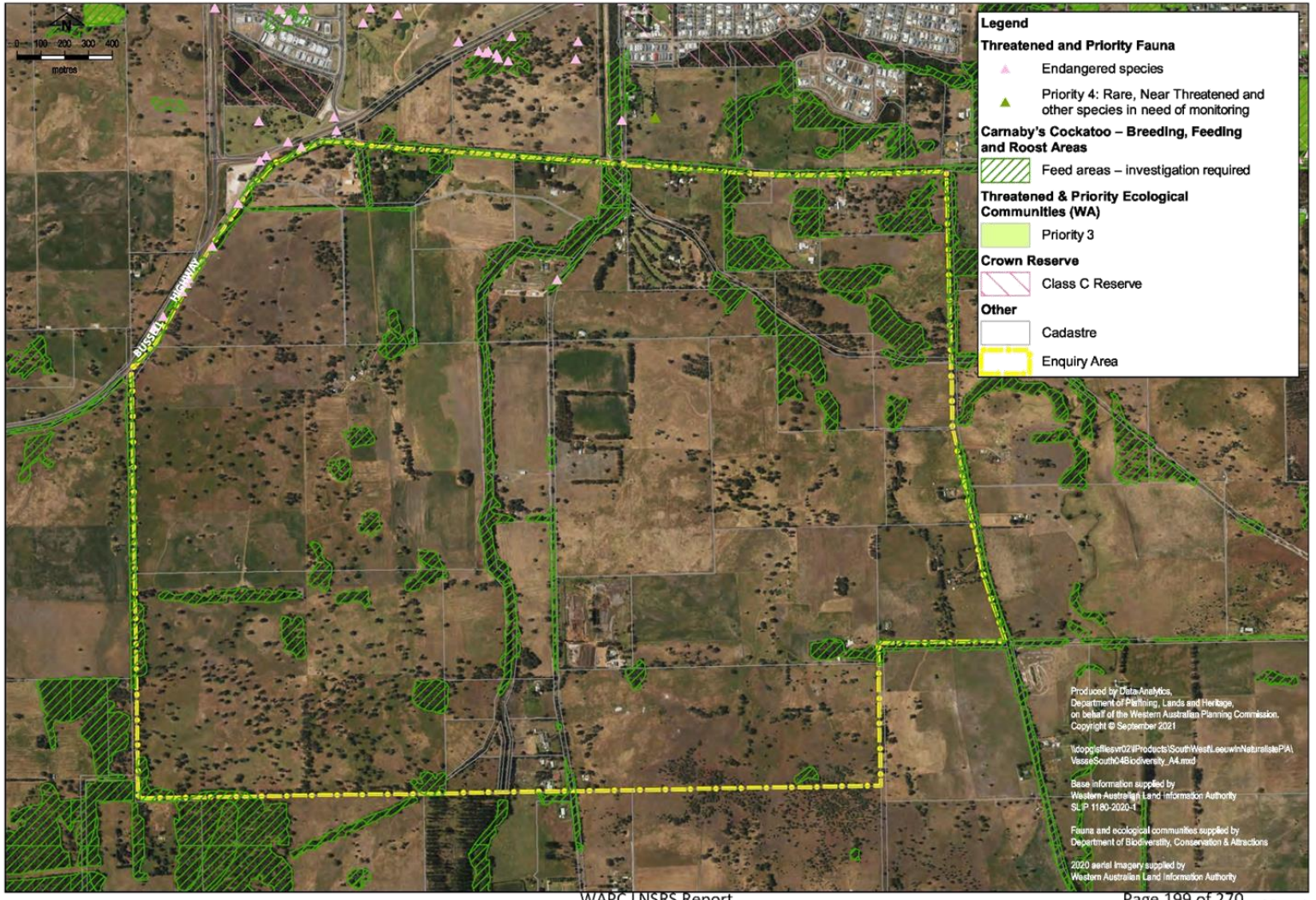
Vasse South Planning Investigation Area




**Biodiversity**

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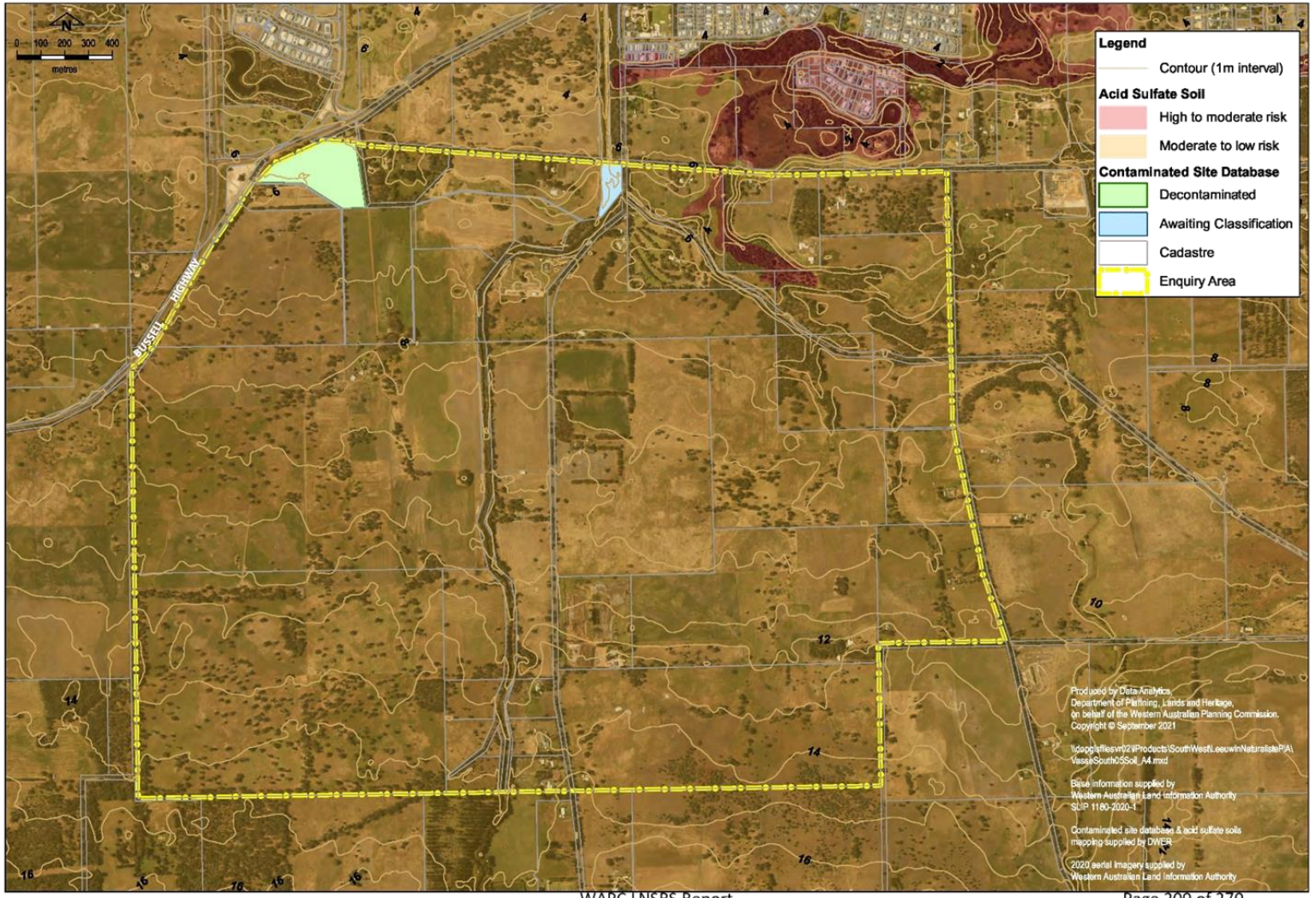
Vasse South Planning Investigation Area




**Soil and Land Quality**

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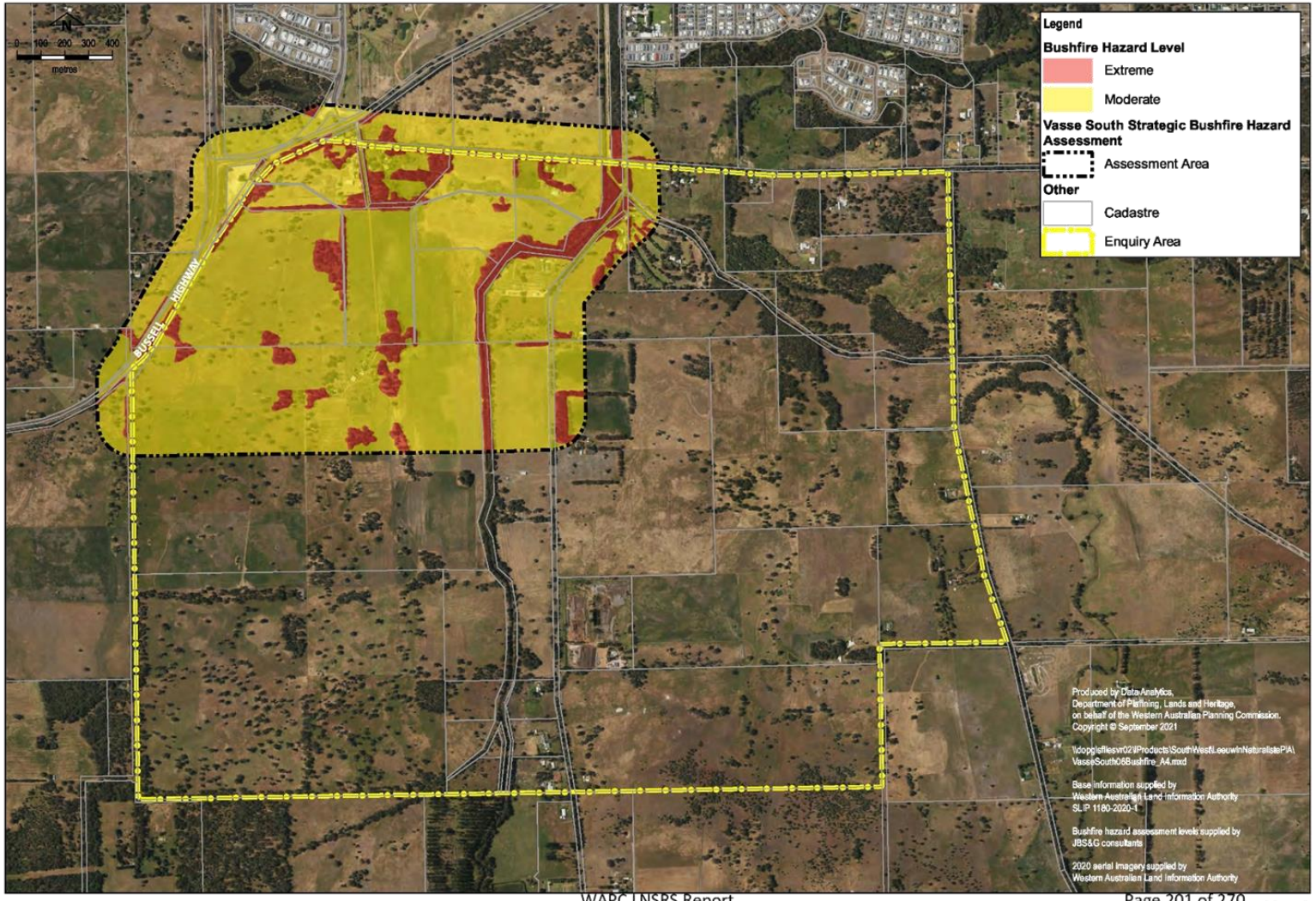
Vasse South Planning Investigation Area




**Bushfire**

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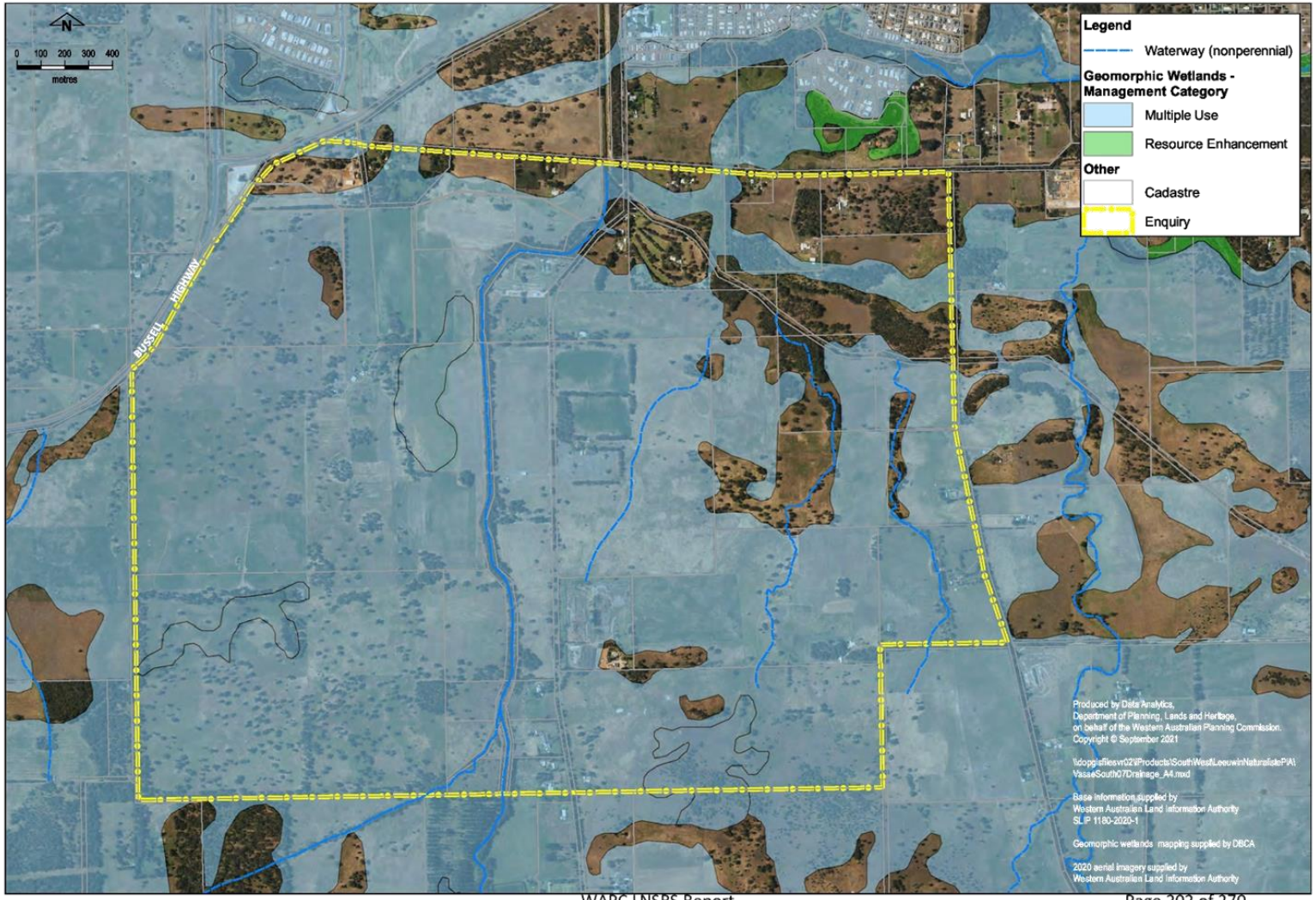
Vasse South Planning Investigation Area




**Drainage**

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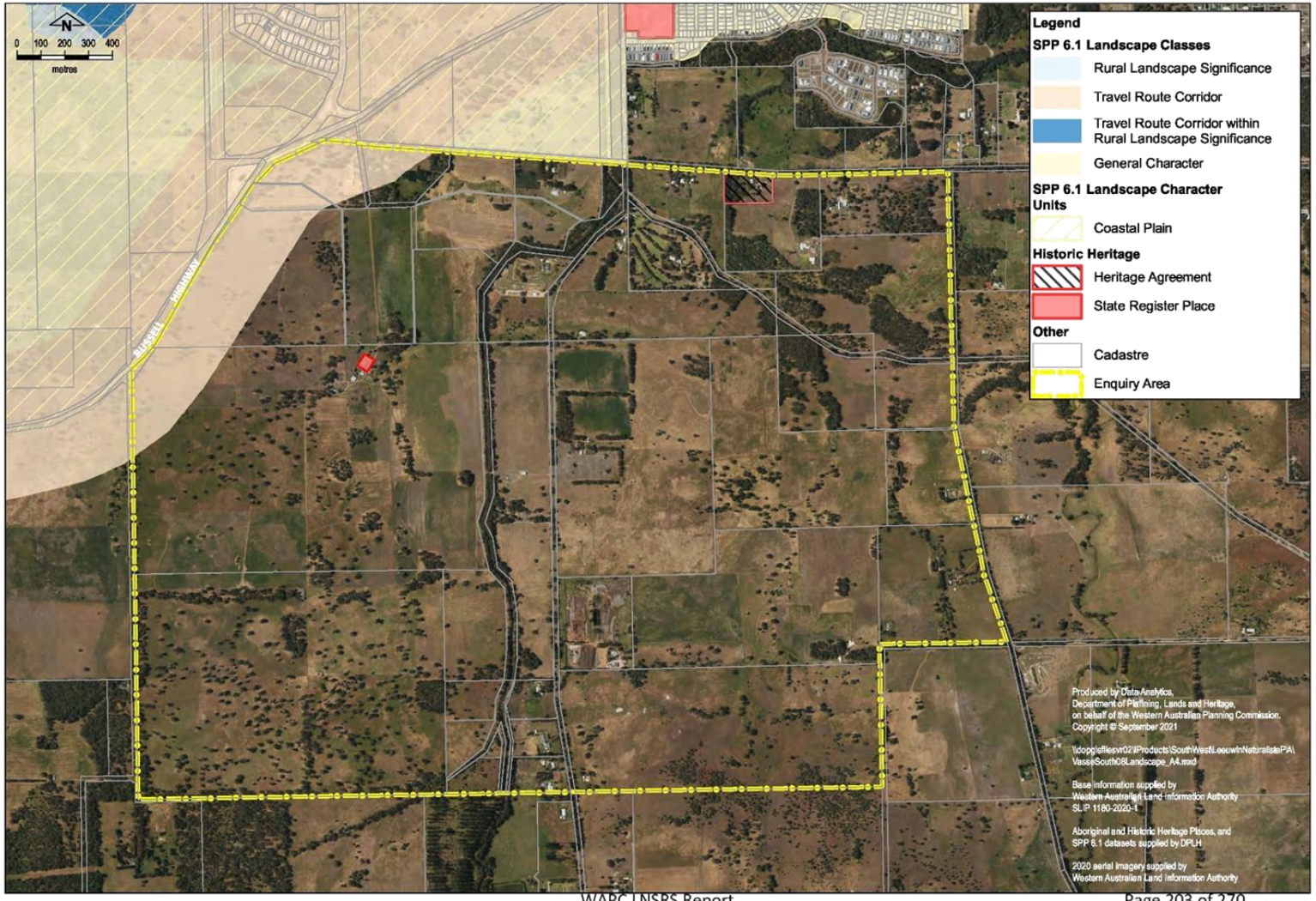
Vasse South Planning Investigation Area




**Landscape**

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Department of Planning, Lands and Heritage
GOVERNMENT OF WESTERN AUSTRALIA

# Margaret River Planning Investigation Area

# Preliminary Report

October 2021

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| Margaret River PIA Report – Version Control | | | |
|---|---|---|---|
| **Version** | **Date** | **Responsibility** | **Notes** |
| 1.0 | 5 October 2021 | RPP | For executive review. |
| 2.0 | 12 Oct 2021 | RPP | For inclusion on agenda for 27 Oct WAPC meeting. |

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## Acronyms

| | |
|---|---|
| **AEP** | Annual Exceedance Probability |
| **AHD** | Australian Height Datum |
| **AQ-Guideline** | Environmental Factor Guideline: Air Quality 2020 |
| **ASS** | Acid sulfate soils |
| **BRM** | Basic Raw Materials |
| **BUWM** | Better Urban Water Management Guidelines |
| **BAL** | Bushfire Attack Level |
| **BHL** | Bushfire Hazard Level |
| **DMIRS** | Department of Mines, Industry Regulation and Safety |
| **DPIRD** | Department of Primary Industries and Regional Development |
| **DPLH** | Department of Planning, Lands and Heritage |
| **draft LPS** | draft Shire of Augusta-Margaret River Local Planning Strategy 2021 |
| **DWER** | Department of Water and Environmental Regulation |
| **DWMS** | District Water Management Strategy |
| **EPA** | Environmental Protection Authority |
| **LUES** | Land Use and Employment Survey |
| **LPS** | Shire of Augusta-Margaret River Local Planning Strategy 2017 |
| **NEPM** | National Environment Protection (Ambient Air Quality) Measure |
| **PIA** | Planning Investigation Area |
| **SoAMR** | Shire of Augusta-Margaret River |
| **TEC** | Threatened Ecological Community |
| **WAPC** | Western Australian Planning Commission |

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# 1 Executive Summary

The Leeuwin-Naturaliste Sub-regional Strategy (the Strategy) identifies the Margaret River Planning Investigation Area (PIA) as land that will be subject to further planning investigations to consider its suitability for a possible change of land use.

The Margaret River PIA is within the Shire of Augusta- Margaret River, on the southern edge of the Margaret River urban area. Defining the boundary of the PIA is an outcome of the investigations contained in this report, however, to undertake the investigations an initial spatially defined extent is required. This is referred to as the 'enquiry area' and is framed by Bussell Highway in the east, Wilkes Road to the north, Gnarawary Road in the south and Boodijdup road to the west.

This report is an investigation of the Margaret River enquiry area using available data to assess whether the area is suitable for a possible change of land use. In this context, 'change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to 'Urban'.

Although the extent of planning investigation undertaken has been limited to the considerations defined in the Strategy, some other considerations have been assessed where they are material to the investigation. All key considerations detailed in the Strategy have been assessed as shown in Section 1.1 'Findings'.

The Margaret River enquiry area may best be understood in two parts:

- Northern section, Lots 1, 2, 2, 30, 3713, 520, 521 and Reserve 47049 bounded by Wilkes Road.
- Southern section, Lots 1, 2169, 1007, 1467, 2170, 5, 6, 7, 102, 103, 3802 and Reserves 47049, 23539 and 19531 abutting Bussell Highway, Gnarawary Road and Boodjidup Road.

The report demonstrates that the northern section of the enquiry area is relatively unconstrained by environmental attributes such as threatened or priority ecological communities, wetlands or susceptibility to flooding/inundation. The northern section may be constrained by landscape value attributes. The southern section may be constrained by bushfire, landscape and agriculture attributes. It is anticipated that other potential issues stemming from land use intensification can be appropriately managed within the planning framework.

While the considerations generally do not preclude a change of land use from occurring (subject to further detailed planning and assessment), the Department of Planning, Lands and Heritage (DPLH) forecasting indicates that there is sufficient demand for additional urban land within the Strategy's time horizon. The analysis estimates that an additional 2,071 dwellings will be required in Margaret River between 2020 and 2039. It is estimated that Margaret River has a current supply of approximately 2,636 greenfield lots/dwellings.

In summary, the Margaret River enquiry area (more specifically the northern section) does not present as having any significant characteristics that would preclude designating that land as 'Urban' in the Strategy. However, DPLH demand and supply forecasting indicates that additional land is not required for urban purposes in Margaret River for the duration of the Strategy horizon to 2039.

Therefore, it is recommended that the Margaret River PIA be deleted from the Strategy and that the land use designations in the Strategy remain unchanged.

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## 1.1 Findings

The table below shows the key findings for each consideration and a link to the section of the report where the consideration is interpreted and analysed.

*Figure 1 - Key findings*

| Consideration | Outcome | | Section |
|---|---|---|---|
| | Northern section | Southern section | |
| Biodiversity value protection | ✓ | ✓ | 4.1 Environment |
| Protection of significant environmental values | ✓ | ✓ | 4.1 Environment |
| Bushfire risk | ✓ | – | 4.2 Bushfire |
| Water | ✓ | ✓ | 4.3 Water |
| Landscape value protection | – | – | 4.4 Landscape |
| Utility services capacity | ✓ | ✓ | 4.5 Utilities |
| Agriculture | ✓ | ✗ | 4.6 Agriculture |
| Employment | ✓ | ✓ | 4.7 Employment |
| Land assembly | ✓ | ✓ | 4.8 Land Assembly |
| PIA extent | ✗ | ✗ | 4.9 PIA Extent |

| Key | |
|---|---|
| ✓ | Investigation of the key consideration indicates that the land is **suitable** for a change of land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban'. |
| ✗ | Investigation of the key consideration has identified **concerns** with changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban'. |
| – | Investigation of the key consideration with a view to changing the land use designation in the Leeuwin-Naturaliste Sub-regional Strategy to 'Urban' cannot be determined due to data limitations and is **inconclusive**. |

## 1.2 Recommendation

It is recommended that the Strategy be amended to:

- delete the Margaret River PIA from the Strategy.

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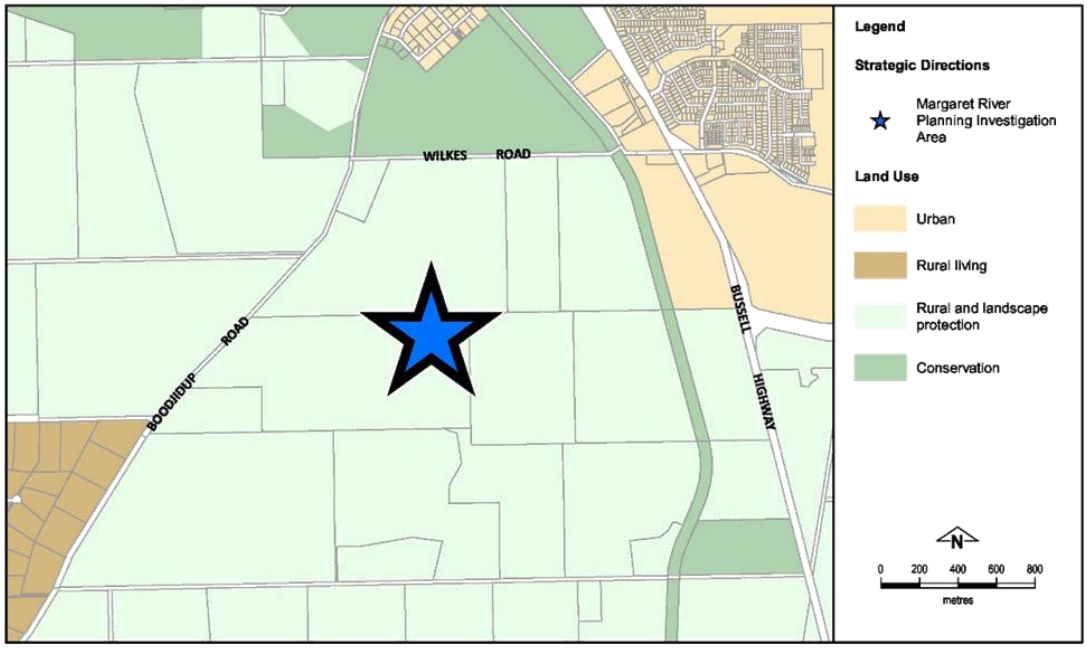
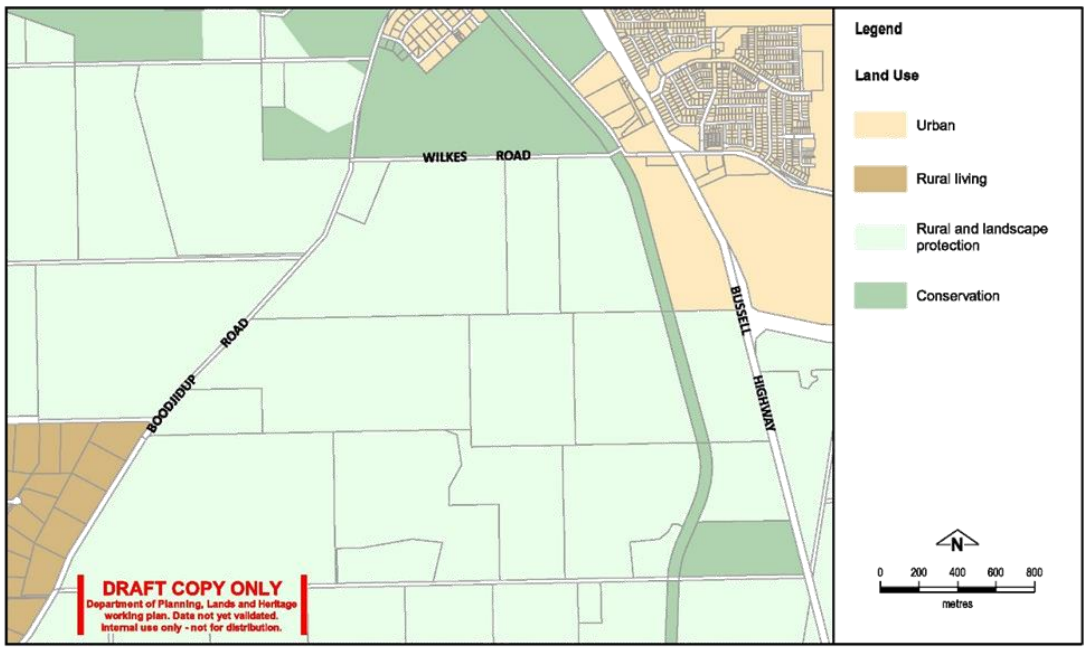
# Margaret River Planning Investigation Area

Proposed amendment to Leeuwin-Naturaliste Sub-regional Strategy




**Existing Strategy Plan**




**Proposed Strategy Plan**

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# 2 Introduction

## 2.1 Background

In May 2019 the Western Australian Planning Commission (WAPC) published the Leeuwin-Naturaliste Sub-regional Strategy (the Strategy).

WAPC action five, listed in section 5 of the Strategy is as follows:

Undertake detailed planning investigations to explore the suitability of the following areas for a possible change of use:

- Dunsborough Planning Investigation Area
- Margaret River Planning Investigation Area
- Vasse North Planning Investigation Area
- Vasse South Planning Investigation Area
- Abbey Planning Investigation Area.

The Strategy defines Planning Investigation Area (PIA) as:

> *land that will be subject to further planning investigation/s to consider its suitability, and the area of land to be identified, for a possible change of use.*

The Strategy states that:

> *These investigations will determine whether it is possible and/or appropriate to rezone the land. The investigations are required to be undertaken prior to any related local planning scheme amendment process.*
>
> *The designation of an Investigation Area should not be construed as WAPC support for a change from the existing zoning, as this will depend on the outcome of further investigations.*

The Strategy identifies 11 'key considerations' for the Margaret River PIA, being:

- Biodiversity value protection
- Bushfire risk
- Drainage
- Landscape value protection
- Protection of significant environmental values
- Utility services capacity
- Water source impact (groundwater and surface water).
- Provision of land for employment generating activities
- Agricultural use protection
- Land assembly (possible diversity of owners)
- Planning Investigation Area extent definition

## 2.2 Purpose

The purpose of this preliminary investigation report is to:

- Interpret the key considerations through the prism of the State Planning Strategy, including defining a clearly articulated investigation extent / limitation.
- Identify data source/s, including clarifying how the key consideration will be investigated if there is no data source.
- Analyse relevant issues.
- Establish findings from analysis of relevant issues.
- Recommend amendments to the Strategy to support the findings.

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## 2.3 Method

The extent of planning investigation undertaken is limited to the key considerations defined in the Strategy. Issues and concerns that are not within the limitations of the applicable key considerations are out-of-scope. Issues or concerns that are out-of-scope, but considered to be material to the investigation of the PIA are listed in the 'other considerations' section.

The underlying principle informing the method of investigations explored in this report is:

> *investigations are to be to the same base standard as the assessment that informed the designation of land uses in the preparation of the Leeuwin-Naturaliste Sub-regional Strategy.*

The base standard is characterised as a desktop analysis of known, existing and available data sources. This report uses the same approach and is to be appropriately referenced. This report is not to be peer reviewed.

This document has not been reviewed by the relevant local governments, state agencies or the general public. In its consideration to action the recommendations of this report the WAPC may consider undertaking to engage the relevant local governments, state agencies or the general public in a manner that it considers appropriate.

For the purposes of this investigation, 'possible change of use' is interpreted to mean changing the land use designation assigned to the land in the Strategy to the 'Urban' land use designation. The Strategy defines the 'Urban' designation as follows:

> *Land that is:*
>
> *within the extent of an established townsite that is used for a range of uses typically undertaken within a town, including: residential, industrial, commercial, tourism, public and private institutions, and public purposes use including recreation, open space, utilities, emergency services, and cemeteries; and,*
>
> *adjoining land already zoned in a local planning scheme for 'Future Development' or similar and/or that has structure planning in place.*

If the investigation findings and recommendation identify land within the PIA as being suitable for a change of use, the above definition will need to be expanded to include land that has been investigated and identified as being suitable for urban in the future.

If the investigation findings and recommendation identify that there are concerns with identifying land within the PIA as 'Urban' in the Strategy, that land may be identified for another existing or proposed land use designation as appropriate.

If analysis of a key consideration cannot be determined due to data limitations this will not preclude completing the preliminary investigation, subject to noting that the inconclusive nature of that investigation.

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# 3 Margaret River PIA

## 3.1 Description

Strategic direction 10 of the Strategy provides guidance regarding the Margaret River PIA as follows:

> *Designate the Margaret River Planning Investigation Area over land to the south of Margaret River for detailed investigation by the WAPC on the suitability of this land for a potential change of use.*

Map 1 shows an excerpt of the Strategy Plan, including the land use designations and an indicative PIA location. Defining the boundary of the PIA is an outcome of the investigations, however in order to undertake the investigations an initial spatially defined extent is required. Map 1 illustrates the spatial extent of the investigations. For clarity, in this document that extent is referred to as the 'enquiry area'.

The enquiry area is south of the Margaret River urban area located within the Margaret River locality. The enquiry area is approximately 807ha (excluding road reserves). The enquiry area is bounded by:

**North:** Wilkes Road.

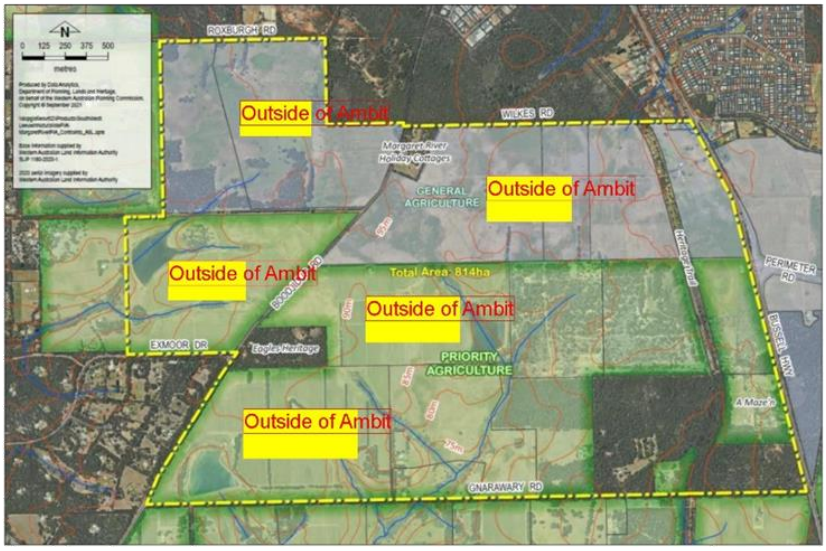
**East:** Bussell Highway. Located on the eastern boundary of the enquiry area is a conservation and landscape protection Reserve vested to the Shire of Augusta-Margaret River. Located near the eastern boundary of the enquiry area is a heritage trail vested to the Shire of Augusta-Margaret River. Lots 520 and 521 located on the eastern boundary of the enquiry area, are located within the East Margaret River District Structure Plan.

**South:** Gnarawary Road.

**West:** Boodjidup Road (with the exception of Lots 1, 2 and 2169). Located on the western boundary of the enquiry area is a wildlife park and parkland Reserve (Eagles Heritage Raptor Wildlife Centre) vested to the Shire of Augusta-Margaret River.

The enquiry area is currently used for agricultural purposes, predominantly grazing and viticulture. The land in the northern section of the enquiry area is predominately cleared with sections of remnant vegetation. The southern section of the enquiry area is predominately vineyards and remnant vegetation.

*Figure 2 - Context Map*




Margaret River Planning Investigation Area
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## 3.2 Local Planning Strategy

*The Margaret River Local Planning Strategy*

The *Shire of Augusta-Margaret River Local Planning Strategy* (LPS) was endorsed by the WAPC in February 2017. In alignment with SPP6.1, the LPS identifies a portion of the enquiry area as a 'Development Investigation Area'. The LPS states land identified for 'development investigation' will require detailed investigation and assessment to determine a suitable land use. This report aims to assess and investigate the suitability of the enquiry area for a change of land use.

*The draft Margaret River Local Planning Strategy 2036*

The Shire of Augusta Margaret River Council has prepared a draft Local Planning Strategy (draft LPS) to guide land use and population change across the Shire over the next 15 years. The draft LPS was adopted by Council on 12 May 2021 and is now awaiting final approval from the Western Australian Planning Commission (WAPC). The draft LPS aligns with the Leeuwin-Naturaliste Sub-regional Strategy, identifying the land south of Margaret River town as a PIA and subject to detailed planning investigations by the WAPC.

## 3.3 Local Planning Scheme

The enquiry area is located within the *Shire of Augusta-Margaret River Local Planning Scheme No.1* (the Scheme). The Scheme classifies the majority of the enquiry area as a 'General Agriculture' zone (northern section) and a 'Priority Agriculture' zone (southern section). The remaining portions of the enquiry area are zoned 'Bushland Protection' and reserved 'Parks and Recreation' and 'Public Purpose' (refer to Map 2). The northern section of the enquiry area is located within two Development Contribution Areas (DCA 1 and DCA 2).

## 3.4 Land Ownership

Land ownership within the enquiry area is fragmented with ownership by private companies, individuals and the state government (refer to Map 3). The enquiry area is comprised of approximately 21 land holdings with the majority in commercial ownership. Outside of Ambit own approximately 338 hectares of land within the enquiry area for uses across the viticulture industry.

The public purpose Reserve 19531 is utilised for government requirements and home to the Outside of Ambit Outside of Ambit. The centre provides care for injured, orphaned and displaced raptors as well as education and flight display programs (Eagles Heritage 2021).

The land ownership details can be seen on Map 3, and further information on land assembly is provided in section 4.8.

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# 4 Analysis

The key considerations are interpreted through the WAPC State Planning Framework. The table below illustrates where each key consideration has been addressed.

*Figure 3 - Key Considerations*

| Section | | Key consideration (Section 7 of Strategy) |
|---|---|---|
| 4.1 | Environment | • Biodiversity value protection |
| | | • Protection of significant environmental values |
| 4.2 | Bushfire | • Bushfire risk |
| 4.3 | Water | • Drainage |
| | | • Water source impact (groundwater and surface water) |
| 4.4 | Landscape | • Landscape value protection |
| 4.5 | Utilities | • Utility services capacity |
| 4.6 | Agriculture | • Agricultural use protection |
| 4.7 | Employment | • Provision of land for employment generating activities |
| 4.8 | Land assembly | • Land assembly (Possible diversity of owners) |
| 4.9 | PIA boundary | • Planning investigation area extent definition |

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## 4.1 Environment

Two of the 11 key considerations in the Strategy focus on the natural environment, with significant overlap:

- Biodiversity value protection
- Protection of significant environmental values.

For coherence and clarity, these are considered together, as below.

### Interpretation

*State Planning Policy 2.0 - Environment and Natural Resources Policy* (SPP 2.0) contains policy measures on the following:

- agricultural land and rangelands (covered by Agricultural Use Protection and *State Planning Policy 2.5 – Rural Planning* (SPP 2.5))
- air quality
- biodiversity
- greenhouse gas emissions and energy efficiency
- landscape
- marine resources and aquaculture
- minerals, petroleum and basic raw materials (BRM)
- soil and land quality
- water resources.

Having regard to the definitions of 'environment' and 'environmental values' in the *Environmental Protection Act 1986*, and investigations required by other key considerations it is appropriate to interpret 'environmental values' as referring to the following elements listed in SPP2.0:

- air quality
- biodiversity
- soil and land quality
- minerals, petroleum and BRM.

**In the context of this assessment, 'environmental values' investigation is interpreted to mean:**

- **Assessment as to whether the air quality, biodiversity, soil and land quality and minerals, petroleum and BRM characteristics of the enquiry area may preclude changing the use of the land.**

### Analysis

*Air Quality*

SPP 2.0 establishes that planning should have regard to the National Environment Protection (Ambient Air Quality) Measure (NEPM), which sets protection goals for carbon monoxide, nitrogen dioxide, photochemical oxidants, sulfur dioxide, lead and particles (PM10 and PM2.5).

The Department of Water and Environmental Regulation (DWER) operates and maintains air quality monitoring sites, however there is no monitoring site for the Margaret River area.

SPP 2.0 also includes a policy measure for planning to have regard to the potential for conflict between sensitive land uses and activities with air emission impacts. A range of activities that have the potential to impact on air quality are identified in the Environmental Protection Authority (EPA) 'Environmental Factor Guideline: Air Quality 2020' (AQ-Guideline). These activities include:

- waste to energy plants

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- oil and gas capture, processing and refining
- heavy industries that emit atmospheric waste
- bulk handling and transport (via road and rail) of materials
- port operations
- stockpiling of bulk material
- crushing and screening of materials
- incineration of wastes
- mining and associated processes
- chemical manufacturing and processing.

None of the activities listed in the AQ-Guideline are proximate to the enquiry area.

Given its proximity to existing residential areas, the enquiry area is not considered to be suitable for a change of use that would constitute an activity that may be considered harmful under the AQ-Guideline.

*Biodiversity*

SPP 2.0 establishes that planning should consider mechanisms to protect areas of high biodiversity and/or conservation value. In particular, this includes land containing threatened flora or threatened ecological communities, or that which is habitat to threatened fauna.

Environmental legislation at the State and Commonwealth level provides statutory listing and protection for ecological communities, flora and fauna/fauna habitats of conservation significance. A desktop review of relevant geospatial datasets has identified the following (refer to Map 4):

*Figure 4 - Conservation significance*

| Value | Not mapped within or proximate to subject area | Mapped within or proximate to subject area | | Description |
|---|---|---|---|---|
| | | Within | Proximate | |
| Threatened Ecological Community (TEC) / Priority Ecological Community | ✓ | | | |
| Threatened and priority flora | ✓ | | | |
| Threatened and priority fauna/fauna habitat | | ✓ | ✓ | The subject area is within the distribution area for threatened black cockatoos.<br>Recordings of threatened and priority fauna in the general vicinity, mostly areas of remnant vegetation. |

In the absence of detailed site-specific assessments for the enquiry area confirming the existence of conservation significant ecological communities, flora or fauna, the desktop analysis does not identify any biodiversity factors that would preclude a possible change of use in the Strategy.

The enquiry area comprises of cleared land, remnant vegetation and vineyards. Should a change of use occur, planning and environmental requirements would likely require that broad-scale clearing of native vegetation to be avoided. This could be achieved through design responses, such as the retention of native vegetation in public open space and/or road reserves, and the use of conservation covenants.

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If a change of use is to proceed, detailed site-specific assessments of biodiversity impacts would be required as part of subsequent planning stages, including amending the Scheme. Any proposals will require thorough environmental assessment in the form of statutory environmental referrals under State, and possibly Commonwealth, legislation.

*Soil and Land Quality*

Acid Sulfate Soils

SPP 2.0 establishes that planning decision-making should identify existing and potential areas affected by acid sulfate soils (ASS) and, where appropriate, facilitate measures to reduce impacts.

ASS are naturally occurring soils, sediments and peats that contain iron sulphides. When exposed to atmospheric oxygen, ASS can form sulfuric acid and consequently release aluminium, nutrients and heavy metals (particularly arsenic) into the soil matrix. The release of these products into the soil and groundwater can be detrimental to biota, human health and built infrastructure.

DWER has published ASS risk maps of the Swan Coastal Plain. Portions of the enquiry area are mapped on the DWER Acid Sulfate Soil Risk Map, Lower South West as *Class 2: Moderate to low risk of ASS occurring within 3m of the natural surface but high to moderate risk of ASS beyond 3m of natural soil surface*. (Refer to Map 5)

The WAPC's Acid Sulfate Soils Planning Guideline (ASS-Guideline) confirms that ASS are technically manageable in the majority of cases, with the only exception being in the case of marinas, boat harbours and canal estates. Investigations are required at structure planning stage to determine the presence and distribution of ASS, and demonstrate the capacity of the land to sustain the proposed land uses.

Based on the DWER data, it appears that portions of the enquiry area may generally not be suitable for land uses that required relatively deep soil extraction, including:

- extractive industries
- golf course
- marina
- canal estate
- ornamental lakes
- developments that require building construction below the existing ground level.
- developments that require sewerage or subsoil drainage systems below the existing ground level.

Based on the available information, it appears that the possible existence of acid sulfate soils is not a reason to preclude changing the use of the land. Detailed assessment of disturbance risk and mitigation options can be addressed in subsequent planning stages, if required.

Contaminated Sites

SPP 2.0 establishes that planning should recognise and consider land that is degraded or contaminated, or has the potential to become so.

DWER is responsible for administering and enforcing the *Contaminated Sites Act 2003*, which includes classifying sites on a database. DWER's Contaminated sites database, indicates that the Margaret River enquiry area does not include any contaminated sites.

The development history of the site has not been able to be confirmed as part of this investigation. Based on the available information, it appears that site contamination is not a reason to preclude consideration to change the use of the land within the Strategy.

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*Minerals, Petroleum and BRM*

SPP 2.0 establishes that planning should identify and protect important and economic mineral resources to enable mineral exploration and mining.

The Department of Mines, Industry Regulation and Safety (DMIRS) is responsible for administering the 'Mines, mineral deposits and prospects' database under the *Mining Act 1970*. The *Petroleum and Geothermal Energy Resources Act 1967* requires the provision of information on petroleum activities, with DMIRS administering a petroleum exploration database.

A search of the relevant databases for the enquiry area did not identify any mineral resources or petroleum activity that requires protection from urban land development.

The WAPC's *State Planning Policy 2.4: Planning for Basic Raw Materials* seeks to protect basic raw materials (BRM) in significant geological supplies and extraction sites. Available geospatial data indicates that the subject area does not include any significant geological supplies or extraction sites.

It is considered the environmental values of the enquiry area can be appropriately managed at future planning stages, in particular local planning scheme amendment and structure planning.

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the environmental values of the enquiry area has focused on protection of the following:

- air quality
- biodiversity
- soil and land quality
- minerals, petroleum and BRM

An analysis of available datasets has identified that protection of these environmental values is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

Any proposal to amend the Scheme to rezone the enquiry area will need to be accompanied by detailed site-specific assessments to determine the presence or absence of environmental constraints such as conservation-significant biodiversity or acid sulfate soils. The *Environmental Protection Act 1986* sets out a regime which requires the environmental assessment of such proposals where there is likely to be a significant effect on the environment.

Other environment related considerations such as landscape and water resources are addressed later in this report. Having due regard to the State Planning Framework, 'biodiversity value protection' and 'protection of significant environmental values' are considerations that do not preclude changing the use of the land.

## 4.2 Bushfire

'Bushfire risk' is a key consideration in the Strategy.

### Interpretation

*State Planning Policy 3.7 – Planning in Bushfire Prone Areas* (SPP 3.7) defines 'bushfire risk' as:

> *The chance of a bushfire igniting, spreading and causing damage to people, property and infrastructure.*

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services Commissioner.

Section 6.2 of SPP 3.7 provides that:

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*Higher order strategic planning documents such as frameworks, region schemes and sub-regional structure plans should include high level consideration of relevant bushfire hazards when identifying or investigating land for future development.*

**In the context of this assessment, 'bushfire risk' investigation is interpreted to mean:**

- **Consideration as to whether the likely Bushfire Hazard Level assessment of the enquiry area may preclude changing the use of the land.**

### Analysis

A Strategic Bushfire Hazard Assessment was prepared in 2020 by Strategen for the northern section of the enquiry area to:

- Provide a broad overview of the bushfire risk profile and exposure;
- Identify the potential bushfire opportunities and constraints for future land use intensification;
- Inform future bushfire investigations and assessments.

The Assessment is limited to a strategic level of investigation and all data will need to be confirmed through future planning processes via detailed site investigation and Bushfire Hazard Level (BHL)/Bushfire Attack Level (BAL) contour mapping and reporting.

The Margaret River enquiry area is wholly identified as 'bushfire prone' as per the Department of Fire and Emergency Services, Fire and Emergency Services Commissioner and is subject to assessment against *State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)* and the *Guidelines for Planning in Bushfire Prone Areas (Guidelines).*

The Strategic Bushfire Hazard Assessment concludes as follows:

*On the basis of the information contained in this report, Strategen-JBS&G considers the bushfire hazards and associated bushfire risks both within and adjacent to the Margaret River PIA could be managed through standard bushfire mitigation responses to meet the relevant objectives, standards and compliance requirements of SPP 3.7, the Guidelines and AS 3959. Bushfire management measures tailored to the specific risk profile for the Margaret River PIA would need to be developed early in the planning process through careful development design in accordance with Guideline acceptable solutions. To this end, Strategen-JBS&G considers that the Margaret River PIA will be able to be developed with a manageable level of bushfire risk whilst maintaining full compliance with SPP 3.7, the Guidelines and AS 3959 as part of future statutory bushfire management planning assessment and documentation processes.*

Using available information to assess the bushfire risk characteristics of the Margaret River enquiry area it can be considered:

- The northern section is:
  - Likely to have very limited bushfire risk (predominantly cleared paddocks)
- The southern section has:
  - unknown bushfire risk (large areas of remnant bushland and no Strategic Bushfire Hazard Assessment completed for this area)

On the basis of the information contained in this report, Strategen-JBS&G considers the bushfire hazards and associated bushfire risks within the northern section of the Margaret River enquiry area could be managed through standard bushfire mitigation responses to meet the relevant objectives, standards and compliance requirements of SPP 3.7, the Guidelines and AS 3959. Bushfire management measures tailored to the specific risk profile for the Margaret River enquiry area would need to be developed early

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in the planning process through careful development design in accordance with Guideline acceptable solutions.

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the bushfire risk of the northern section of the enquiry area has identified that the bushfire risk can be appropriately managed at future planning stages. This can be achieved through a detailed Bushfire management plan and BHL/ BAL contour mapping assessment.

An analysis of the strategic bushfire hazard level assessment for the northern section of the enquiry area was prepared by Strategen-JBS&G. The assessment identified that bushfire risk is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy. A bushfire hazard level assessment has not been undertaken for the southern section of the enquiry area and it is considered the bushfire risk for this area is unknown.

In future planning stages, compliance with SPP 3.7, the Guidelines and AS 3959 will need to be ensured through the established statutory bushfire management planning assessment and documentation processes.

## 4.3 Water

Two of the key considerations in the Strategy focus on water-related issues, being:

- Drainage
- Water source impact (groundwater and surface water).

The need for integrated water resource management is recognised by the State Government through a suite of policy statements and strategies across the water and planning portfolios.

Integrated water resource management is an approach that holistically considers all aspects of water including drinking water, groundwater, stormwater, wastewater, flooding, wetlands and waterways.

A key principle of this approach is the integration of water and land use planning – development and water resource management are interrelated and should be delivered in an integrated manner. The WAPC's State Planning Framework outlines how water resource management should be integrated into planning processes. Relevant provisions of the State Planning Framework include:

- *State Planning Policy 2.0 – Environment and Natural Resources Policy (SPP 2.0)*
- *State Planning Policy 2.9 – Water Resources (SPP 2.9)*
- *Better Urban Water Management Guidelines (BUWM)*
- *Draft State Planning Policy 2.9 – Planning for Water*
- *Draft State Planning Policy 2.9 – Planning for Water Guidelines.*

To reflect the principles of integrated water resource management and emphasise their interconnected nature, the investigation of the 'Drainage', and 'Water source impact (groundwater and surface water)' considerations are consolidated in this section.

### Interpretation

#### *Drainage*

The term 'drainage' is not defined in the State Planning Framework. It is commonly understood to mean the natural or artificial removal of a surface's water from an area with an excess of water.

The related concept of 'stormwater' is addressed in the State Planning Framework as a component of urban water management.

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SPP 2.0 includes the following relevant policy measures:

- Encourage urban water management through water sensitive design approaches that better manage stormwater quality and quantity; that reduce the impact of stormwater flows to streams, wetlands and coastal waters; and that control or remove pollutants and nutrients.
- Ensure the provision of adequate setbacks between development and the foreshores of wetlands, waterways, estuaries and the coast, in order to maintain or improve the ecological and physical function of water bodies. Such setbacks will aim to maintain the natural drainage function and facilitate filtration of sediment and waste associated with surface run-off from adjacent land uses.

Detailed guidance on urban water management is provided in *State Planning Policy 2.9 - Planning for Water* and BUWM. SPP 2.9 provides guidance for the determination of appropriate buffering of waterways and estuaries.

**In the context of this assessment, 'drainage' investigation is interpreted to mean;**

- **Consideration as to whether urban water management requirements, and the potential need to provide an appropriate setback to any wetland or waterway, may preclude changing the use of the land.**

*Water Source Impact (Groundwater and Surface Water)*

The following State Planning Policies are relevant to this section:

- *State Planning Policy 2.7 – Public Drinking Water Source (SPP 2.7)*
- *State Planning Policy 2.9 – Water Resources (SPP 2.9)*

SPP 2.7 applies to proclaimed Public Drinking Water Source Areas and is focused on protecting public water supplies that are obtained from groundwater and surface water resources.

SPP 2.9 includes the following:

> *Water resources are defined as 'water in the landscape (above and below ground) with current or potential value to the community and the environment. Water resources that may be the subject of this policy include the following natural or modified features:*
>
> - *wetland (such as a seasonal or intermittent lake, swamp, marsh, spring, dampland and tidal flat, and including significant artificial wetlands)*
> - *waterway (such as river, stream and creek)*
> - *estuaries*
> - *groundwater*
> - *surface water*
> - *irrigation dam*
> - *floodplain*
> - *foreshore*
> - *stormwater*
> - *existing and future surface and groundwater drinking water catchments and sources (for example reservoirs and borefields) for public and private supplies*
> - *wastewater.*

Wetland, waterway, estuaries, groundwater, surface water, irrigation dam, floodplain, foreshore and stormwater elements of SPP 2.9 are either considered elsewhere in this review or are not relevant to the assessment of the Margaret River enquiry area.

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**In the context of this assessment, 'water source (groundwater and surface water)' investigation is interpreted to mean:**

- **Assessment as to whether an existing or proposed proclaimed Public Drinking Water Source Area may preclude changing the use of the land.**

## Analysis

### *Drainage*

Integrated water resource and land use planning seeks to ensure an appropriate level of consideration is given to the total water cycle at each stage of the planning system.

Planning at the scale of the enquiry area investigation should ideally be supported by a District Water Management Strategy (DWMS) as recommended by the *Better Urban Water Management Guidelines*. The purpose of such a document is to demonstrate that an area is capable of supporting the change in land use and to identify land areas required for water management.

A DWMS covering the enquiry area does not exist.

Should this investigation conclude that the land is suitable for a change of use, future planning stages would need to be accompanied by a DWMS and/or a local water management strategy. Such strategies would include detailed, site-specific work on the following:

- Water balance modelling
- Hydrological regime of water dependent ecosystems and ecological health
- Groundwater monitoring and modelling
- Surface water monitoring and modelling
- Monitoring of flows in existing streams or drainage systems.

There are no significant waterways within or in close proximity to the enquiry area. Minor creeks and dams associated with the agricultural uses of the area are present within the enquiry area (refer to Map 7). The Landgate topographic database illustrates that the Margaret River enquiry area is relatively flat with elevations of predominately 95m AHD. Analysing this data, it appears water would drain to the south with elevations varying from 80m AHD to 90m AHD.

### *Water Source (Groundwater and Surface Water)*

The Margaret River enquiry area is located within the Busselton – Capel groundwater area which is classified as a proclaimed groundwater area (DWER 2009).

Water for the Margaret River area is sourced from surface water from the Ten Mile Brook Dam, and groundwater from a Yarragadee bore. The Margaret River Catchment Area including the Ten Mile Brook Dam supplies water to Margaret River, Prevelly, Gnarabup, and Cowaramup (DWER 2005).

The Yarragadee Aquifer extends from the coast to the Darling Scarp and is a regionally confined aquifer, meaning that abstraction from any location may have an impact on the pressure of water at discharge points (DWER 2009).

The production bores and surface water catchment are located outside the enquiry area.

No land within the enquiry area has been identified as an existing or proposed public drinking water source area. It is not anticipated that a change in land use designation for the enquiry area will have a negative impact on any public drinking water priority areas.

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### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the water considerations for the enquiry area has focused on analysis of the following:

- drainage
- water source impact (groundwater and surface water).

An analysis of available datasets has identified that these considerations would not preclude changing the land use designation of the enquiry area in the Strategy.

Any proposal for future planning, for example amendments to the *Shire of Augusta-Margaret River Local Planning Scheme No. 1* or structure planning, should be accompanied by detailed site-specific assessments to determine the presence or absence of water constraints such as waterlogging. Water management documents may also be required in accordance with BUWM.

## 4.4 Landscape

'Landscape value protection' is a key consideration in the Strategy.

### Interpretation

SPP 2.0 includes guidance regarding planning strategies, schemes and decision-making, noting that they should:

> *Identify and safeguard landscapes with high geological, geomorphological or ecological values, as well as those of aesthetic, cultural, or historical value to the community, and encourage the restoration of those that are downgraded.*

For the purposes of this investigation, the landscape consideration guidance provided in SPP 2.0 is interpreted through the existing heritage regime and *State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge* (SPP6.1).

#### *Heritage Regime*

Landscapes can be recognised by the heritage regime as having varying levels of significance and protection. For the purposes of this investigation, heritage regime is a term used to collectively refer to the following.

*Figure 5 - Heritage regime*

| Legislation / head of power | Organisation |
|---|---|
| *Heritage of Western Australia Act 2018* | Heritage Council of Western Australia |
| *Environment Protection and Biodiversity Conservation Act 1999* | Australian Heritage Council |
| *Shire of Augusta Margaret River Local Planning Scheme No. 1* | Shire of Augusta Margaret River |
| *Aboriginal Heritage Act 1972* | Aboriginal Culture and Materials Committee |

#### *Planning regime*

Landscapes can be recognised by the planning regime as having varying levels of significance and protection. For the purposes of this investigation, planning regime is a term used to collectively refer to the following elements of the State Planning Framework:

- *State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (1998)*
- *Visual Landscape Planning in Western Australia Manual (2007)*

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The Visual Landscape Planning in Western Australia Manual provides that landscape values may be characterised as:

> *Those landscape characteristics that the community considers are significant for reasons such as their aesthetic (predominantly visual), social, environmental, and heritage values.*

*State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge* includes the following regarding landscape values:

> *Features within the landscape that are highly valued, as defined by documented research. A more detailed description of landscape values in the Leeuwin-Naturaliste is provided in the supporting Leeuwin-Naturaliste Landscape Assessment Study.*

**In the context of this assessment, 'landscape-value protection' investigation is interpreted to mean:**

- **Assessment as to whether the landscape that the enquiry area is wholly or partly within has landscape values that have been recognised in the heritage regime, and that may preclude changing the use of the land.**
- **Assessment as to whether the aesthetic landscape values of the enquiry area may preclude changing the use of the land, having due regard to the 'Visual Landscape Planning in Western Australia Manual' and SPP 6.1.**

## Analysis

### *Landscape values - Heritage*

The landscape in the Margaret River enquiry area does not have recognised landscape values under the heritage regime.

It is noted that Reserve 47049 with the reserve purpose 'Heritage Trail', is located within the eastern section of the enquiry area. If the land is identified as suitable to be considered for a change of land use, more investigation into this Reserve and its landscape value, including the possible need for a thorough heritage assessment would be required.

### *Landscape values - Planning*

SPP6.1 goes to some length to characterise and classify landscapes. In addition, it also defines land use designations. The status of the Margaret River enquiry area regards these constructs outlined in Table 5 below.

*Figure 6 - Landscape characterisation*

| Lot | Landscape character unit | Landscape class | SPP6.1 – land use designation |
|---|---|---|---|
| Various | • Valleys<br>• Karri sub-unit<br>• plateau | • General character<br>• Travel route corridor<br>• Travel route corridor within Rural landscape significance<br>• Travel route corridor within natural landscape significance<br>• Rural landscape significance | • Principle agriculture (horticulture & grazing)<br>• Walk, cycle or other strategic trail |

SPP6.1 provides that in areas classed as being of 'General Character' development or a change of use should:

> *protect the rural character and conform with policies and guidelines for Travel Route Corridors.*

SPP6.1 provides that in areas classed as being 'Travel Route Corridor' development or a change of use should:

> *allow people opportunities to access and experience adjoining areas and consist of a 600 metre wide corridor (300m on either side) along the Primary Transport Network. These corridors may or may not include areas where rural or natural significance have been identified.*

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SPP6.1 includes a 'Land Use Strategy' that identifies Lots 2, 30, 3713, 520 of the enquiry area as 'Development Investigation Area', and the remainder as 'Principal Agriculture (Viticulture and Grazing)'. The provisions provided in that regard that are relevant to landscape value considerations, are addressed below.

*Figure 7 - SPP6.1 Landscape assessment*

| SSP6.1 Policy Number | Policy | Analysis |
|---|---|---|
| **LUS 3.26** | Expansion of Margaret River townsite must ensure that the landscape quality of the Leeuwin-Naturaliste Ridge and water quality of the Margaret River are enhanced. | The Margaret River enquiry area is not located in close proximity to the ridge or river. There are appropriate opportunities to address landscape values at later planning stages. |
| **LUS 4.10** | In areas designated Agriculture and Rural Landscape, conserving productive agricultural potential and rural landscape values will be the principal criterion used in assessing subdivision applications and proposed changes of land use, to ensure these values continue to predominate. | The Margaret River enquiry area has appropriate opportunity to protect these values. There are appropriate opportunities to address this concept at later planning stages. |

The Margaret River enquiry area is highly visible from the adjacent 'travel route corridor' (Bussell Highway and Budjidup Road). The complexity of landscape classifications and characterisations identified in SPP6.1 indicates that the land is of considerable landscape value, and that more comprehensive assessment is likely to be required prior to proceeding to consideration to change the use of the land. In that regard, if consideration of a possible land use change is to be further contemplated beyond this investigation that future planning should be responsive to:

- local values.
- the natural characteristics and traditional settlement patterns of the area.
- protecting the rural character.
- conform with policies and guidelines for Travel Route Corridors.

Using available information to assess the landscape value protection characteristics of the Margaret River enquiry area it can be considered:

- The northern section has:
  - Possible landscape value constraints (heritage trail, remnant vegetation, culturally significant)
- The southern section has:
  - Possible landscape value constraints (heritage trail, remnant vegetation, culturally significant)

Consideration of visual landscape values of the enquiry area is a significant factor in considering whether the land is suitable for a change of use. Measures will need to be taken to protect and preserve significant recognised values.

## Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the landscape value protection of the enquiry area has identified that this is a consideration that may preclude changing the land use designation of the enquiry area in the Strategy.

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The Margaret River enquiry area has landscape values that have been recognised in the planning regime. Prior to changing the land use designation of the enquiry area in the Strategy a rigorous landscape value assessment would need to be undertaken to inform consideration of landscape value protection. The *Visual Landscape Planning in Western Australia Manual* will be an appropriate planning instrument to address landscape considerations at later planning stages.

## 4.5 Utilities

'Utility services capacity' is a key consideration in the Strategy.

### Interpretation

*State Planning Policy 3.0 – Urban Growth and Settlement* (SPP 3.0) includes the following:

> *Planning for new growth and settlements should be coordinated with the cost-efficient provision of infrastructure and services such as roads, public transport, water supply, sewerage, electricity, gas, telecommunications, drainage, open space, schools, health and recreational facilities.*

The term 'utilities' is not defined in the State Planning Framework. For the purposes of this assessment, utility services are regulated essential services generally required for urban land uses, and limited to:

- water
- wastewater
- energy.

SPP 3.0 does not include a definition or explanation of 'capacity'. A common meaning of that term is "the maximum amount that something can contain". *The Margaret River Regional Land Supply Assessment 2016* identifies water, wastewater and energy as the regulated essential services to be considered in this regard.

**In the context of this assessment, 'utility services capacity' investigation is interpreted to mean:**

- **High-level consideration of the availability of regulated water, wastewater and energy services capacity and whether it may preclude changing the use of the land.**

### Analysis

*Water*

Water services provided by the Water Corporation are located in close proximity to the Margaret River enquiry area, with the likelihood of extension to the enquiry area possible. Water for the Margaret River area is sourced from surface water from the Ten Mile Brook Dam, and groundwater from a Yarragadee bore. The Augusta- Margaret River Regional Land Supply Assessment states, based on current trends, existing water infrastructure will be sufficient to support anticipated population growth in the Margaret River area to approximately 2030. Beyond this, upgrades will be required to the water source, treatment and transfer infrastructure.

*Wastewater*

Wastewater services provided by the Water Corporation are located in close proximity to the Margaret River enquiry area, with the likelihood of extension to the enquiry area possible. The Augusta- Margaret River Regional Land Supply Assessment indicates the Margaret River Wastewater Treatment Plant is nearing capacity, and there are plans to upgrade and duplicate the plant within the coming years. Once this is complete it is estimated there will be adequate treatment capacity for the next 20 years.

Additionally, wastewater is pumped to the treatment plant from the Margaret River Bussell Highway South Pump Station and the Cowaramup Bussell Highway Pump Station. The Augusta- Margaret River Regional Land Supply Assessment specifies both these pump stations will require upgrades and duplicate pressure mains in the future to provide capacity for increased flow.

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*Energy*

Electricity services are currently present throughout the enquiry area with existing connections provided by Western Power. The Augusta- Margaret River Regional Land Supply Assessment indicates electricity in Margaret River is supplied via the Busselton substation, which is supplied by a 132 kV transmission line and a 66 kV transmission network that extends from the Picton substation to the Busselton substation. From the Busselton substation, power is supplied to the Margaret River substation via a 66 kV transmission line.

The Augusta- Margaret River Regional Land Supply Assessment indicates that the projected residential growth in Margaret River is in alignment with Western Power forecasts. Cable feeder and transformer upgrades are expected to be required due to proposed urban expansion and a proposed light industrial area in Margaret River.

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the utility services capacity of the enquiry area has specifically focused on the following:

- water
- wastewater
- energy.

Water, wastewater and energy services are located in close proximity to the Margaret River enquiry area, with no service delivery issues identified. As stated above there are some projected capacity issues for the Margaret River area, however necessary upgrades are being proposed, to combat any capacity issues.

An analysis of available datasets has identified that availability of these utilities is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

## 4.6 Agriculture

'Agricultural use protection' is a key consideration in the Strategy that is specifically relevant to the Margaret River enquiry area.

### Interpretation

SPP 2.5 defines Agricultural Use as:

> *A subset of rural land used specifically for agricultural purposes including agriculture – extensive, agriculture – intensive, pastoral uses, plantations and agro forestry. This may include industry – primary production, but does not include rural living.*

Relevant to agricultural use, SPP 2.5 makes a distinction between 'rural land' and 'priority agricultural land', with a greater level of protection afforded to 'priority agricultural land'. SPP 2.5 supports "existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;".

A key consideration is retaining land identified as priority agricultural land in a planning strategy or scheme for that purpose.

SPP 2.5 defines priority agricultural land as:

> *Land of State, regional or local significance for food production purposes due to its comparative advantage in terms of soils, climate, water (rain or irrigation) and access to services. Priority agricultural land is derived from High Quality Agricultural Land data that has been subject to*

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*consultation and refinement, and has removed land required for existing and future urban/development areas, public use areas and land required for environmental purposes.*

**In the context of this assessment, 'agricultural use protection' is interpreted to mean:**

- **Consideration as to whether the existence of priority agricultural land may preclude changing the use of the land.**

Analysis

The Department of Primary Industries and Regional Development (DPIRD) undertake high quality agricultural land assessments which identify 'priority agricultural land' however, this assessment has not been conducted for the Margaret River area.

The 2016 *State Planning Policy 2.5– Rural planning* (SPP2.5), defines high quality agricultural land as "land that is identified in a dataset generated by the agency responsible for agriculture and food, based on land capability, water and climate." It defines priority agricultural land /as being "land of State, regional or local significance for food production purposes due to its comparative advantage in terms of soils, climate, water (rain or irrigation) and access to services."

The Department of Primary Industries and Regional Development (DPIRD) identifies 'priority agricultural land' using a methodology that combines land and water resource information, to highlight areas of land valuable to agriculture and worthy of protection to ensure that resources meet future industry needs.

DPIRD have conducted an internal desktop analysis specifically for the Margaret River enquiry area, assessing the land capability and current use of the land to determine which lots should be regarded as 'priority agricultural land' as defined in SPP 2.5.

Within the Shire of Augusta-Margaret River LPS 1, the enquiry area is zoned 'General Agriculture' in the northern section and 'Priority Agriculture' in the southern section (see map 2). The current agriculture use of the land includes Viticulture (and grazing) and grazing (DPLH 2021).

The soil of all land within the enquiry area has a very similar land capability (moderate to very high capability for vineyards), except for Lots 1 and 2 (West of Boodjidup Road) that have a low to very low capability for vineyards.

Lots within the enquiry area regarded as 'priority agricultural land' by DPIRD include:

- Lot 2169 (West of Boodjidup Road) – Currently vineyards Outside of Ambit
- Lots 1 and 2170 (East of Boodjidup Road) – Currently vineyards Ltd)
- Lots 5 and 6 (East of Boodjidup Road) – not currently any vineyards, but have good potential.

SPP 2.5 outlines the importance of protecting 'priority agricultural land' and therefore, these lots are not suitable for a change of land use in the Strategy.

Lots 1007, 1467, 7, 102, 103, 3802, 1467 and 4011 (East of Boodjidup Road) are currently zoned 'Priority Agriculture' in the Scheme. These lots all have a moderate to very high capability for vineyards and can therefore be regarded as 'priority agricultural land' due to their potential, however, it is highly unlikely that these lots will be developed for vineyards as they mostly consist of natural vegetation. The 'priority agriculture' zoned land identified in the Scheme correlates with the DPIRD assessment of 'priority agricultural land'.

Lots 1 and 2 (West of Boodjidup Road) are zoned 'General Agriculture' in the Scheme and have a low to very low capability for vineyards and are considered suitable for a change of land use.

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Lots 30, 3713 and 520 (East of Boodjidup Road) are currently zoned 'General Agriculture' in the Scheme. These lots have a moderate to very high capability for vineyards and can potentially be developed for that purpose. DPIRD advises these lots can be investigated for alternative land uses.

The *Shire of Augusta- Margaret River Local Planning Strategy* (2017) states the following:

> *Areas identified as Priority Agriculture are rural holdings protected for long term rural pursuits, whereas general agriculture areas are short term rural pursuits with longer term opportunity for urban/residential uses.*

The Lots (1, 5, 6, 2169 and 2170) identified as 'priority agricultural land' are not suitable for a change of use. This land is to be protected for long term rural pursuits as per the Shire of Augusta- Margaret River Local Planning Strategy and SPP 2.5.

Using available information to assess the agriculture use protection characteristics of the Margaret River enquiry area it can be considered:

- The northern section is:
  - Suitable for change of land use in the Strategy, the land is not identified as 'priority agricultural land'.
- The southern section is:
  - Not suitable for a change of use in the Strategy, the land is identified as 'priority agricultural land.

### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the enquiry area included consideration of agricultural use protection.

Lots 1007, 1467, 7, 102, 103, 3802, 1467 and 4011(East of Boodjidup Road) in the southern section of the enquiry area are identified as being 'priority agricultural land', and therefore not suitable for non-agricultural purposes.

Lots 1 and 2 (West of Boodjidup Road), 30, 3713 and 520 (East of Boodjidup Road) in the northern section of the enquiry area are not identified as being 'priority agricultural land', and therefore are suitable for a change of land use designation in the Strategy to 'Urban'.

## 4.7 Employment

'Provision of land for employment generating activities' is a key consideration in the Strategy that is specifically relevant to the Margaret River enquiry area.

### Interpretation

The WAPC's State Planning Framework does not contain a definition directly relating to 'land for employment generating activities'.

The term 'employment land' is used in the WAPC's monitoring reports such as the Economic and Employment Lands Monitor and the Land Use and Employment Survey (LUES). The former contains the following definition of employment land:

"Employment land is broadly defined as land that could be used for employment generating activities, including land zoned for industrial and commercial purposes."

In terms of 'employment generating activities', the LUES uses a range of primary land use categories which generate employment, including:

- Primary-Rural

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- Manufacturing/Processing/Fabrication
- Storage/Distribution
- Service Industry
- Shop/Retail
- Other Retail
- Office/Business
- Health/Welfare/Community Services
- Entertainment/Recreational/Cultural
- Residential
- Utilities/Communications.

The term 'employment land' is used interchangeably with the term 'land for employment generating activities'.

**In the context of this assessment, 'land for employment generating activities' is interpreted to mean**

- **Assessment of the existing supply and forecast demand (to 2039) for employment land.**
- **Assessment of the enquiry area to confirm if it is suitable for employment land.**

### Analysis

Regional Land Supply Assessment reports assess land for future residential, industrial and commercial uses, providing context for the land use planning and infrastructure provision required to meet demand across selected regional centres.

The median (Band C) WA Tomorrow forecasts for the Margaret River statistical area 2, show an annual population increase of 204 residents from 2011 to 2026. A wide range of business activities are undertaken within Margaret River, including retail, commercial and tourism related services, as well as civic and community land uses.

Margaret River has a diverse economic base with construction, agriculture and retail trade making significant contributions to the Gross Regional Product. The Margaret River area has significant tourism value and attracts both international and domestic visitors to the wine region. Increasing employment opportunities and expanding local industry will involve attracting greater numbers of domestic and international tourists to the region, thereby increasing visitor expenditure as well as generating additional employment opportunities across the tourism, retail and hospitality sectors (DPLH, 2016). There is also some potential to expand into high-end, corporate or nature-based tourism.

Major contributors to the economy are viticulture and agriculture (dairy and beef cattle). Agricultural activities undertaken within Margaret River include predominately the growing of grapes, as well as livestock production and dairying. This industry is expected to increase with local and global demand for fresh produce becoming more important.

Concurrent with the tourism industry, there's also growth in the hospitality sector, the retail sector and creative industries including design, visual arts, music and performing arts (DPLH 2018). Population growth and increased inbound tourism numbers are expected to be major drivers of retail growth and employment within the commercial and retail sector.

Quantifying future demand for employment land is challenging, due to the cyclical nature of economic growth and the complexity of interacting economic and demographic growth drivers.

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*Supply*

The *South West Land Use and Employment Survey* (2018) states that within the Shire of Augusta-Margaret River, the majority of floorspace is occupied by the storage/ distribution and residential land use categories, both accounting for 18 per cent of total floorspace. The largest number of employed persons in the Leeuwin-Naturaliste sub-region is within office/business, followed by shop/retail.

The South West Land Use and Employment Survey specifies the high proportion of land identified as storage/distribution can be credited to the large area of land dedicated to wine production. Holiday resorts and tourist accommodation account for the high residential floorspace. The Margaret River enquiry area is well placed to accommodate tourist land uses that are well connected, and complement the surrounding land uses. The shape and form of any future tourist uses would be identified at later planning stages.

The majority of commercial activity within Margaret River has occurred within the Margaret town site, where the bulk of commercial land has been developed. The current supply of land for employment generation activities in Margaret River is considered adequate as vacancy rates have doubled from two to four percent since 2006 (DPLH 2018).

There is a projected shortfall of industrial land to 2039 within Margaret River. The *draft Augusta-Margaret River Draft Local Planning Strategy 2036* indicates the Margaret River Industrial Estate is near capacity with no vacant green title lots, and is also constrained in terms of servicing with drainage, high water table and lack of reticulated sewer. As such, a new industrial area has been identified to the south-east of the Perimeter Road. This new industrial area is considered sufficient to provide for the estimated demand over the foreseeable future.

*Suitability*

The Margaret River enquiry area could accommodate tourist land uses given the opportunity for connectivity, and the potential to complement the surrounding land uses. The shape and form of any future tourist uses would be identified at later planning stages, but some tourism element is considered appropriate for this site.

The Margaret River enquiry area could accommodate some commercial or retail land uses, however this would be limited by the prominence and consolidation of these uses within the Margaret River town site. It is not considered likely that there is a high demand for commercial or retail land uses to locate to the Margaret River enquiry area.

The enquiry area has been considered for a change of use to industrial, however, it is not considered suitable due to an existing site identified adjacent to the Margaret River Perimeter Road and its proximity to 'priority agricultural land'.

This diversification of land uses within Margaret River indicates the enquiry area would be suitable for a number of different employment generating activities such as residential, tourism, health, community, office/business or retail land uses.

In terms of "employment generating activities" any future development of the Margaret River enquiry area is more likely to contain some element of commercial and tourist land uses. This would be consistent and complimentary to the existing character of the surrounding area. Future planning stages will dictate and assess the amount of commercial and tourist activity, and its overall compatibility within any new urban setting.

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### Outcome

Interpreted within the context of the WAPC's State Planning Framework, the investigation of the enquiry area included consideration of employment generating activities.

It is unlikely further commercial/retail land will be developed outside the Margaret River town site, such as within the enquiry area. However, the Margaret River enquiry area is well placed to accommodate tourist land uses and some commercial land uses if required. The enquiry area contains some unconstrained land that may be suitable for a number of employment generating activities. Any potential employment land within the enquiry area would need to be compatible with the surrounding residential and environmental areas, in order to avoid land use conflict with sensitive uses.

An analysis of available datasets has identified that the identification of land for employment generating activities is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

## 4.8 Land Assembly

'Land assembly (possible diversity of owners)' is a key consideration in the Strategy that is specifically relevant to the Margaret River enquiry area.

### Interpretation

'Land assembly' is not a term defined in the State Planning Framework. In the context of this assessment, land assembly is interpreted to mean the potential level of difficulty in coordinating and managing land holdings to successfully advance changing the use of land.

**In the context of this assessment, 'land assembly (possible diversity of owners)' investigation is interpreted to mean:**

- **Assessment of the potential level of difficulty in coordinating and managing landholdings to successfully advance changing the use of land within the Margaret River enquiry area, including:**
  - **limiting fragmentation**
  - **identifying larger landholdings**
  - **limiting the number of owners.**

### Analysis

There is no discrete data that specifically addresses this key consideration. Analysis of this key consideration is informed by the findings of the other key considerations, cadastre and land ownership information provided in the table below.

*Figure 8 - Land ownership*

| Owner Name | Land Parcel | Size (ha) |
|---|---|---|
| Outside of Ambit | | |
| | Lot 1467 on DP 231027 | 59.1 |
| | Lot 6 on DP 409130 | 47.7 |
| | Lot 5 on DP 409130 | 10.4 |
| | Lot 7 on DP 409130 | 30.8 |
| | Lot 102 on DP 402184 | 39.9 |
| | Lot 103 on DP 402184 | 4.4 |
| | Lot 3802 on DP 153733 | 15.3 |
| | Lot 521 on DP 301737 | 0.76 |
| | | |
| | Lot 30 on DP 96078 | 75.1 |

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| Owner Name | Land Parcel | Size (ha) |
|---|---|---|
| Outside of Ambit | Lot 3713 on DP 231027 | 21.9 |
| | Lot 520 on DP 301737 | 57.1 |
| | Lot 2 on DP 33107 | 5.1 |
| | Lot 2 on DP 85101 | 74.1 |
| | Lot 1 on DP 85101 | 40.7 |
| | Lot 2169 on DP 203125 | 79.1 |
| | Lot 1 on DP 31512 | 72.4 |
| | Lot 1007 on DP 231027 | 36.9 |
| | Lot 2170 on DP 203125 | 94.9 |
| **State Government** | | |
| State of WA - Reserve 47049 – Heritage Trial | Lot 4643 on DP 195471 | 5.2 |
| | Lot 4878 on P 4894 | 4.2 |
| | Lot 5436 on DP 27433 | 4.3 |
| State of WA - Crown Reserve 19531 | Lot 3135 on DP 140898 | 11.6 |
| State of WA - Reserve 23539 – Conservation and Landscape Protection | Lot 4011 on DP 203125 | 16.1 |

The cadastre and land ownership datasets by Landgate illustrate fragmented ownership within the enquiry area with limited separate landholdings with the same owners (see Map 3).

The variation in lot size seen in the above table demonstrates the complexity of land assembly within the enquiry area. In addition to size, lot location and ownership must also be considered and weighed against each other to determine a suitable PIA boundary. To limit fragmentation and reduce the difficulty of land assembly, the PIA should be smaller than the enquiry area.

Land titles within the enquiry area range from 0.76 ha to 94.9 ha, with an average size of 38.4 ha and a median size of 30.8 ha.

As noted in the investigation of the key considerations above, Lots 1 and 2 (West of Boodjidup Road), 30, 3713 and 520 within the enquiry area are zoned 'General agriculture' in the Scheme, and are partly identified as 'Development Investigation Area' in SPP6.1. As noted in the table below, those Lots are collectively held by four commercial entities and comprise a total of 274ha.

*Figure 9 - Landowners*

| Owner Name | | Lot | Size (ha) |
|---|---|---|---|
| Outside of Ambit | | 30 | 75.1 |
| | | 3713 | 21.9 |
| | | 2 | 74.1 |
| | | 520 | 57.1 |
| | | 2 | 5.1 |
| | | 1 | 40.7 |
| | *total* | | 274 |

Land assembly for urban development is a complex process that is driven by market forces. In line with forecasts for the population of Margaret River to continue to grow, demand for housing and a corresponding increase in property values is likely to facilitate land assembly for future urban development.

## Outcome

Interpreted within the context of the Strategy, the investigation of the land assembly potential of the enquiry area has focused on assessment of the following:

- limiting fragmentation.

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- identifying larger land holdings
- limiting the number of owners.

The enquiry area is comprised of approximately 21 land parcels, which are owned by varying private interests.

The hypothetical urbanisation of the enquiry area would require coordination of multiple landowners across multiple land parcels, as opposed to the development of *in globo* land by a single owner.

The analysis identified suitable landholdings to minimise fragmentation and reduce the difficulty of land assembly. These landholdings (Lot 30, Lot 3713, Lot 520, Lot 1 and Lot 2) are located in close proximity, are somewhat large land holdings and have a limited number of landowners. It is considered coordinating and managing these land holdings to successfully advance changing the use of land in the Strategy is achievable.

An analysis of available datasets has identified that land assembly (possible diversity of owners is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

## 4.9 PIA Extent

'Planning Investigation Area extent definition' is a key consideration in the Strategy that is specifically relevant to the Margaret River enquiry area.

### Interpretation

'Planning Investigation Area' is not a term defined in the State Planning Framework. The Strategy describes 'Planning Investigation Area' as:

> *Land that will be subject to further planning investigation/s to consider its suitability, and the area of land to be identified, for a possible change of use.*

The Strategy does not further define its intent when prescribing this key consideration.

At its 28 April 2021 meeting the WAPC adopted the following principles for defining the Margaret River PIA:

- Exclude land zoned or otherwise identified for urban type uses (residential, industrial, urban development, etc).
- Consider the forecast demand for urban land to 2039 for Margaret River (Strategy's time horizon).
- Prioritise land abutting existing urban type uses.
- Clip the PIA boundary to cadastre.

**In the context of this assessment, 'Planning investigation area extent definition' investigation is interpreted to mean:**

- **Define the extent of land within the Margaret River enquiry area that is suitable for designation as 'Urban' in the Strategy, having regard to:**
  - **outcomes of all key consideration investigations**
  - **demand and supply for urban land to 2039 for Margaret River.**

### Analysis

*Outcomes of all key considerations*

As outlined in the interpretation, the first element of investigating the 'Planning Investigation Area extent definition' key consideration is to consider the outcomes of all key consideration investigations.

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Investigation of the 'landscape value protection' key consideration concluded that prior to changing the land use designation in the Strategy a rigorous landscape value assessment would need to be undertaken to inform consideration of landscape value protection.

Investigation of the 'land assembly' key consideration concluded that the 274ha area of land within the enquiry area that is identified as 'Development Investigation Area' in SPP6.1 (Lots 1 and 2 [west of Boodjidup Road], 30, 3713 and 520) is held by four owners, indicating that land assembly may be achievable.

Investigation of the 'agricultural use protection' key consideration concluded that land within the enquiry area zoned 'Priority agriculture' in the Scheme is not suitable for a change of land use in the Strategy. It also concluded, Lots 1 and 2 (west of Boodjidup Road), 30, 3713 and 520 within the enquiry area are not required to be protected for agricultural use.

Investigation of the 'bushfire risk' key consideration concluded that the land in the northern section of the enquiry area is likely to have limited bushfire risk (predominantly cleared paddocks) and the land in the southern section of the enquiry area has unknown bushfire risk as no Strategic Bushfire Hazard Assessment has been completed for this area.

The remaining key considerations investigations did not identify any issues or concerns that may directly inform the PIA boundary extent.

*Demand and supply*

As outlined in the interpretation, the second element of investigating the 'Planning Investigation Area' extent definition' key consideration is to analyse the demand and supply for urban land for Margaret River to 2039.

The Department has prepared the *Leeuwin-Naturaliste Sub-region Residential Land Demand and Supply Assessment* (the 'Land Assessment') to inform the investigation of this consideration for the Dunsborough, Vasse South and Margaret River PIAs. The Land Assessment:

- identifies the current supply of residential land for Dunsborough, Margaret River and Vasse.
- estimates demand for residential land to 2039 in these localities.
- assesses whether the current supply of residential land is sufficient to meet estimated demand to 2039.
- identifies the volume of land required, if any, to meet estimated demand to 2039.

The identification of current supply is based on the number of greenfield lots and dwellings (assuming a 1:1 ratio) provided for by the current local planning framework. It considers the whole length of the land development pipeline, including: lots available for purchase, lots proposed to be created via subdivision approval, lots identified in a local structure plan, and potential yield of land zoned for residential or urban development.

The Land Assessment identifies a current supply of an additional 2,636 greenfield lots/dwellings, based on the existing local planning framework.

The Land Assessment uses historical rates of dwelling construction as the basis for estimating future demand for residential dwellings. In the 20 years to 31 December 2020, construction was completed on an annual average of 109 dwellings in Margaret River. Based on projecting this historic expressed demand to 2039, it is estimated that an additional 2,071 dwellings will be required in Margaret River between 2020 and 2039.

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The Land Assessment therefore assesses that the supply of residential lots exceeds demand by 565 lot/dwellings as shown below:

*Figure 10 - Supply and demand for urban land*

| | Demand (lots/dwellings) | Supply (lots/dwellings) | Surplus (lots/dwellings) |
|---|---|---|---|
| Margaret River | 2,071 dwellings | 2,636 dwellings | 565 dwellings |

Furthermore, the *Augusta-Margaret River Land Supply Assessment* (2016) analyses the adequacy of residential land supply in the Shire of Augusta-Margaret River. From analysing the median (Band C) WA Tomorrow forecasts for the Margaret River SA2, it shows an increase (from 2011 to 2026) of 204 residents per annum. Population growth of this nature would require the production of an additional 108 dwellings per annum (based on an average household size of 2.6 persons per dwelling and an occupancy rate of 73 per cent). Based on this growth forecast, sufficient stocks of land have been identified to meet demand across this area for some time. Under this scenario, the area has a hypothetical temporal land supply of 27 years (or 32 years if stock of vacant lots is included in the supply capacity) and a population capacity of 13,700.

Additionally, the *East Margaret River District Structure Plan* identifies the land adjacent to the Margaret River Perimeter Road (east of Bussell Highway) as predominately 'residential'. The structure plan designates four hamlet areas with the provision for approximately 2000 new residential lots.

This land is anticipated to be utilised for urban purposes before the enquiry area is required to be urbanised. Therefore, the *East Margaret River District Structure Plan* highlights there is enough residential land supply within the strategy's time horizon to 2039. Further analysis can be conducted closer to 2039 to determine if the northern section of the enquiry area will be required to be urbanised at that time.

### Outcome

Interpreted within the context of the WAPC decision dated 21 April 2021, the investigation of the PIA extent has focused on using the following parameters:

- outcomes of all key consideration investigations.
- demand and supply for urban land to 2039 for Margaret River.

Investigation of the 'agricultural use protection' and 'land assembly' key considerations indicates that Lots 1 and 2 [west of Boodjidup Road], 30, 3713 and 520 may be suitably designated as 'Urban' in the Strategy subject to further analysis and assessment of landscape values. Investigation of the 'landscape value protection' characteristics of the enquiry area indicates that some further analysis and assessment may be required to change the land use designation of the enquiry area to 'Urban' in the Strategy.

The investigation of the 'bushfire risk' in the northern section of the enquiry area identified that bushfire risk is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy. The investigation identified that some further analysis and assessment is required for the southern section of the enquiry area to determine the bushfire risk.

An assessment of the supply and demand for residential land in Margaret River has identified a surplus of 565 dwellings by 2039. As such, it is anticipated there is sufficient existing supply and the enquiry area is not required for urban land in the Strategy's time horizon.

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An analysis of available datasets has identified that the Planning Investigation Area extent definition is a consideration that precludes changing the land use designation in the Strategy.

### 4.10 Other Considerations

*Flood Risk*

#### Analysis

The term 'flood risk' is not defined in the State Planning Framework. It can be understood as a combination of the chance of a flood occurring and the consequences of the flood for people, property and infrastructure.

'Flood risk' is not a key consideration in the Strategy that is specifically relevant to the Margaret River enquiry area. However, flood risk has been reviewed for the enquiry area and DWER's floodplain mapping data illustrates the enquiry area is not located in a floodplain or subject to surface flooding. Data on groundwater inundation is not available.

#### Outcome

Flood risk is not a consideration that would have any likely consequences in the enquiry area. Having due regard to the State Planning Framework, 'flood risk' is not a consideration that would preclude changing the land use designation of the enquiry area in the Strategy.

## 5 Conclusion

This report has investigated the key considerations for the Margaret River PIA outlined in the Strategy, based on a desktop analysis of known, existing and available data sources. The following key considerations were investigated:

- Biodiversity value protection
- Bushfire risk
- Drainage
- Landscape value protection
- Protection of significant environmental values
- Utility services capacity
- Water source impact (groundwater and surface water).
- Provision of land for employment generating activities
- Agricultural use protection
- Land assembly (possible diversity of owners)
- Planning Investigation Area extent definition

Investigation of these considerations defined in the Strategy found that the northern section of the enquiry area zoned 'General Agriculture' in the Scheme is relatively unconstrained and may be suitable for a possible change of use to 'Urban' in the Strategy. However, the investigations found that the 'landscape value protection' and 'PIA extent definition' key considerations may preclude changing the land use to 'Urban' in the Strategy.

The Margaret River enquiry area has landscape values that have been recognised in the planning regime. Prior to changing the land use designation of the enquiry area in the Strategy a rigorous landscape value assessment would need to be undertaken to inform consideration of landscape value protection. The *Visual Landscape Planning in Western Australia Manual* will be an appropriate planning instrument to address landscape considerations at later planning stages.

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Investigations into the PIA extent definition found that that the supply of residential land is surplus to projected demand. While the considerations generally do not preclude a change of use from occurring (subject to further detailed planning and assessment), the assessment found there is insufficient demand for additional urban land within the Strategy's time horizon to 2039 and therefore the Margaret River PIA is not required at this point in time.

On balance, it is recommended that the Strategy be amended to remove reference to the Margaret River PIA.

This does not prevent the WAPC from reconsidering land uses for this site at a later date, or as part of a subsequent review of the State Planning Frameworks. If strategic land use considerations in the wider area were to change in the future, a review of the highest and best use of this land could be undertaken at that time.

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## Maps

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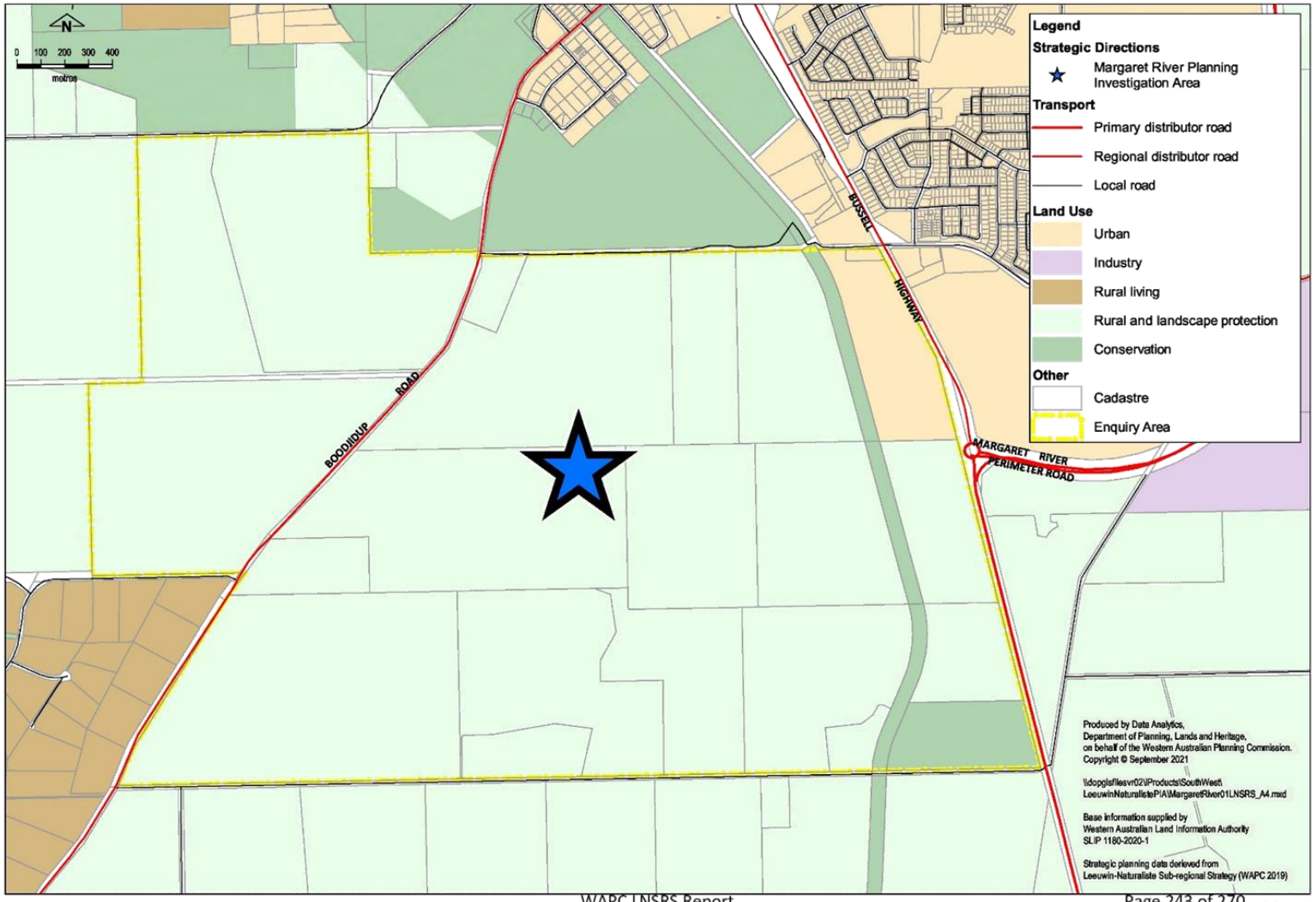
Margaret River Planning Investigation Area




**Strategy Plan: Leeuwin-Naturaliste Sub-regional Strategy**

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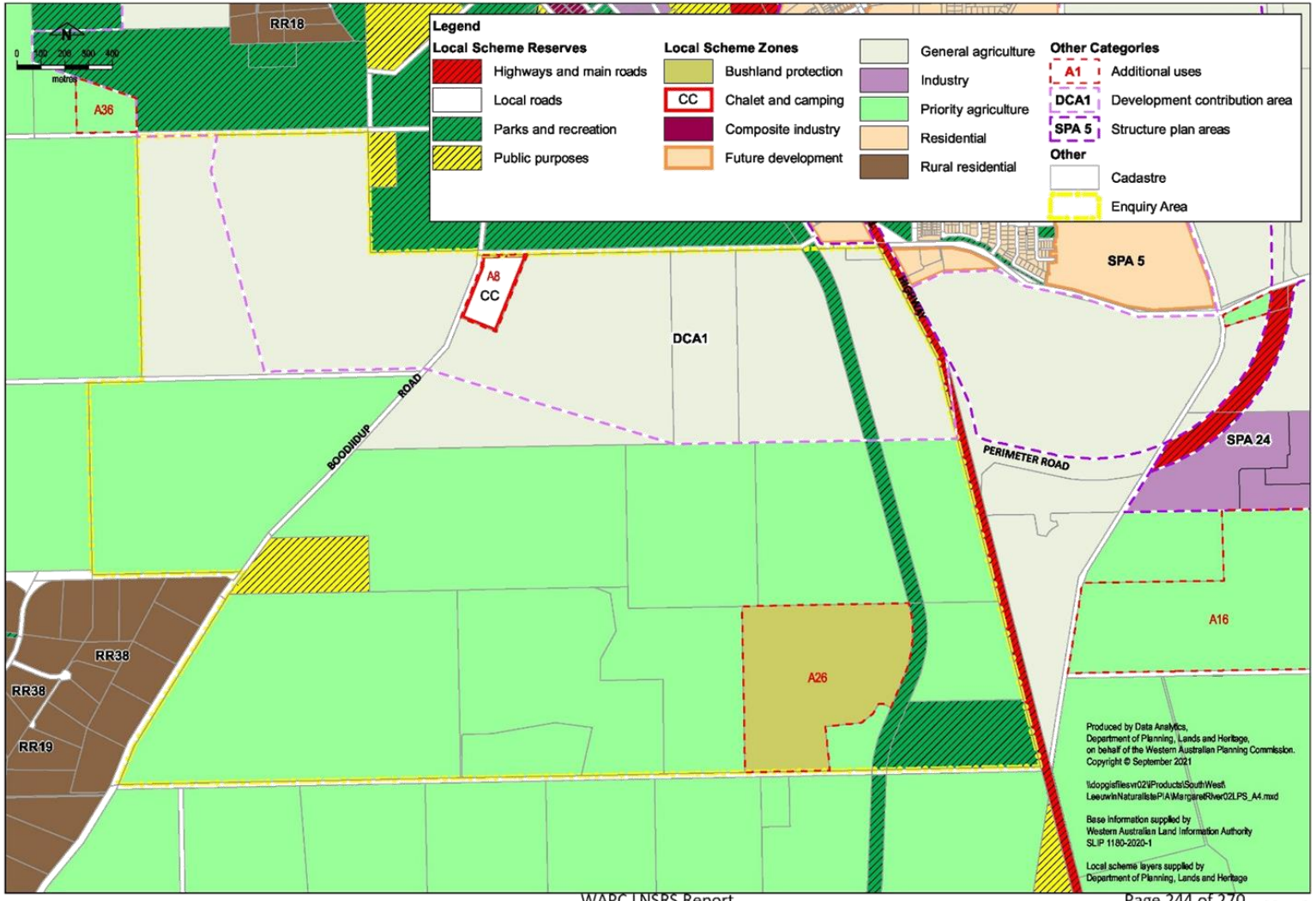
Margaret River Planning Investigation Area






**Shire of Augusta-Margaret River Local Planning Scheme No. 1** Map 2

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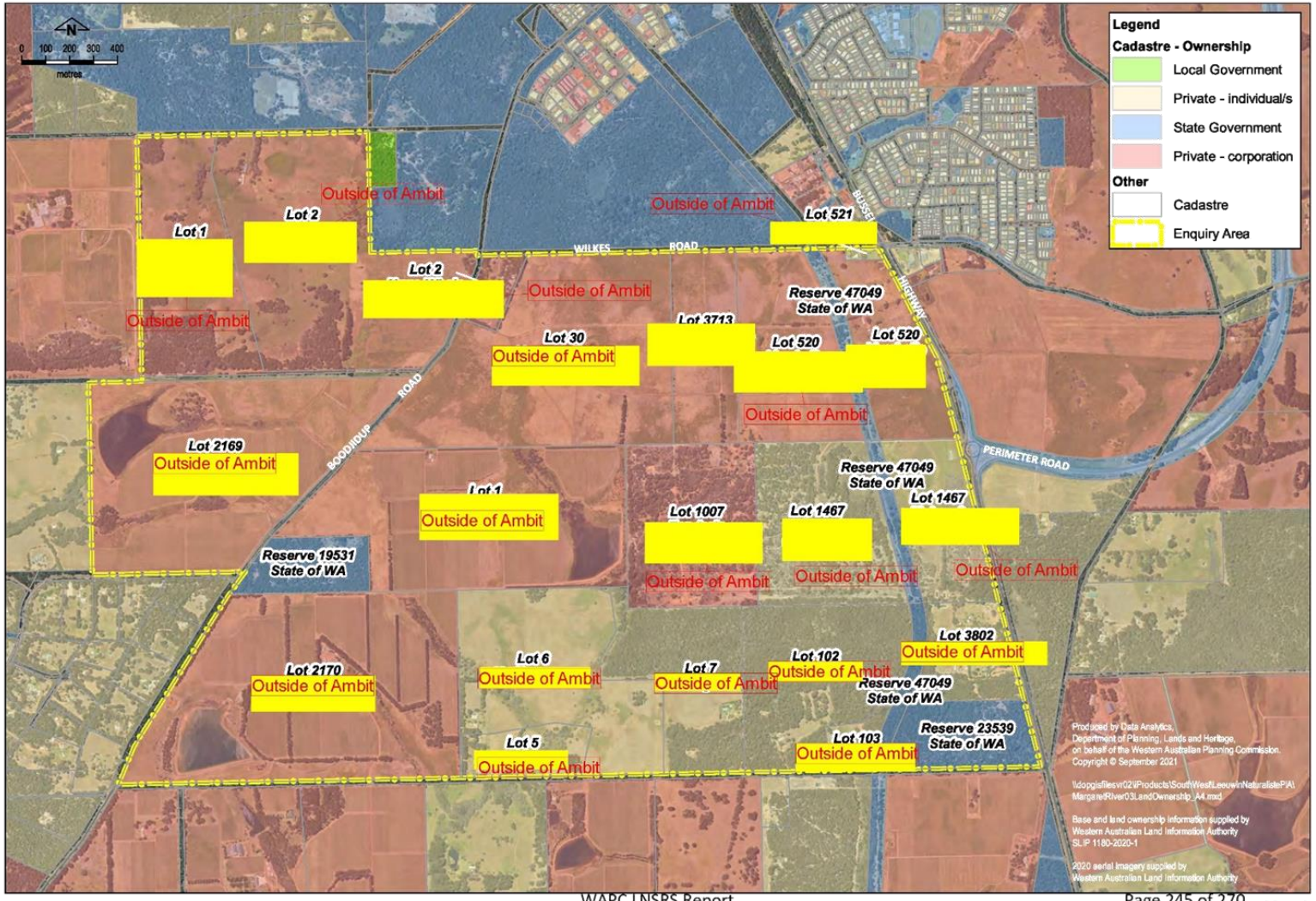
Margaret River Planning Investigation Area




**Land Ownership**

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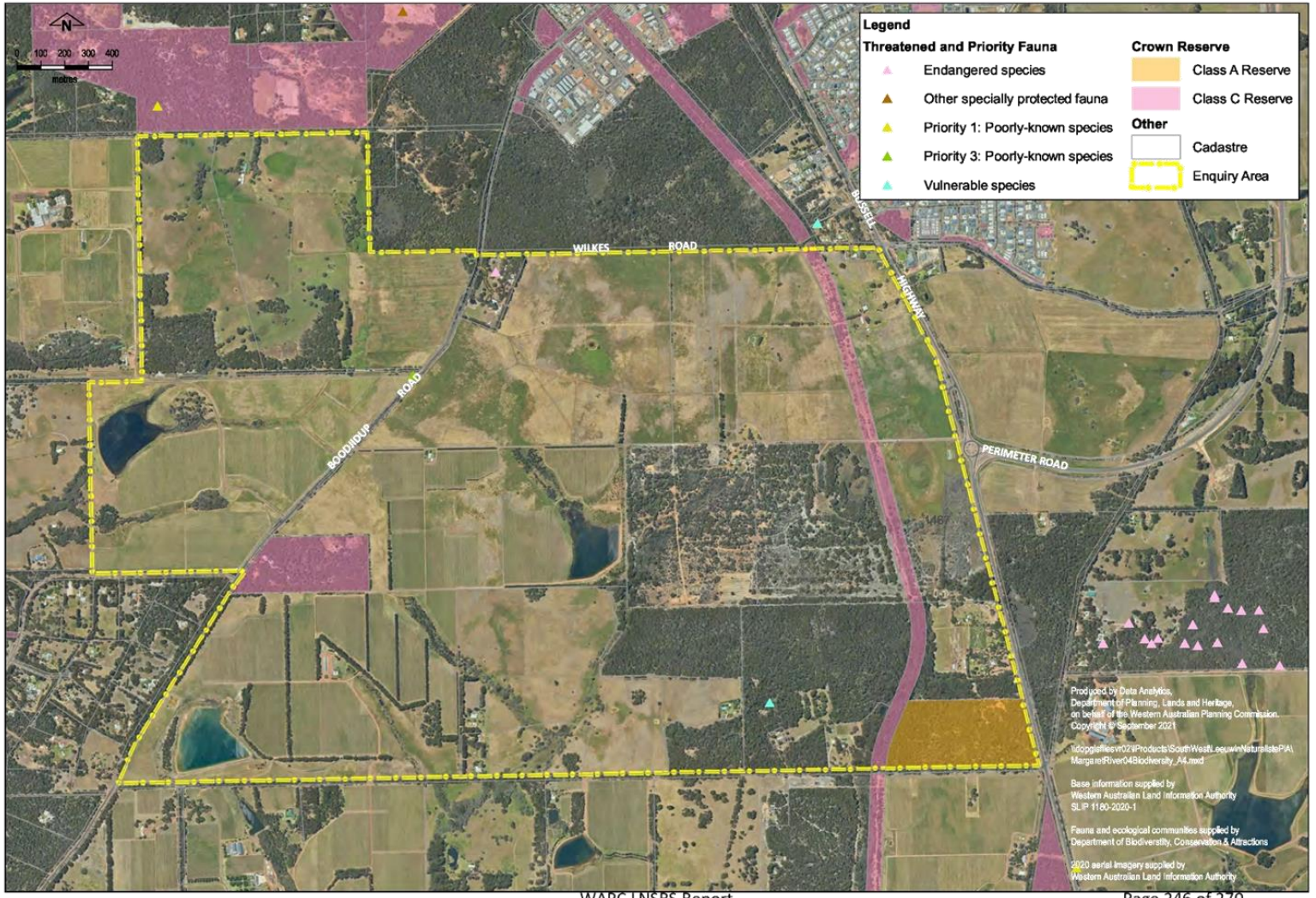
Margaret River Planning Investigation Area




**Biodiversity**

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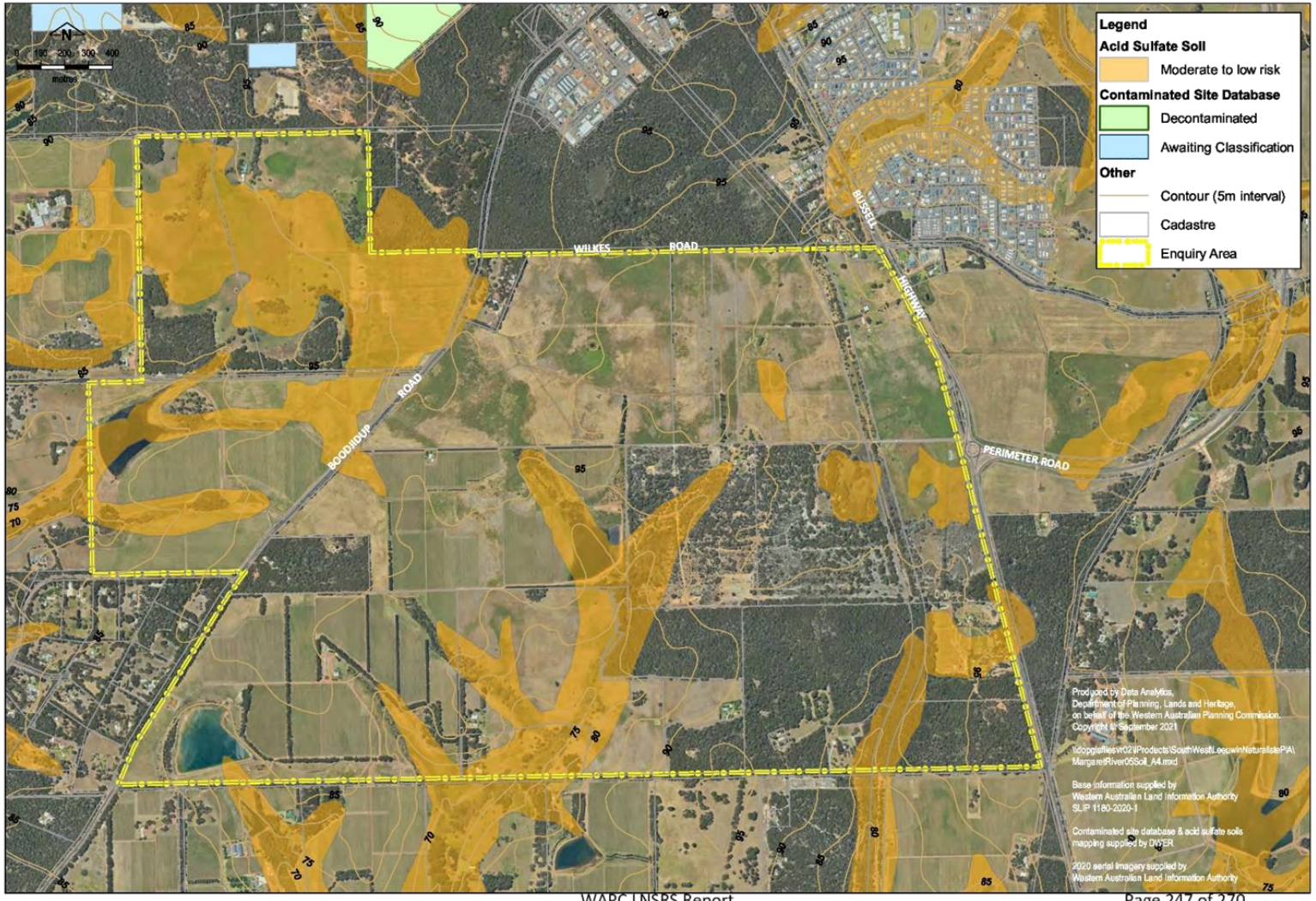
Margaret River Planning Investigation Area




**Soil and Land Quality**

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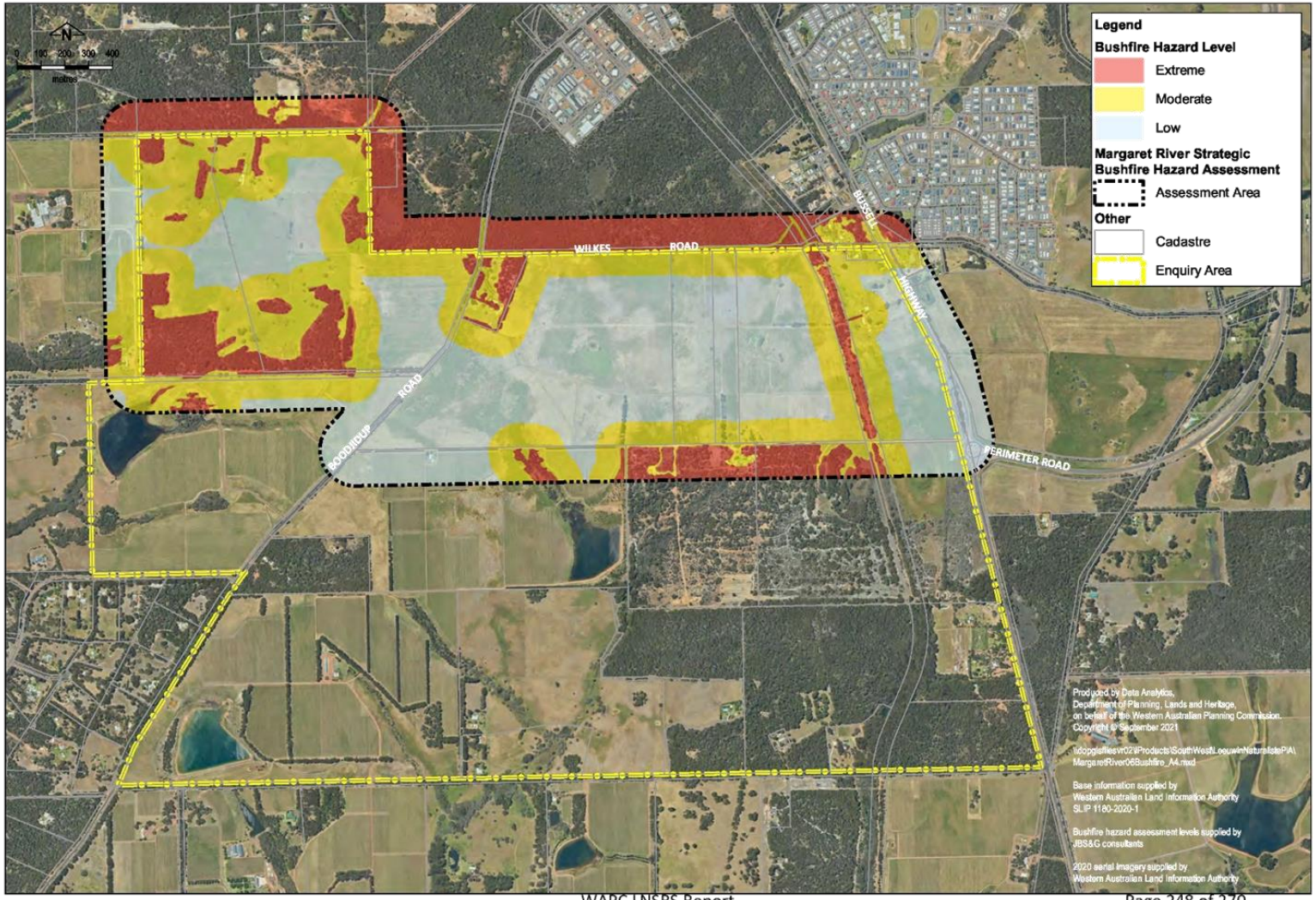
Margaret River Planning Investigation Area




**Bushfire**

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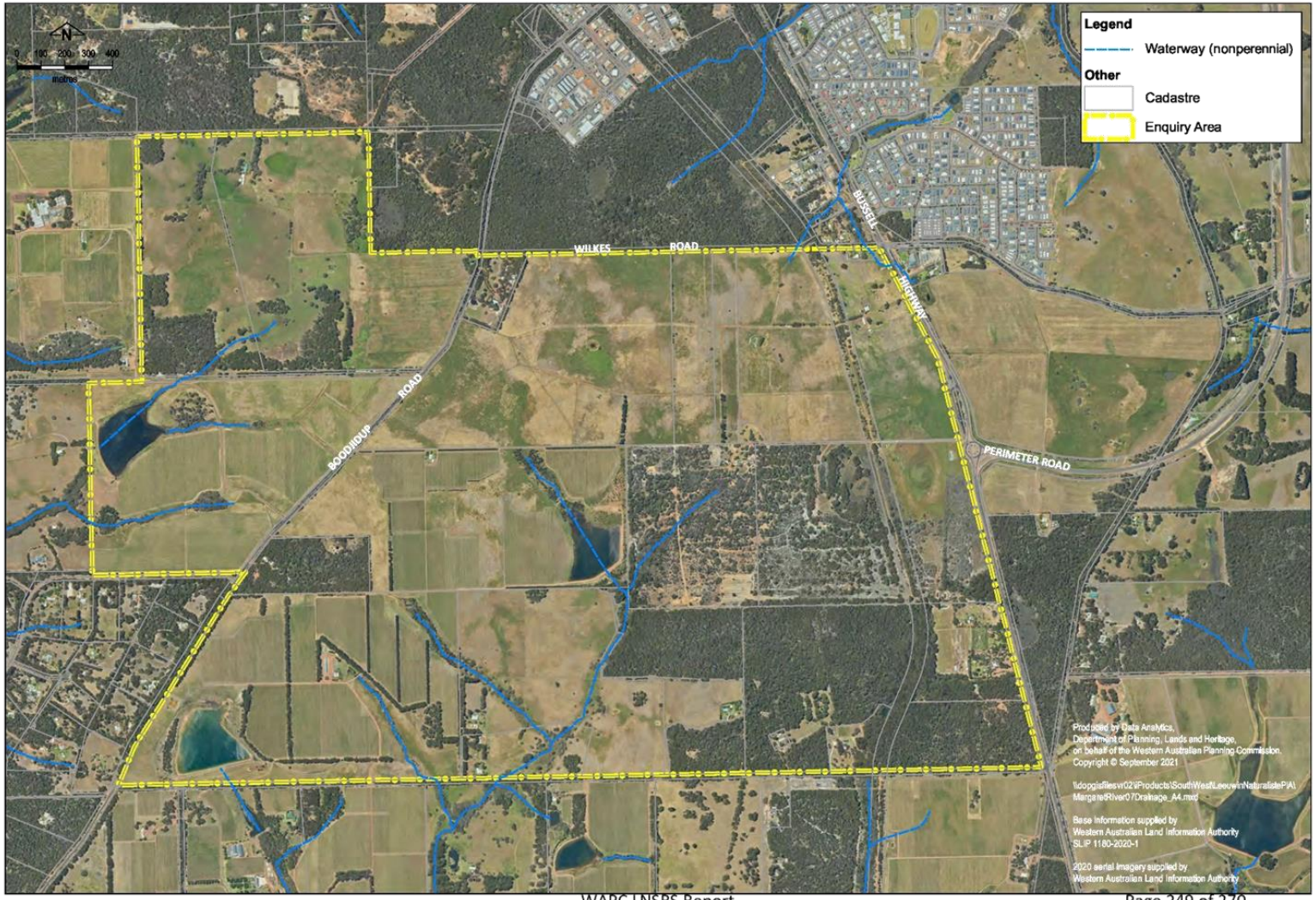
Margaret River Planning Investigation Area




**Drainage**

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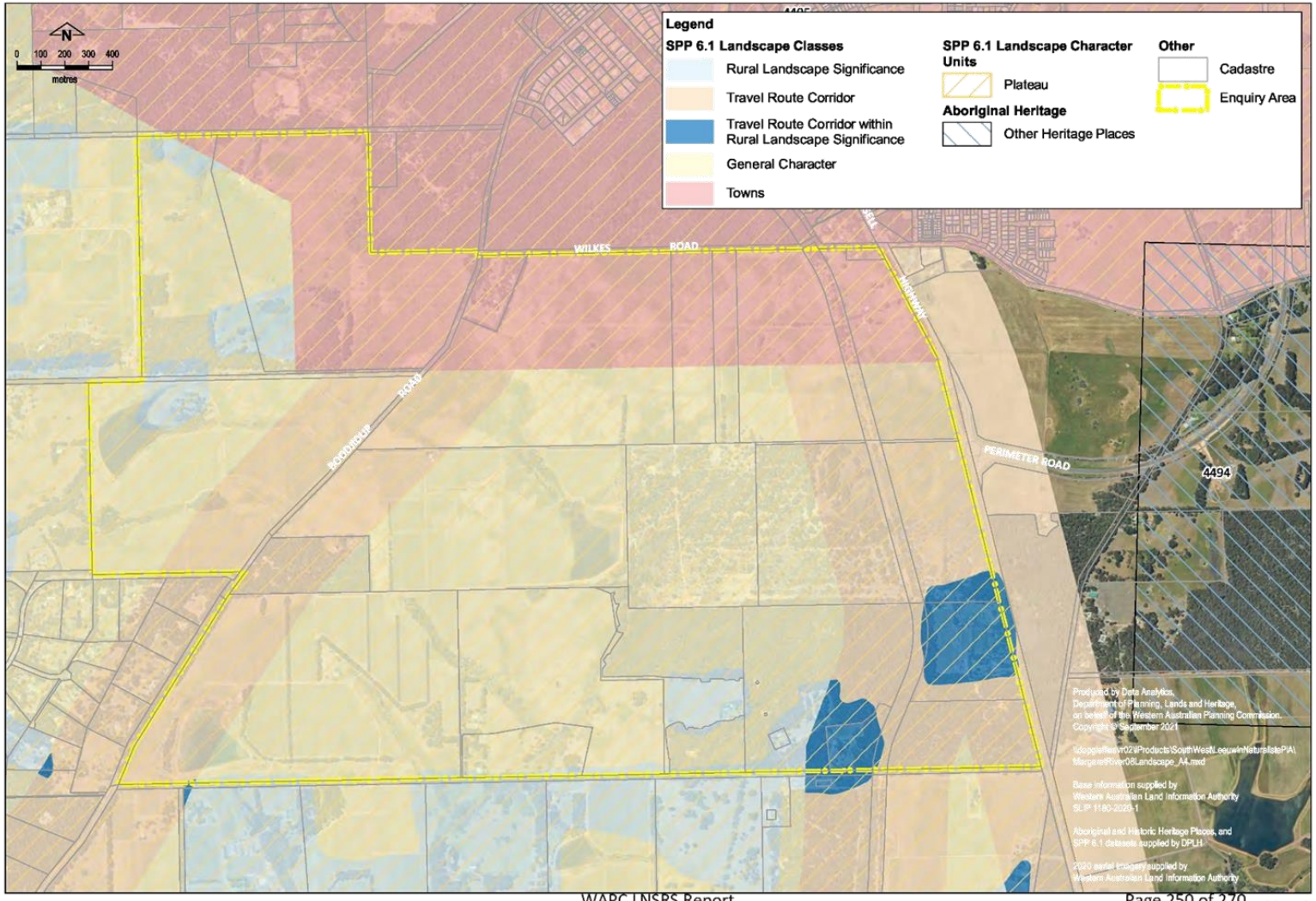
Margaret River Planning Investigation Area




**Landscape**

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Document No. 2(f)

Department of **Planning, Lands and Heritage**

GOVERNMENT OF WESTERN AUSTRALIA

**URBAN DEVELOPMENT PROGRAM**

# Leeuwin-Naturaliste sub-region
## Residential land supply and demand assessment

# Report

**OCTOBER 2021 (v 1.0)**

Released under the Freedom of Information Act

Department of **Planning, Lands and Heritage**

GOVERNMENT OF WESTERN AUSTRALIA

# 1 Introduction

This report is a residential land supply and demand assessment (this Assessment) for the localities of Dunsborough, Kealy/Vasse and Margaret River. Dunsborough and Kealy/Vasse are within the local government area (LGA) of the City of Busselton; and Margaret River is within the LGA of the Shire of Augusta-Margaret River. Together, the LGAs of the City of Busselton and the Shire of Augusta-Margaret River form the Leeuwin-Naturaliste sub-region. The Leeuwin-Naturaliste sub-region is one of three sub-regions of the South West Region of Western Australia.

The Western Australian Planning Commission (WAPC) published the *Leeuwin-Naturaliste Sub-regional Strategy* (the Strategy) in May 2019. The Strategy is an overarching strategic land use planning document outlining WAPC's approach to future planning and development within the Leeuwin-Naturaliste sub-region over the next 20 years.

The Strategy plans for population and visitor growth to be accommodated through a combination of urban infill, already planned greenfield development and potential new expansion areas. The Strategy identifies a number of sites throughout the Leeuwin-Naturaliste sub-region as planning investigation areas (PIAs), which will require further detailed investigation by WAPC to determine their suitability for a potential change of use.

The PIAs are:

1. **Abbey PIA**: Land to the south west of the intersection of Caves Road and Bussell Highway, within the locality of Abbey and the LGA of the City of Busselton.
2. **Dunsborough PIA**: Land to the east and south of Commonage Road, within the locality of Quindalup and the LGA of the City of Busselton.
3. **Vasse North PIA**: Land to the north of the existing Vasse urbanised area, within the localities of Vasse and Abbey and the LGA of the City of Busselton.
4. **Vasse South PIA**: Land to the south of the existing Vasse urbanised area, within the locality of Vasse and the LGA of the City of Busselton.
5. **Margaret River PIA**: Land to the south of the existing Margaret River townsite, within the locality of Margaret River and the LGA of the Shire of Augusta-Margaret River.

Key considerations for the PIAs include: biodiversity value protection, bushfire risk, drainage, landscape value protection, protection of significant environmental values, utility services capacity, and water source impact. The Strategy defines geographic extents for the Abbey and Vasse North PIAs however, it does not define geographic extents for the Dunsborough, Vasse South and Margaret River PIAs. Therefore, if planning investigation for the Dunsborough, Vasse South and/or the Margaret River PIAs determine that it is possible/appropriate to rezone the land, then the geographic extent of the land that is deemed suitable for a change in land use designation needs to be identified by the planning investigation.

This Assessment measures residential land supply in Dunsborough, Kealy/Vasse and Margaret River based on the provisions of the State and local planning frameworks in place as at 31 August 2021. Additionally, this Assessment estimates dwelling demand to 2039 (20 years from 2019, the year of the Strategy's publication), and determines whether the existing residential land supply is sufficient to meet estimated dwelling demand to 2039.

This Assessment is a Department of Planning, Lands and Heritage (the Department) research report. It has been prepared for the Department's Regional Planning Policy Coordination directorate, Land Use Planning division, for the sole purpose of informing planning investigations for the Dunsborough, Vasse South and Margaret River PIAs. This Assessment is not intended for publication in its own right, does not form part of the State or local planning framework, and does not have effect under the *Planning and Development Act 2005*.

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GOVERNMENT OF WESTERN AUSTRALIA

## 2 Methodology

This Assessment divides residential land supply into several categories, representing various stages of the land development pipeline. The categories of residential land supply are shown in the table below.

| Land supply timeframe | Land supply category | Explanation |
|---|---|---|
| Short-term | Attached dwellings with development approval issued by the DAP or SDAU | This category refers to attached (i.e. grouped or multiple) dwellings with development approval issued by the Development Assessment Panel (DAP) or the State Development Assessment Unit (SDAU).<br>This category does not include attached dwellings with development approval issued by local government. |
| | Existing vacant lots as at 31 December 2020 | This category refers to the supply of build-ready, urban residential lots constructed on or before 31 December 2020.<br>Lots must be classified as 'undeveloped' based on information from the Landgate property valuation database. The latest available cadastral and property valuation data is from 31 December 2020.<br>This category includes freehold and survey-strata lots with a land area less than 2,000 square metres – lots with a land area of 2,000 square metres or more (i.e. special residential and rural residential) are not included.<br>This category may include lots where development and/or building approval to construct a dwelling has been issued.<br>It is assumed that one dwelling will be built per one freehold/survey-strata lot. |
| | New lots created in 2021 | This category refers to urban residential lots constructed in 2021, which are not included in the previous category.<br>This category includes freehold and survey-strata lots with a land area less than 2,000 square metres – lots with a land area of 2,000 square metres or more (i.e. special residential and rural residential) are not included.<br>This category may include lots where development and/or building approval to construct a dwelling has been issued.<br>It is assumed that one dwelling will be built per one freehold/survey-strata lot. |
| | Proposed lots in subdivision applications with current conditional approval | This category refers to proposed lots in freehold and survey-strata subdivision applications with valid conditional approval at 31 August 2021.<br>This category includes proposed lots with a land area less than 2,000 square metres – proposed lots with a land area of 2,000 square metres or more (i.e. special residential and rural residential) are not included.<br>It is assumed that one dwelling will be built per proposed lot. |

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| | Proposed lots in subdivision applications under assessment | This category refers to proposed lots in freehold and survey-strata subdivision applications under assessment by WAPC at 31 August 2021.<br>This category includes proposed lots with a land area less than 2,000 square metres – proposed lots with a land area of 2,000 square metres or more (i.e. special residential and rural residential) are not included.<br>It is assumed that one dwelling will be built per proposed lot. |
| **Medium-term** | Zoned land subject to an approved structure plan | This category refers to proposed lots on land zoned for residential purposes (i.e. residential or urban development) under the local planning scheme that is subject to an approved structure plan.<br>This category includes proposed lots with a land area less than 2,000 square metres – proposed lots with a land area of 2,000 square metres or more (i.e. special residential and rural residential) are not included.<br>The dwelling yield is estimated using one of the following ways:<br>• Where a structure plan identifies a total estimated dwelling yield, the number of lots already constructed is subtracted from the total estimated dwelling yield.<br>• Where a structure plan does not identify a total estimated dwelling yield, but identifies development cells and residential density codes, the dwelling yield is estimated in accordance with the proposed residential density code. For example, if a residential density code of R20 applies, the dwelling yield is estimated based on a density of 20 dwellings per hectare. |
| | Zoned land subject to a draft structure plan or a draft amendment to an approved structure plan | This category refers to proposed lots on land zoned for residential purposes under the local planning scheme that is subject to a draft structure plan or a draft amendment to an approved structure plan.<br>This category includes proposed lots with a land area less than 2,000 square metres – proposed lots with a land area of 2,000 square metres or more (i.e. special residential and rural residential) are not included.<br>The dwelling yield is estimated using one of the following ways:<br>• Where a structure plan identifies a total estimated dwelling yield, the number of lots already constructed is subtracted from the total estimated dwelling yield.<br>• Where a structure plan does not identify a total estimated dwelling yield, but identifies development cells and residential density codes, the dwelling yield is estimated in accordance with the proposed residential density code. |

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|---|---|---|
| **Long-term** | Zoned land | This category refers to land zoned for residential purposes under the local planning scheme that is not subject to an approved or draft structure plan.<br>In some cases, the preparation of a structure plan may be required to provide a basis for zoning (including residential density) and subdivision of land.<br>Where a residential density code applies to a land area, the dwelling yield for that land area is estimated in accordance with the applicable residential density code.<br>If a residential density code does not apply, the dwelling yield is estimated based on a density of 10 dwellings per hectare. |
| | Unzoned land | This category refers to land that has not been zoned for residential purposes under the local planning scheme, but has been identified for future residential purposes through the local planning strategy.<br>The dwelling yield is estimated based on a density of 10 dwellings per hectare. |

This Assessment estimates dwelling demand using dwelling construction – a measure of expressed demand. Dwelling construction data is available by locality/suburb through the Landgate property valuation database.

The figures below show annual dwelling construction for Dunsborough, Kealy/Vasse and Margaret River in the 20 years to 2020. The figures are inclusive of attached dwellings, in addition to single houses. Through the figures, it is evident that patterns of dwelling construction differ across the three localities. In the 20 years to 2020, dwelling construction in Dunsborough peaked in 2008; Kealy/Vasse peaked in 2014, and Margaret River peaked in 2004.

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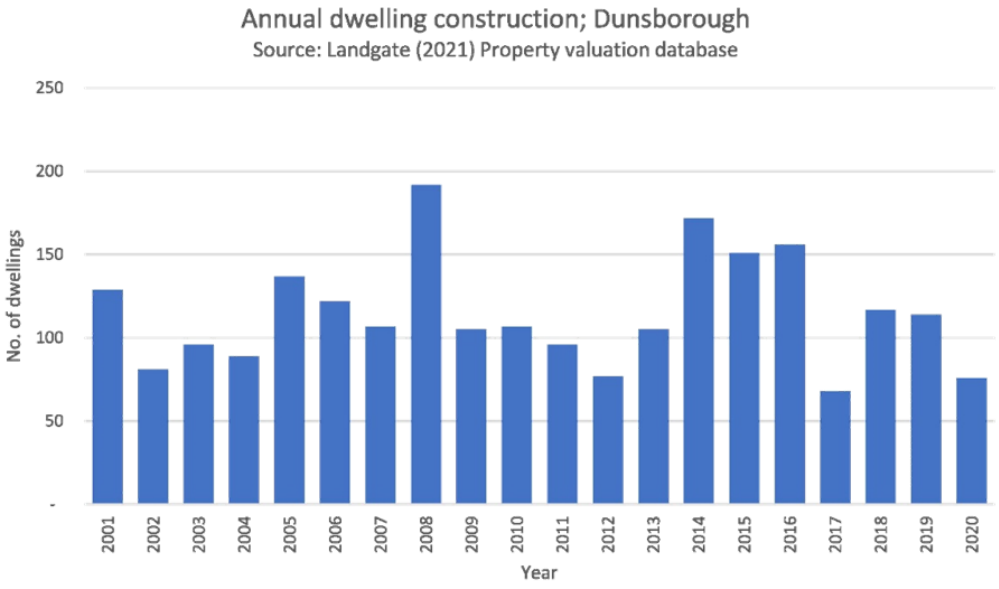


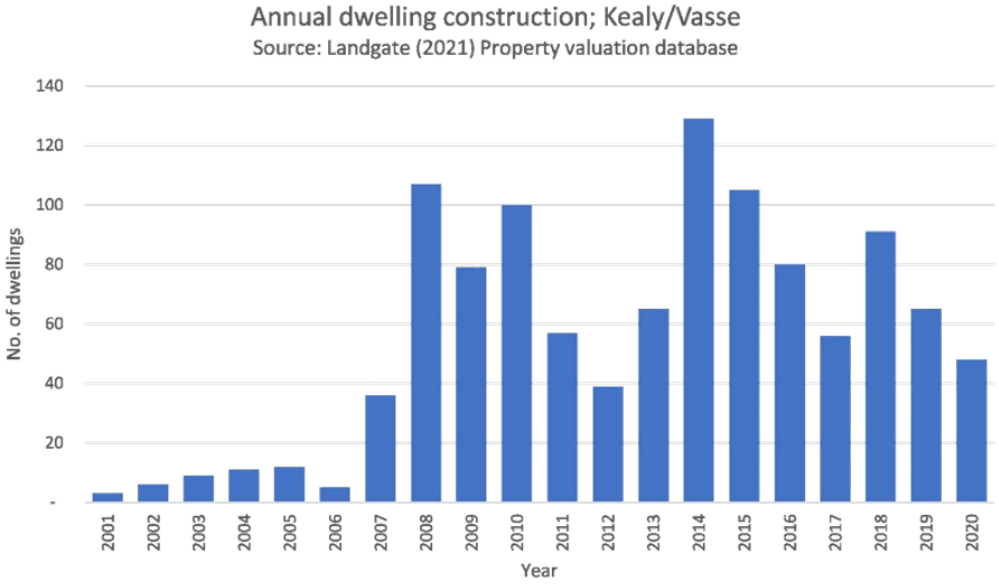

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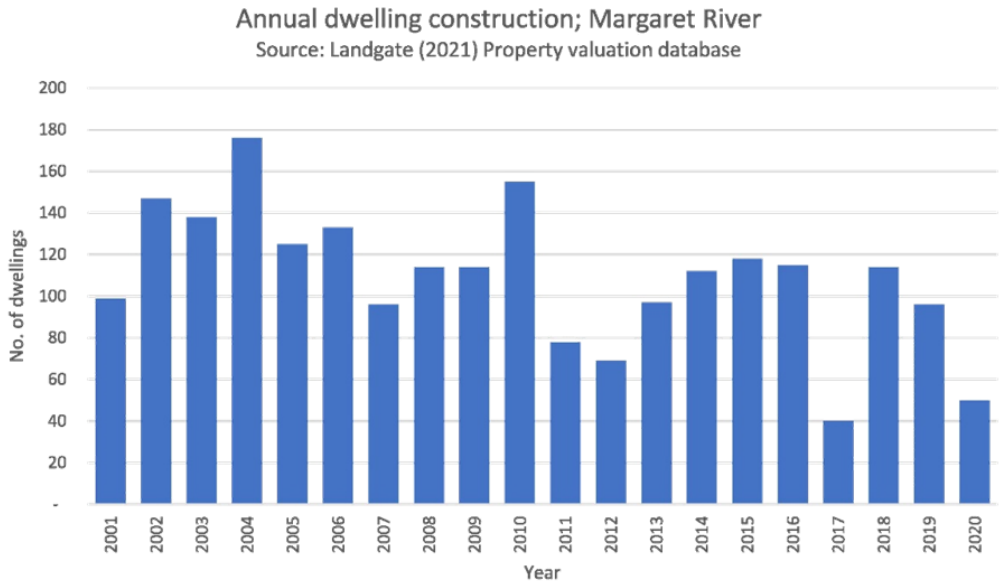

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The table below shows a summary of annual average dwelling construction figures across the three localities.

| Annual averages | Dunsborough | Kealy and Vasse | Margaret River |
|---|---|---|---|
| 5 years to 2020 | 106 | 68 | 83 |
| 10 years to 2020 | 113 | 74 | 89 |
| 15 years to 2020 | 118 | 71 | 100 |
| 20 years to 2020 | 115 | 55 | 109 |

This Assessment adopts a dwelling demand rate for Dunsborough, Kealy/Vasse and Margaret River, using annual averages shown in the above table. This will assist in estimating the number of additional dwellings that will be required to 2039, and subsequently determine whether the current residential land supply is adequate to meet the estimated dwelling demand to 2039.

This Assessment adopts the highest annual average for each locality, to avoid potentially underestimating dwelling demand. The following dwelling demand rates are adopted:

- **Dunsborough:** a dwelling demand rate of 118 dwellings per annum is adopted, based on the annual average number of dwellings constructed in the 15 years to 2020.
- **Kealy/Vasse:** a dwelling demand rate of 74 dwellings per annum is adopted, based on the annual average number of dwellings constructed in the 10 years to 2020.
- **Margaret River:** a dwelling demand rate of 109 dwellings per annum is adopted, based on the annual average number of dwellings constructed in the 20 years to 2020.

The Department's Regional Land Supply Assessment suite of reports measures the adequacy of residential land supply against population forecasts published in the Western Australia Tomorrow Population Report No. 11 (WA Tomorrow), as well as any aspirational population targets declared by the relevant local government through a local planning strategy or similar planning instrument.

This Assessment, however, was required to estimate dwelling demand to 2039, as well as determine the adequacy of the existing residential land supply against estimated dwelling demand to 2039. As WA Tomorrow forecasts are not prepared at locality/suburb level, or beyond 2031, this Assessment relies on a measure of expressed demand (i.e. dwelling construction) to estimate forward dwelling demand at locality level, for the purpose of informing planning investigations for the Dunsborough, Vasse South and Margaret River PIAs.

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# 3 Dunsborough

This section provides an assessment of residential land supply and demand in Dunsborough, to inform planning investigation for the Dunsborough PIA.

The table below shows an overview of the pipeline of residential land supply in Dunsborough. Further details are provided in Appendix A.

| Land supply timeframe | Land supply category | Dwelling yield |
|---|---|---|
| Short-term | Attached dwellings with development approval issued by the DAP or SDAU | 28 |
| | Existing vacant lots as at 31 December 2020 | 271 |
| | New lots created in 2021 | 112 |
| | Proposed lots in subdivision applications with current conditional approval | 190 |
| | Proposed lots in subdivision applications under assessment | 187 |
| Medium-term | Zoned land subject to an approved structure plan | 59 |
| | Zoned land subject to a draft structure plan or a draft amendment to an approved structure plan | - |
| Long-term | Zoned land | 482 |
| | Unzoned land | - |
| **TOTAL** | | **1,329** |

For Dunsborough, a dwelling demand rate of 118 dwellings per annum is adopted, based on the annual average number of dwellings constructed in the 15 years to 2020. Therefore, it is estimated that an additional 2,242 dwellings may be required to 2039.

The existing residential land supply, which is estimated to be able to accommodate 1,329 dwellings, is not sufficient to accommodate the estimated dwelling demand to 2039.

| Dwelling demand to 2039 | Dwelling supply | Dwelling supply is short of dwelling demand by: |
|---|---|---|
| 2,242 | 1,329 | 913 |

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Although this shortfall could be partly alleviated by residential redevelopment/infill in Dunsborough's more established areas, the extent to which this shortfall would be alleviated is not known. Even if there was significant capacity for infill development under the provisions of the existing local planning framework, the timeframe and ultimate number of additional dwellings generated through redevelopment/infill are dependent on individual landowner intentions and cannot be predicted. Therefore, there would still be a need to identify additional land for urban development.

WAPC's Urban Growth Monitor describes dwelling density as the relationship between the number of dwellings per gross or urban deferred zoned hectare, based only on urbanised land. It is usually expressed as the number of dwellings per hectare. The Urban Growth Monitor measures density at three different levels:

- **Gross zone dwelling density** measures the number of dwellings per gross urban or urban deferred zoned hectare, based only on urbanised land. As this measure relates to the entire stock of urbanised land (which includes local roads, parks and incidental uses), it is less sensitive than other measures to additions of dwelling stock or increases in the intensity of residential dwelling development. Across the Perth metropolitan, Peel and Greater Bunbury regions (i.e. areas subject to the Metropolitan, Peel and Greater Bunbury region schemes), the proportion of urbanised land that is consumed by non-residential uses typically averages 30 per cent.
- **Net site dwelling density** is a measure of the number of dwellings per net site hectare, which includes only the site area of lots developed with dwellings. It refers to all dwellings regardless of when they were constructed, and is a snapshot of net site dwelling density as at the reporting period. Analysis of net site dwelling density undertaken for Dunsborough revealed that as at 31 December 2020, there were 3,286 dwellings on 226 hectares of land – therefore, Dunsborough's net site dwelling density is 15 dwellings per net site hectare.
- **Net site dwelling density by build year** is a measure of the number of dwellings per net site hectare, based only on lots on which new dwellings were constructed within the stated calendar year. This differs from net site dwelling density, which refers to the collective dwelling density as at a specific point in time.

Based on a net site dwelling density of 15 dwellings per hectare, it is estimated that approximately 61 hectares of net residential zoned land would be required for the development of 913 dwellings. This would be the amount of land required purely for dwelling development, and does not include non-residential uses (i.e. local roads, parks and incidental uses).

The Urban Growth Monitor establishes that non-residential uses generally consumes 30 per cent of urbanised land. Therefore, a total of at least 80 hectares of land may be required. It may, however, be appropriate to identify additional land on top of the estimated requirement of 80 hectares due to the following considerations:

- The presence of remnant vegetation which may be of significant environmental value, as well as waterways in the general vicinity proximate to Commonage Road.
- If large-scale non-residential uses (i.e. identification of employment land, or large scale public purposes/recreation uses) are being contemplated.

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# 4 Kealy/Vasse

This section provides an assessment of residential land supply and demand in Kealy/Vasse, to inform planning investigation for the Vasse South PIA.

The table below shows an overview of the pipeline of residential land supply in Kealy/Vasse. Further details are provided in Appendix B.

| Land supply timeframe | Land supply category | Dwelling yield |
|---|---|---|
| Short-term | Attached dwellings with development approval issued by the DAP or SDAU | - |
| | Existing vacant lots as at 31 December 2020 | 104 |
| | New lots created in 2021 | 57 |
| | Proposed lots in subdivision applications with current conditional approval | 70 |
| | Proposed lots in subdivision applications under assessment | - |
| Medium-term | Zoned land subject to an approved structure plan | - |
| | Zoned land subject to a draft structure plan or a draft amendment to an approved structure plan | 1,266 |
| Long-term | Zoned land | 1,099 |
| | Unzoned land | - |
| **TOTAL** | | **2,596** |

For Kealy/Vasse, a dwelling demand rate of 74 dwellings per annum is adopted, based on the annual average number of dwellings constructed in the 10 years to 2020. Therefore, it is estimated that an additional 1,406 dwellings may be required to 2039.

The existing residential land supply, which is estimated to be able to accommodate 2,596 dwellings, is sufficient to accommodate the estimated dwelling demand to 2039.

| Dwelling demand to 2039 | Dwelling supply | Dwelling supply exceeds dwelling demand by: |
|---|---|---|
| 1,406 | 2,596 | 1,190 |

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# 5 Margaret River

This section provides an assessment of residential land supply and demand in Margaret River, to inform planning investigation for the Margaret River PIA.

The table below shows an overview of the pipeline of residential land supply in Margaret River. Further details are provided in Appendix C.

| Land supply timeframe | Land supply category | Dwelling yield |
|---|---|---|
| Short-term | Attached dwellings with development approval issued by the DAP or SDAU | - |
| | Existing vacant lots as at 31 December 2020 | 223 |
| | New lots created in 2021 | 7 |
| | Proposed lots in subdivision applications with current conditional approval | 157 |
| | Proposed lots in subdivision applications under assessment | - |
| Medium-term | Zoned land subject to an approved structure plan | 530 |
| | Zoned land subject to a draft structure plan or a draft amendment to an approved structure plan | - |
| Long-term | Zoned land | 219 |
| | Unzoned land | 1,500 |
| **TOTAL** | | **2,636** |

For Margaret River, a dwelling demand rate of 109 dwellings per annum is adopted, based on the annual average number of dwellings constructed in the 20 years to 2020. Therefore, it is estimated that an additional 2,071 dwellings may be required to 2039.

The existing residential land supply, which is estimated to be able to accommodate 2,636 dwellings, is sufficient to accommodate the estimated dwelling demand to 2039.

| Dwelling demand to 2039 | Dwelling supply | Dwelling supply exceeds dwelling demand by: |
|---|---|---|
| 2,071 | 2,636 | 565 |

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## Appendix A

### Pipeline of residential land supply in Dunsborough (detailed)

| Timeframe | | Location | Landowner | Local planning scheme zone | Area | Dwelling yield | Notes |
|---|---|---|---|---|---|---|---|
| Short-term | Development approval issued by a JDAP | • Lot 115 (26) Geographe Bay Road<br>• Lot 116 (28) Geographe Bay Road<br>• Lot 139 (23) Lorna Street<br>• Lot 140 (25) Lorna Street | Outside of Ambit | Residential (R80) | 3,236 sqm | 28 | Development approval was issued by the Regional Joint Development Assessment Panel (JDAP) on 23 February 2021 for a four storey mixed use development on this site. The development comprises 28 multiple dwellings in addition to incidental uses. |
| | Existing vacant lots as at 31 December 2020 | n/a | n/a | Residential<br>Special use<br>Urban development | 15.53 ha | 271 | Refers to lots:<br>• classified as 'undeveloped' based on information from the Landgate property valuation database (cadastral information as at 31 December 2020); and<br>• with a land area less than 2,000 square metres.<br>These are urban residential lots that are build-ready, and may include lots where development and/or building approval to construct a dwelling has been issued.<br>Lots with a land area of 2,000 square metres or more (i.e. special residential and rural residential lots) are not included. |
| | New lots created in 2021 | • Bathgate Circuit<br>• Chicago Way<br>• Dodd Close<br>• Dunsborough Lakes Drive<br>• Hotchkin Loop<br>• Metropolitan Way<br>• Robertson Drive<br>• Shoreacres Way<br>• Sloop Loop<br>• Valcros Circuit | n/a | Residential<br>Urban development | 5.23 ha | 112 | In addition to the existing vacant lots as at 31 December 2020, a total of 112 new lots were created in 2021. All lots have a land area less than 2,000 square metres, and may include lots where development and/or building approval to construct a dwelling has been issued. |
| | Proposed lots in subdivision applications with current conditional approval | Lot 9001 on DP 419426 | Outside of Ambit | Special use | 2.05 ha | 40 | Forty proposed lots with current conditional approval under WAPC ref. 160447. Conditional approval valid to 10 June 2025. |
| | | Lot 9078 on DP 420865 | | Urban development | 3.53 ha | 50 | Fifty proposed lots with current conditional approval under WAPC ref. 158253. Conditional approval valid to 9 October 2025 (two-year extension granted under Part 18 of the *Planning and Development Act 2005*). |
| | | Lot 9010 on DP 419205 | Private | Residential | 10.15 ha | 84 | Eighty four proposed lots with current conditional approval under WAPC ref. 156877. Conditional approval valid to 15 January 2025 (two-year extension granted under Part 18 of the *Planning and Development Act 2005*). |
| | | Lot 9078 on DP 420865 | Outside of Ambit | Urban development | 0.76 ha | 16 | Sixteen proposed lots with current conditional approval under WAPC ref. 154592/ Conditional approval valid to 28 February 2023 (two-year extension granted under Part 18 of the *Planning and Development Act 2005*). |
| | | Lot 9020 on DP 411022 | • Private<br>• Outside of Ambit | Residential | 2.20 ha | 29 | WAPC ref. 161225 conformed on 17 August 2021. Ninety day statutory timeframe ends on 15 November 2021. |

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| | **Proposed lots in subdivision applications under assessment** | • Lot 9072 on DP 415225<br>• Lot 41 on DP 413522 | • Outside of Ambit<br>• | Urban development | 8.49 ha | 158 | WAPC ref. 161043 conformed on 30 June 2021. Ninety day statutory timeframe ends on 28 September 2021. |
| **Medium-term** | **Zoned land with an approved structure plan** | Lot 9050 on DP 401791 | Outside of Ambit | Urban development | 2.91 ha | 58 | The approved Dunsborough Lakes Structure Plan identifies a dual density code of R20/40 for the entirety of this site area. Dwelling yield shown has been calculated based on a density of 20 dwellings per hectare. |
| | | Lot 9078 on DP 420865 | Outside of Ambit | Urban development | 700 sqm | 1 | The remainder of Lot 9078 is subject to subdivision applications with current conditional approval. One of the applications involve the creation of a 700 square metre balance lot, which is proposed to be developed at a later stage. The approved Dunsborough Lakes Structure Plan identifies a density code of R20 where this balance lot is located, therefore, based on this density, this 700 square metre balance lot could only yield one dwelling. |
| **Long-term** | **Zoned land** | • Lot 9006 on DP 49455<br>• Lot 9010 on DP 419205<br>• Lot 9008 on DP 67874<br>• Lot 9020 on DO 411022 | | Residential | 48.21 ha | **482** | Located west of Cape Naturaliste Road and comprises the undeveloped balance of the Cape Rise and Naturaliste Heights development areas. Lot 9020 is highly constrained due to the presence of remnant vegetation of a high conservation value. Offsets may be required. Actual development may be inconsistent with the areas zoned residential under the local planning scheme. Dwelling yield for the entirety of this site has been calculated based on a density of 10 dwellings per hectare. The actual yield is currently unknown and may differ. |
| **TOTAL** | | | | | | **1,329** | |

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## Appendix B

### Pipeline of residential land supply in Kealy/Vasse (detailed)

| Timeframe | | Location | Landowner | Local planning scheme zone | Area | Dwelling yield | Notes |
|---|---|---|---|---|---|---|---|
| Short-term | Existing vacant lots as at 31 December 2020 | n/a | n/a | Residential | n/a | 104 | Includes lots classified as 'undeveloped' according to the Landgate property valuation database. Includes lots with a land area less than 2,000 square metres. |
| | New lots created in 2021 | n/a | n/a | Urban development | n/a | 57 | New lots located on: Flounder St, Harlequin Bvd, Orca Lane, Selago Av, Stylaster Cct, Sycon Ent and Yebble Dr. |
| | Proposed lots with current conditional approval for subdivision | Lot 9561 on DP 420395 | Outside of Ambit | Urban development | 5.13 ha | 70 | Seventy proposed lots with current conditional approval under WAPC ref. 160204. Conditional approval valid to 2 August 2025. |
| Medium-term | Zoned land with an approved structure plan (modifications proposed) | Lot 221 on DP 250842<br>Lot 461 on DP 301732<br>Lot 9521 on DP 52479<br>Lot 9559 on DP 418745<br>Lot 250 (53) Kaloorup Road<br>Lot 9562 (81) Yebble Drive | | Urban development | 96.41 ha | 1,266 | The draft Vasse Structure Plan seeks to modify the approved Vasse Overall Structure Plan. The draft Vasse Structure Plan estimated a dwelling yield of 1,533. Dwelling yield shown excludes land that has been subdivided and developed. |
| Long-term | Zoned land | Lot 634 (629) Rendezvous Road<br>Lot 224 (620) Rendezvous Road<br>Lot 176 (604) Rendezous Road<br>Lot 501 (572) Rendezvous Road<br>Lot 178 (550) Rendezvous Road<br>Lot 1445 on DP 140240<br>Lot 9003 on DP 49085 | | Urban development | 109.95 ha | 1,099 | Dwelling yield shown has been calculated based on a density of 10 dwellings per hectare. |
| TOTAL | | | | | | 2,596 | |

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## Appendix C

## Pipeline of residential land supply in Margaret River (detailed)

| Timeframe | | Location | Landowner | Local planning scheme zone | Area | Dwelling yield | Notes |
|---|---|---|---|---|---|---|---|
| Short-term | Existing vacant lots as at 31 December 2020 | n/a | n/a | Residential<br>Future development | n/a | 223 | Includes lots classified as 'undeveloped' according to the Landgate property valuation database. Includes lots with a land area less than 2,000 square metres. |
| | New lots created in 2021 | n/a | n/a | Residential<br>Future development | n/a | 7 | Includes:<br>• Two survey strata lots on McCormick Cr<br>• Two freehold lots on Pimelia Dr<br>• Three survey strata lots on Walkington Av. |
| | Proposed lots with current conditional approval for subdivision | Lot 9014 on DP 413998 | Outside of Ambit | Future development | 7.60 ha | 137 | • Three proposed lots with current conditional approval under WAPC ref. 158186. Conditional approval valid to 21 August 2024 (two-year extension granted under Part 18 of the *Planning and Development Act 2005*).<br>• 93 proposed lots with current conditional approval under WAPC ref. 157315. Conditional approval valid to 18 April 2025 (two-year extension granted under Part 18 of the *Planning and Development Act 2005*).<br>• 41 proposed lots with current conditional approval under WAPC ref. 156129. Conditional approval valid to 22 March 2024 (two-year extension granted under Part 18 of the *Planning and Development Act 2005*). |
| | | Lot 202 on DP 402396 | | Residential (R20) | 0.88 ha | 20 | Twenty proposed lots with current conditional approval under WAPC ref. 155869. Conditional approval valid to 23 January 2024 (two-year extension granted under Part 18 of the *Planning and Development Act 2005*). |
| Medium-term | Zoned land with an approved structure plan | Lot 9014 on DP 413998 | | Future development | 5.13 ha | 101 | The approved Rapids Landing Village Centre Structure Plan identifies density codes for residential cells. Dwelling yield shown has been calculated in accordance with the identified density codes. |
| | | Lot 9007 (211) Darch Road | | Future development | 47.12 ha | 404 | The approved Brookfield East Structure Plan estimates a dwelling yield of 404. |
| | | Lot 51 (20) Tunbridge Street | | Future development | 1.39 ha | 25 | The approved Lot 51 Tunbridge Street, Margaret River Structure Plan estimates a dwelling yield of 25-30. |
| Long-term | Zoned land | Lot 471 (37) Stewart Street | Private | Future development | 3.07 ha | 30 | This site is subject to an outline development plan approved in 2013. Dwelling yield shown has been calculated based on a density of 10 dwellings per hectare. |
| | | Lot 9014 on DP 413998 | Outside of Ambit | Future development | 7.38 ha | 75 | The Shire of Augusta-Margaret River's (the Shire) draft Local Planning Strategy (LPS) (as advertised) identifies this site as a current urban growth area (referred to as 'Planning Precinct M1'). The draft LPS estimates a lot yield of 75. |
| | | Lot 12 (36) Andrews Way<br>Lot 112 (4) Andrews Way<br>Lot 113 (9827) Bussell Highway | | Future development | | 24 | The Shire's draft LPS identifies this site as a current urban growth area (referred to as 'Planning Precinct M3'). The draft LPS estimates a lot yield of 24. |
| | | Lot 103 (404) Bussell Highway<br>Lot 106 (432) Bussell Highway | Private<br>Private | Future development | | 90 | The Shire's draft LPS identifies this site as a future urban growth area (referred to as 'Planning Precinct M4'). The draft LPS estimates a lot yield of 90. |
| | Unzoned land | Lot 11 on DP 403359 | Outside of Ambit | General agriculture | | 190 | The Shire's draft LPS identifies this site as a future urban growth area (referred to as 'Planning Precinct M5'). The draft LPS estimates a lot yield of 190. |

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| | | Lot 14 on DP 409126<br>Lot 15 on DP 409126 | Outside of Ambit | General agriculture | | 620 | The Shire's draft LPS identifies this site as a future urban growth area (referred to as 'Planning Precinct M6'). The draft LPS estimates a lot yield of 620. |
| | | Lot 6 (167) Andrews Way | Private | General agriculture | | 270 | The Shire's draft LPS identifies this site as a future urban growth area (referred to as 'Planning Precinct M6'). The draft LPS estimates a lot yield of 270. |
| | | Lot 9000 on DP 417446 | Outside of Ambit | General agriculture | | 420 | The Shire's draft LPS identifies this site as a future urban growth area (referred to as 'Planning Precinct M6'). The draft LPS estimates a lot yield of 420. |
| | **TOTAL** | | | | | **2,636** | |

13.4 PROPOSED AMENDMENT 58 TO LOCAL PLANNING SCHEME 21 - LOT 6 COMMONAGE ROAD, QUINDALUP - INITIATION FOR COMMUNITY CONSULTATION

| | |
|---|---|
| **STRATEGIC THEME** | LIFESTYLE - A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing |
| **STRATEGIC PRIORITY** | 2.8 Plan for and facilitate the development of neighbourhoods that are functional, green and provide for diverse and affordable housing choices. |
| **SUBJECT INDEX** | Local Planning Scheme 21 Amendments |
| **BUSINESS UNIT** | Strategic Planning |
| **REPORTING OFFICER** | Principal Strategic Planner - Louise Koroveshi |
| **AUTHORISING OFFICER** | Director Planning and Development Services - Paul Needham |
| **NATURE OF DECISION** | Legislative: adoption of "legislative documents" such as local laws, local planning schemes and local planning policies |
| **VOTING REQUIREMENT** | Simple Majority |
| **ATTACHMENTS** | Attachment A Location Plan<br>Attachment B Aerial Photograph<br>Attachment C Dunsborough Industrial Park Structure Plan<br>Attachment D Leeuwin Naturaliste Sub-regional Strategy Dunsborough urban area<br>Attachment E Scheme amendment report<br>Attachment F Indicative development concept plan<br>Attachment G Indicative development concept plan aerial overlay<br>Attachment H Flora and Fauna Significance Assessment<br>Attachment I Flora and Vegetation Assessment Addendum - Spring Flora Survey<br>Attachment J Bushfire Management Plan<br>Attachment K Engineering Services Report<br>Attachment L Traffic Impact Assessment<br>Attachment M Community Consultation Report<br>Attachment N Local Planning Strategy map |

**OFFICER RECOMMENDATION**

**That the Council:**

1. **Requires the following modifications to Amendment No. 58 of the City of Busselton Local Planning Scheme No. 21 prior to advertising:**

   **(a) Amending 'Special Provision Area No. 31' to read as follows –**

| No | Particulars of Land | Zone | Special Provisions |
|---|---|---|---|
| SP31 | Lot 6 Commonage Road, Quindalup | Urban Development | 1. In addition to the information to be included in a structure plan outlined in Clause 16 of the Deemed Provisions, the structure plan is to set out the following:<br>a) Identification of vegetation having conservation significance.<br>b) Measures to retain, manage and enhance environmental values associated with the Special Provision Area including remnant vegetation, |

| | | | |
|---|---|---|---|
| | | | **potential habitat for Commonwealth and State listed threatened fauna species and ecological linkages within public open space, road reserves and/or conservation areas. Such measures are required to also address linkages and connectivity with contiguous areas of similarly important remnant vegetation on land adjoining the Special Provision Area as well as management measures to ensure the habitat functions of these areas are maintained and, where possible, enhanced.**<br>**c) Definition of boundaries of the Priority Ecological Community palusplain wetland including identification of appropriate buffers to development to the satisfaction of the Department of Biodiversity, Conservation and Attractions.**<br>**d) A tree survey to consider retention outside of public open space areas and measures to identify and protect paddock trees within public spaces or road reserves.**<br>**e) Ethnographic/cultural heritage assessment and satisfactory measures to protect identified sites and/or trees having cultural significance.**<br>**f) Open space requirements for active recreation.**<br>**g) The separation of, and treatment of the interface between, developable areas from Commonage Road, including the identification of a minimum 20 metre wide landscape buffer (or wider to accommodate revegetation and stormwater drainage management) and an adjacent internal road, consistent with maintaining visual landscape amenity from Commonage Road.**<br>**h) Measures to provide for the safe and efficient movement of pedestrians and cyclists to, from and within the Special Provision Area, including the crossing of Commonage Road, which connects to existing or planned dual use path networks.**<br>**i) A suitable buffer along the southern boundary of the site that addresses maintaining the visual amenity of adjoining rural land.**<br>**j) A Local Water Management Strategy that is to include, amongst other things,** |

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| | | | **measures to retain, protect and enhance surface water creek lines and their foreshores and locate stormwater retention basins to avoid clearing/impacts on remnant vegetation.**<br>**k) The number of proposed access/egress points to Commonage Road and Genoli Road.**<br>**l) Measures that address the retention of vegetation within the Genoli Road reserve.**<br>**m) Identification of a 'Local Centre' site of approximately 4,000m$^2$ and a 'Service Commercial' site of approximately 8,000m$^2$.**<br>**n) A Local Development Plan is to be prepared for the identified 'Local Centre' and 'Service Commercial' sites and is to address:**<br>**i. Land use controls;**<br>**ii. Location of car parking, pedestrian and vehicular/service access;**<br>**iii. Amenity from adjoining roads and residential areas; and**<br>**iv. Landscape values and visual management considerations .** |

**2. Subject to the modifications detailed in Part 1 above, in accordance with Section 75 of the *Planning and Development Act 2005*, adopts Amendment No. 58 of the City of Busselton *Local Planning Scheme No. 21* for advertising for the purposes of:**

**(a) Rezoning Lot 6 Commonage Road, Quindalup from 'Light Industry' to 'Urban Development';**

**(b) Amending Schedule 3 Special Provision Area 31; and**

**(c) Amending the Scheme map accordingly.**

**3. In accordance with Regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No. 58 of the City of Busselton Local Planning Scheme No. 21 is a 'standard amendment' in accordance with r.34 of the Regulations as it is:**

**(a) an amendment that is consistent with a Local Planning Strategy for the Scheme that has been endorsed by the Commission; and**

**(b) an amendment that does not result in any significant environment, social, economic or governance impacts on land in the scheme area.**

**4. That as the amendment is in the opinion of Council, consistent with Part V of the Planning and Development Act 2005 (the Act) and the Regulations made pursuant to the Act, that upon preparation of the necessary documentation, refer the amendment to the Environmental Protection Authority (EPA) and upon receipt of a response that the amendment is not subject to formal environmental assessment, advertise the proposal for a period of 42 days. Where the EPA determines the amendment is to be subject to formal environmental assessment, the assessment is to be prepared prior to advertising of the draft amendment.**

5. **Prior to implementing the above, require the proponent to prepare revised amendment documents consistent with the modifications set out in the Parts above.**

6. **In accordance with Regulation 35A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, when Amendment No. 58 takes effect, the approval of the *Dunsborough Industrial Park Structure Plan* (2000) is to be revoked.**

7. **Note that officers will not use delegation to adopt the structure plan and, prior to the item being presented to Council, officers will work through design considerations with the proponent that address:**

    i. **Retention of vegetation;**

    ii. **Visual management considerations;**

    iii. **Land-use/zoning mix; and**

    iv. **Road and lot layout and other urban design elements to reflect the desired future character of the site.**

**EXECUTIVE SUMMARY**

Council is requested to consider initiating proposed Amendment No. 58 to the City of Busselton *Local Planning Scheme No. 21* (LPS21). The purpose of the Amendment is to rezone Lot 6 Commonage Road, Quindalup from 'Light Industry' to 'Urban Development' and delete Special Provision Area 31. The Amendment would establish a head of power for a structure plan over the land to guide future subdivision and development of the land primarily for residential purposes.

Instead of deletion from LPS21, officers are recommending that Special Provision Area 31 is retained, but modified to include new provisions to ensure that environmental, bushfire safety, visual management and subdivision design outcomes are adequately addressed through structure planning for the subject land. The modifications to the scheme amendment documentation will be required prior to referral of proposed Amendment 58 to the EPA.

The proposal is consistent with the City's *Local Planning Strategy* (2019) and the Western Australian Planning Commission's *Leeuwin-Naturaliste Sub-regional Strategy* (2019). Officers are recommending that proposed Amendment 58 is initiated for referral to the EPA and subsequent community consultation, subject to modifications.

**BACKGROUND**

Lot 6 Commonage Road is located approximately 2.5km south of the Dunsborough Town Centre and is 53.9 hectares in area (Attachment A: Location Plan/Attachment B: Aerial Photo). Pursuant to LPS21, the Site is zoned 'Light Industry' and is within Special Provision Area 31, which sets out a suite of requirements primarily related to the preparation of a structure plan prior to subdivision and development. The *Dunsborough Industrial Park Structure Plan* was prepared for the land and endorsed in 2000 (Attachment C).

Notwithstanding this, the subject land remains undeveloped and has been utilised for grazing. Sizeable stands of reasonably contiguous remnant vegetation, creek lines and mature paddock trees are present within the site. The subject land is relatively flat, with a gentle incline from a high point of approximately 25m AHD in the south-west corner to a low of about 14m in the north-east corner.

On the northern side of Commonage Road, the Dunsborough Lakes residential estate is being progressively developed in accordance with an endorsed Structure Plan. Land to the south/southeast of Lot 6 is zoned 'Rural' and to the west is the extensive Commonage rural residential area.

The subject land is designated 'Urban' in the *Leeuwin Naturaliste Sub-regional Strategy* (LNSRS) and is nominated for investigation for urban expansion in the City's *Local Planning Strategy*. The suitability of the site for residential uses due to its proximity to other residential areas and schools was determined by the WAPC in the most recent amendments to the LNSRS. Land to the southeast of Commonage Road and adjacent to the subject land (east of Genoli Road) is also identified for urban development in the LNSRS and comprises, in part, the 'East Dunsborough Structure Plan' area (Attachment D). Prior to the most recent amendments to the LNSRS, the 'East Dunsborough Structure Plan' area/urban expansion area was identified as the 'Dunsborough Planning Investigation Area' (referenced the same in the *Local Planning Strategy*).

**The Proposal**

Amendment 58 proposes to rezone Lot 6 Commonage Road, Quindalup from 'Light Industry' to 'Urban Development' and delete Special Provision Area 31. The scheme amendment report, as submitted, is provided at Attachment E. A structure plan is currently being prepared for the subject land and is anticipated to be formally lodged subsequent to the Amendment being initiated. Due to the strategic importance of the subject land and the sensitivities relating to the site, officers will not use delegation to adopt the structure plan for community consultation, but will present the item to the Council for that decision to be made.

In support of the amendment proposal the following justification has been provided by the applicant –

1. The subject land has been zoned for industrial development for over twenty years and a structure plan for this purpose remains valid until 19 October 2025. Insufficient demand for industrial land has left the site undeveloped to date.
2. An 'Urban Development' zone would allow for residential and supporting land uses to be developed to meet demonstrated demand, following approval of a structure plan which will address all required environmental, infrastructure servicing and urban design requirements.
3. The subject land is opposite land already zoned 'Urban Development' and represents a logical extension of urban development on land already zoned for non-rural purposes.
4. Special Provision Area 31 is no longer required because the 'Urban Development' zone requires the preparation of a structure plan and the requirements of a structure plan are directed by the Deemed Provisions.

Based on desktop and preliminary site investigations, an indicative development concept plan has been prepared showing how the subject land might be developed for primarily residential purposes (Attachment F). This plan is also provided as an aerial overlay within the technical appendices at (Attachment G). The main elements of the plan are –

1. Residential development as the primary land use with an approximate lot yield of 500 (lot size range to be determined at structure plan stage, but larger lots adjacent to Commonage Road are indicated).
2. A commercial site of 4,000m2 that might accommodate local shopping and tourist/food and beverage facility.
3. Tourism uses amongst remnant vegetation in the southeast corner of the subject land, including short-term accommodation.
4. A landscape buffer to Commonage Road to assist with visual screening of development.
5. Public open space focused on retaining most of the remnant vegetation.
6. Retention of, where possible, isolated mature paddock trees within road reserves and development sites within the proposed development area.

7. Concentration of the developable area in mostly cleared parts of the subject land.
8. Genoli Road to be utilised and upgraded (widening and bitumen seal) as the primary access road to the subject land, with two new access points proposed for Commonage Road.
9. A pedestrian/cycling link to the dual use path network within Dunsborough Lakes near the Commonage/Genoli Road intersection.

The applicant has advised that the details of the indicative development concept plan would be refined through the structure planning process as required by the 'Urban Development' zone. The structure plan process would confirm the amount and distribution of public open space, land uses, residential lot sizes, road network and water management based on further technical studies and consultation.

The amendment proposal is supported by the following technical assessments:

1. Flora and Fauna Significance Assessment (Ecosystem Solutions, September 2022) – Attachment H.
2. Flora and Vegetation Assessment Addendum – Spring Flora Survey (Ecosystem Solutions, September 2022) – Attachment I.
3. Bushfire Management Plan (Ecosystem Solutions, September 2022) – Attachment J.
4. Engineering Servicing Report (WML Consultants, August 2022) – Attachment K.
5. Transport Impact Assessment (Flyt, August 2022) – Attachment L.
6. Community Consultation Report (Aha! Consulting, October 2022) – Attachment M.

Each is discussed below under appropriate subheadings.

**Flora and Fauna Significance Assessment**

The Flora and Fauna Significance Assessment comprised desktop and on-ground surveys to assess the condition of vegetation and document the presence and distribution of flora and fauna on the site. Fauna species specifically targeted included Western Ringtail Possum, signs of and/or suitable habitat for Black Cockatoo species as well as any other conservation significant fauna likely to occur within the site. The flora elements specifically targeted include Threatened and Priority species and Threatened or Priority Ecological Communities.

*Flora assessment*

Vegetation complex mapping identifies the Abba Complex as the sole complex within the subject land, described as follows –

> Abba Uplands (AB) – a mixture of open forest of *Corymbia calophylla* (Marri) – *Eucalyptus marginata* (Jarrah) – Banksia species and woodland of *Corymbia calophylla* (Marri) with minor occurrences of *Corymbia haematoxylon* (Mountain Marri). Woodland of *Eucalyptus rudis* (Flooded Gum) – *Melaleuca* species along creeks and on flood plains.

Two vegetation communities were observed within the subject land:

1. *Corymbia calophylla*, *Agonis flexuosa*, *Eucalyptus patens* and *Eucalyptus marginata* open forest.
2. *Melaleuca preissiana*, *Allocasurina fraseriana* and *Nuytsia floribunda* (WA Christmas Tree) open forest.

The National Objectives and Targets for Biodiversity Conservation intends to retain and protect those vegetation communities with less than 30% extent remaining. The Abba Complex is well below the National Target with less than 7% remaining from Pre-European extent with all of that vegetation being with the City of Busselton. Only 0.17% of the Abba Complex is protected under conservation. This vegetation complex is therefore considered extremely vulnerable.

The condition of the vegetation was assessed as a percentage of the overall site, as follows –

1. *67% - 'completely degraded'* (the structure of the vegetation is no longer intact and the area is completely or almost completely without native species).
2. *7% - 'degraded'* (basic vegetation structure is severely impacted by disturbance).
3. *24% - 'good'* (vegetation structure significantly altered by very obvious signs of multiple disturbances but retains basic vegetation structure or ability to regenerate).
4. *0.3% - 'very good'* (vegetation structure altered, no obvious signs of disturbance).
5. *1.4% - 'excellent'* (vegetation structure intact).

It is noted in the assessment that there is the potential for the Swan Coastal Plain Paluslope Wetlands Priority 1 Protected Ecological Community (PEC) to occur within the subject land, including within the proposed area to be cleared and developed, classified as being in 'good' condition. However, due to grazing by cattle and kangaroos the understorey is lacking, so there is a possible underrepresentation of wetland species.

Overall, 14.2 hectares of the Abba Complex vegetation is proposed for retention in public open space. Approximately 5.4 hectares of Abba Complex vegetation is proposed to be cleared, including vegetation classified as 'good' (the same as the majority of the vegetation proposed for conservation in public open space) and potentially the Priority 1 PEC.

The Genoli Road reserve contains old growth trees and habitat areas/linkages that supports the Abba Complex vegetation and contributes to the character and amenity of the subject land and the locality.

*Fauna assessment*

The fauna assessment finds that conservation significant fauna species likely to be within or utilising the subject land (habitat) include the Western Ringtail Possum and three Black Cockatoo species (Forest Red-tailed, Baudin's and Carnaby's cockatoos). The WA conservation status of each species is 'Threatened'. Under the EPBC Act the status of the Western Ringtail Possum is 'Critically Endangered', Baudin's and Carnaby's Black Cockatoos are 'Endangered' and the Forest Red-tailed Black Cockatoo is 'Vulnerable'.

Two dawn, two dusk/nocturnal and three daytime surveys were conducted to determine Black Cockatoo and Western Ringtail Possum activity. Black Cockatoo species were observed foraging within the site, within vegetation proposed to be cleared. At the time of survey, the site was not being used for roosting by Black Cockatoos.

A total of 361 potentially significant trees were recorded in the survey area (which focused on the vegetation proposed to be cleared) with 51 having hollows and 18 having potential hollows. One tree had multiple hollows with signs of wear. These trees represent potential nesting sites for Black Cockatoo species. The assessment assumes that Black Cockatoo species are not relying on the vegetation proposed to be cleared for nesting habitat or food source as there are other areas of preferred habitat within foraging range. The assessment notes that the presence of potential hollows does not necessarily make them available for breeding.

Five Western Ringtail Possum observations were made during the two nocturnal surveys in vegetation to be retained in public open space. Six potential dreys were observed in vegetation proposed to be cleared. The assessment asserts that all areas of vegetation within the subject land are suitable habitat for Western Ringtail Possum.

The assessment includes consideration of referral of the proposal under the EPBC Act and notes the following –

1. It is unlikely that the proposal will significantly impact conservation significant species (Western Ringtail Possum and Black Cockatoo species).
2. There are no Threatened Ecological Communities observed within the site.

On the basis of the above conclusions, referral under the EPBC Act is not a recommendation of the assessment.

*Other Significance*

The assessment notes that some trees within the proposed area to be cleared appear to be marked, with the potential that they represent Aboriginal cultural heritage. The assessment includes a recommendation that a suitably qualified Aboriginal heritage archaeologist conducts a cultural heritage survey to determine the significance of these markings.

**Bushfire Management Plan**

The subject land is mapped as 'bushfire prone'. It is a requirement of *State Planning Policy 3.7 Planning in Bushfire Prone Areas* that proposed subdivision in bushfire prone land include the preparation and implementation of an approved bushfire management plan (BMP). A preliminary BMP has been prepared for the land that details the fire management methods and requirements that will be implemented in future urban development. This process involved the classification and slope of all vegetation within 150m of and within the subject land.

An indicative concept development plan was used to determine the likely classification of vegetation post-development (noting that concept plans in the proposed scheme amendment document and BMP differ slightly). This allows for an assessment of the bushfire attack level (BAL) for future development, which in turn determines the required standards for future housing and management of retained remnant vegetation.

The BMP finds that the layout and design of future development is such that no structure will be exposed to a radiant heat flux in excess of BAL-29.

**Engineering Services Report**

This report addresses the availability of services to the subject land and provides comment on required service upgrades, road network and drainage management concepts. The assessment finds that the site is well placed in terms of the availability of sewer, power, water and communication services. Solutions for all civil infrastructure components can be achieved by standard industry required methodologies.

Consistent with the principles of Water Sensitive Urban Design, stormwater drainage would be designed to maintain existing drainage flows with pre-development flow rates retained. This would be done to have no impact on retained vegetation or drain functionality.

The subject land falls within an existing pump station catchment and is included in current Water Corporation planning. A short sewer extension from the Dunsborough Lakes development will be required.

Water Corporation information indicates that an existing water main is present in nearby Diamante Boulevard, northeast of the subject land. The main can be extended in stages to serve the progressive development of the subject land, with smaller distribution mains branching off it.

Western Power capacity mapping indicates that there is sufficient capacity in the system to accommodate the estimated load for future development of the subject land. At a future stage of planning, a request to Western Power to model the proposed development will determine whether any upgrades to the network or line conductors would be required.

NBN fixed line technology is present in Dunsborough Lakes and is likely that this will be extended to serve future development within the subject land. There is no reticulated gas available in Dunsborough.

The report concludes that no service constraints have been identified and the site can be fully serviced.

**Transport Impact Assessment**

To inform the indicative concept plan and a future structure plan, a Transport Impact Assessment (TIA) has been prepared. The TIA considers the likely impact of the proposed development represented by the indicative concept plan, in the context of existing and known future development in the surrounding area. Traffic counts were taken from five locations along Commonage Road proximate to the subject land for nine days in April/May 2022 to capture traffic volumes. Traffic modelling considered the following potential land uses and access arrangements -

*Potential land uses*

1. Residential - approximately 448 residential lots.
2. Tourism – approximately 20 short stay accommodation units ranging from 2-4 bedrooms (average 3 bedrooms and 6 people per unit).
3. Commercial site of approximately 4,000m$^2$ potentially for local shopping and tourist/food and beverage development.

*Proposed access arrangements*

1. Existing Genoli Road and Commonage Road intersection – to be Primary Access 1.
2. Two proposed access roads to Commonage Road –
    a. Site access road and Commonage Road intersection (all movements) - between Cornerstone Way and Biddle Road – to be Secondary Access 2.
    b. Site access road and Commonage Road (left in/left out movements only) between Biddle Road and Grange Way. This proposed limited access is a response to the proximity of existing intersections and road geometry limited sight distances.
3. Three proposed access roads to Genoli Road – northern, central and southern access points with the intent that the road be upgraded and sealed for the full length adjacent to the site.

The location and configuration of future intersections would be subject to more detailed investigation as part of structure plan preparation for the proposed ‘Urban Development’ zone.

Based on the potential land uses and full development of the site, the TIA modelled trip generation (using WAPC *Transport Impact Assessment Guidelines* 2016) to determine estimates of traffic accessing and egressing the subject land via the primary and secondary access points, as follows –

1. Primary Access 1 Commonage Road and Genoli Road intersection - total daily trip rate of 3,488 vehicles per day.
2. Secondary Access 2 Commonage Road – total daily trip rate of 496 vehicles per day.
3. *Total combined vehicle movements per day = 3,984.*

Both intersections would require upgrading (road widening, slip lanes and turning pockets) but would remain give way controlled intersections. The proposed third access would require a median island treatment on Commonage Road to restrict access to left-in/left-out only. The TIA states that the intersections would operate at acceptable levels.

The TIA includes an assessment of current pedestrian and bicycle connectivity with the subject land. There is currently no formal footpath network connecting the subject site to surrounding land uses or development areas resulting in a low walkability score. There is an existing footpath network in the developed portions of Dunsborough Lakes and it is expected that this network will expand as development continues within the estate. The TIA includes a proposed dual use path network within Lot 6, with potential future connection to Dunsborough Lakes at Genoli Road. The report notes that Commonage Road at this location would require a median island to provide a safe two-stage crossing for path users.

It is noted in the scheme amendment report that, in addition to vehicle movements, cycling and pedestrian connectivity would be further explored at structure planning stage.

**Community Consultation**

Aha! Consulting was engaged by the proponent to design and manage preliminary community consultation on the amendment proposal by holding an open forum, hosted at the Dunsborough Country Club on the evening of 5 October 2021.

Information was provided on the project history, the intended development, current plans to manage environmental values, and the anticipated overall project timelines. Participants were asked to answer three questions:

1. How important is having access to a variety of housing options to Dunsborough's future?
2. Are there any critical environmental values that have not been considered to date?
3. What are the three most important outcomes for any residential development to achieve?

Ten visitors attended the forum which was a lower response than anticipated, making it difficult to infer broad community sentiment from the feedback received. In general –

i. Those who attended were positive about the need for a variety of housing options, but there was a desire to see and be part of the more detailed design to help ensure that it is in keeping with desired community outcomes.
ii. A variety of affordable housing and lot sizes are supported.
iii. Wider visual buffers and screening from Commonage Road and surrounding development are sought.
iv. A good balance between housing and public open spaces is required to ensure that trees and animals have space.
v. Tree retention/replacement should be maximised and conservation areas should provide a movement corridor for fauna.

vi. There was some support for inclusion of a mixed-use development with a 'high street' to take pressure of the town centre and provide more amenity for people living nearby, as a counter to the perception of 'urban sprawl'.

vii. Good amenity and accessibility for pedestrians, with good street parking and measures to avoid the parking of boats etc. on streets.

viii. Some concern that the removal of the light industrial zone would create a shortage of suitable land near the town.

ix. Site drainage and storm water management (no adverse impact on adjoining properties).

**OFFICER COMMENT**

Amendment 58 seeks to rezone the land consistent with the strategic direction set out in the applicable State and local planning framework, namely the WAPC's *Leeuwin Naturaliste Sub-regional Strategy* and the City's *Local Planning Strategy.* The subject land is contiguous with land to the south/southeast of Commonage Road that is also identified for urban expansion by the LNSRS and comprises the 'East Dunsborough Structure Plan' area.

**Industrial and Residential Land Supply**

Land supply in Dunsborough is limited and has been for a number of years. The 'Dunsborough Lakes Structure Plan' area has been the main urban growth area and is likely to be built out by around 2024, with an estimated remaining supply of 120 lots in current and remaining subdivision stages. Additional release of land supply will be provided by some infill within Dunsborough and also Cape Rise and Naturaliste Heights, however, both areas are constrained, with a slow delivery of lots to the market. In addition to insufficient residential land available within existing structure plan areas there is also insufficient zoned land within Dunsborough to allow for structure planning and the release of residential land which will be an issue for medium term land supply (5-10 years).

Structure planning for the 'East Dunsborough Structure Plan' area is in the early stages of preparation and will require requisite, community engagement, planning approvals, including amendment(s) to the Scheme, before subdivision and the creation of new residential lots can occur. Planning for Lot 6 is further advanced by comparison and has the potential to 'fill the gap' in lot supply in the medium term between the completion of Dunsborough Lakes and the commencement of lot delivery in the 'East Dunsborough Structure Plan' area.

The *Local Planning Strategy* sets out that an alternative and more suitable location for light industrial/service commercial land uses should be considered as part of the 'East Dunsborough Structure Plan' area. The LNSRS supports that 'Urban' land is used for a range of uses typically undertaken within a town, including: residential, industrial, commercial, tourism, public and private institutions, and public purpose uses such as recreational open space. The LNSRS specifies the provision of land for employment generating activities as a key consideration in the planning for East Dunsborough. Maintaining Lot 6 as entirely 'Light Industry' is not likely to address the insufficient supply of light industrial/service commercial land within Dunsborough in the long term, as the development of Lot 6 for Light Industrial purposes has not occurred since approval of the Lot 6 Structure Plan in 2000. However the delivery of industrial land within East Dunsborough will not be provided in the short term and therefore the provision of a small 'Service commercial' site which is centred on services for Dunsborough town site could be further considered for Lot 6. Further consideration of the location of a light industrial/service commercial land is expected to be undertaken in the planning of East Dunsborough.

Whilst the rezoning of Lot 6 is however viewed as highly important to maintaining residential land supply for the medium term within Dunsborough, there is an opportunity to consider provision of some additional 'Service Commercial' land adjacent to the 'Commercial' site – with the latter better described as 'Local Centre', reflecting the zones in the City's town planning scheme.

Officers are recommending that a structure plan for the land included the identification of a 'Service Commercial' area of approximately 8,000m$^2$, with the consideration of matters such as visual presentation to adjoining roads and residential areas, location of parking, pedestrian and vehicular/service access and land use controls through the requirement for the preparation of a local development plan.

**Future Planning Considerations**

Rezoning the subject land to 'Urban Development' will trigger the requirement for the preparation of a structure plan before any subdivision or development can occur. An indicative development concept plan has been provided and, whilst it would have no statutory basis as part of the Amendment proposal, it is likely to inform the preparation of a structure plan. There are elements of the concept plan that officers consider require further investigation through the structure planning process. In this regard, officers are recommending a modification to the Amendment (as submitted) through the retention of Special Provision Area 31 over the subject land, with revised special provisions, to ensure that the following matters are adequately addressed by a structure plan for the land -

*i) Environmental Values*

The subject land contains remnant 'Abba Complex' vegetation that is considered to be extremely vulnerable. There is also the potential for the Swan Coastal Plain Paluslope Wetlands Priority 1 Protected Ecological Community (PEC) to occur within the subject land.

Approximately 5.4 hectares of Abba Complex vegetation is identified for clearing on the indicative development concept plan, including vegetation classified as 'good' (the same as the majority of the vegetation proposed for conservation in public open space) and potentially the Priority 1 PEC.

A total of 361 potentially significant trees were recorded in the survey area (which focused on the vegetation proposed to be cleared) with 51 having hollows and 18 having potential hollows. These trees represent potential nesting sites for Black Cockatoo species. Six potential Western Ringtail Possum dreys were also observed in habitat trees proposed to be cleared. Referral under the EPBC Act may be required given the latest Federal guidelines for Black Cockatoo species.

The subject land also contains numerous mature native paddock trees that contribute to the overall character and amenity of the site and as such have intrinsic value. Many of these trees would have a role as supporting habitat to the Abba Complex. The subject land may also contain trees having indigenous cultural significance.

In light of the above it is considered that further measures are required to retain, manage, and enhance environmental values within public open space, road reserves, and/or other public spaces (to be identified on a structure plan). Such measures are required to also address linkages and connectivity with contiguous areas of similarly important remnant vegetation on land adjoining the Special Provision Area as well as management measures to ensure the habitat functions of these areas are maintained and, where possible, enhanced.

*ii) Visual Landscape Amenity*

*State Planning Policy 6.1 Leeuwin-Naturaliste Ridge* (SPP6.1) emphasises the importance of buffers to maintain visual amenity and character from significant roads such as tourist routes. This direction is also reflected in the City's *Local Planning Strategy*. The subject land is visually prominent from Commonage Road and a structure plan should facilitate appropriate screening and separation of development.

*iii) Traffic and Pedestrian/Cycling Network*

The indicative development concept plan includes three access points from the subject to both Commonage and Genoli Roads. Pre-lodgement discussions suggested that only one additional crossover to Commonage Road would be supported. More detailed consideration of pedestrian/cycling connectivity to adjoining urban land is also warranted. The TIA will require review, including updated traffic counts and consideration of current and remaining subdivision activity/intersections to Commonage Road from Dunsborough Lakes.

Given the natural attributes of the subject land, the potential exists to create a neighbourhood that has a high degree of amenity and achieves a softer, 'greener' feel. This can be achieved, in part, through design elements of the road network, such as flush kerbing, appropriate use of cul-de-sacs, shared roads (dual use path is either not provided, or provided on one side of the street) where the street is low speed/low traffic volume to allow safe pedestrian use of the road and mews roads. This could also support the creation of an urban canopy throughout with space for street trees.

*iv) Stormwater Drainage & Management*

A Local Water Management Plan (LWMS) will be required to be submitted with a future structure plan application. Preliminary information included in the amendment documentation on the management of stormwater indicates that the existing creek line will be utilised as an outlet for drainage from the development. A LWMS will need to confirm there is sufficient capacity within the creek line to accept additional flows or that there is sufficient storage capacity within the development drainage system to manage that outcome. Drainage basins are nominated in POS areas and a LWMS will need to provide sufficient details on the proposed location of the basins to avoid clearing of vegetation.

*v) Commercial Site*

A 4,000m$^2$ commercial site is proposed to be located in northeast corner of the subject land. The amendment report suggests indicative land uses for the commercial site as including local shopping and tourist/food and beverage development. A commercial site of this size could potentially accommodate shops or a small supermarket with a retail floor space of around 2,000m$^2$. A more suitable location for a local or neighbourhood centre and the provision of local shopping needs is within the 'East Dunsborough Structure Plan' area in the vicinity of existing commercial development at Enterprise Park. A commercial site at this location would ideally be suited to an artisanal destination type food/beverage development and officers consider that there should be land use controls so that the site does not function as a more generalised local centre, such as a centre that might typically have a small-format supermarket as an anchor tenant.

The commercial site would have visual prominence to Commonage Road and be reliant on the Commonage/Genoli Road intersection for access (which is flagged as the primary site access in the traffic assessment report).

Officers are recommending that a structure plan for the land requires the preparation of a local development plan to address matters such as, but not limited to, the following: land use controls, location of car parking, pedestrian and vehicular/service access; amenity of the locality and surrounds; and landscape values and visual management considerations.

*vi) Bushfire Risk Management*

The BMP has been informed by the indicative development concept plan. As such, the document has mapped and classified post-development vegetation (based on land uses identified on the concept plan) and derived a bushfire attack level (BAL) assessment that maps developable areas at BAL-29 or lower.

The BMP makes assumptions about the management of future City land (public open space) and directs that a landscape management plan prepared at subdivision stage should ensure that the vegetation classification is maintained post-development.

A BMP that includes these assumptions and requires the management of public open space to support a BAL outcome is not supported by officers. The BMP will need to be revised accordingly prior to referral of the scheme amendment documents to the EPA and subsequent advertising.

*vii) Developable Area Adjacent to Commonage Road*

The indicative development concept plan identifies a linear residential cell between remnant vegetation to be retained in public open space and Commonage Road. The central section of the cell, adjacent to the section of Commonage Road between Biddle Road and Cornerstone Way, is relatively narrow. To achieve appropriate environmental, bushfire safety and Commonage Road visual landscape management outcomes may preclude development and will need to be investigated through structure planning.

*viii) Tourism Uses*

The indicative development concept plan flags tourism uses focused within remnant vegetation in the southeast and southwest of the site, including short stay accommodation. Proposals would be further explored through the structure planning process. Nature-based tourism, such as low-impact walk trails may have merit, however the prospective location of short stay accommodation within remnant vegetation is not supported by officers as it is inconsistent with environmental and bushfire risk management policies. Tourism proposals included in a structure plan for the land would need to respond to the relevant elements of the planning framework accordingly.

*ix) Planning Principles for Dunsborough Urban Expansion*

The DPLH recently provided advice on key planning principles to guide structure planning for the Dunsborough urban expansion area that are applicable to the subject land. Key planning outcomes and principles cited by the DPLH that are relevant to the consideration of the proposed Amendment are set out below under appropriate subheadings –

i) Key planning outcomes

- Remnant vegetation (including paddock trees and vegetation in the road reserves of Mewett Road, Genoli Road and Commonage Road) should be identified and retained wherever possible.
- Surface water creek lines and their foreshores will need to be retained, protected and enhanced.

ii) Key planning principles

- Detailed consideration of the future urban form, its character and relationship to the existing urban and rural environment, particularly when viewed from travel route corridors (i.e. avoid ‘sea of roofs’).
- Creation of neighbourhoods that have a unique appearance and character and have an urban design and architectural theme to create a sense of place, local identity and visual amenity.
- Appropriate setbacks and landscape screening of residential development from Commonage Road and adjacent rural land.
- Permeable and legible road and dual use path (pedestrian and cycle) networks, including the setting aside of Genoli Road and Mewett Road for non-traffic purposes.

- Retain and enhance remnant vegetation and minimise its loss, particularly for the Abba Complex which is below 30 percent of its original extent, and under State and Federal environmental policy are to be retained.

**Statutory Environment**

The key statutory documents relevant to this proposal include the *Planning and Development Act 2005,* the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the relevant objectives and provisions of the City of Busselton *Local Planning Scheme No. 21*. Each is discussed below under appropriate subheadings.

***Planning and Development Act 2005***

The *Planning and Development Act 2005* outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this Amendment.

Part 5, Division 4, section 87 (2) (b) of the Act provides that the Minister may direct the local government to modify a Scheme amendment in a manner the Minister specifies before the amendment is resubmitted for approval.

***Planning and Development (Local Planning Schemes) Regulations 2015***

The Regulations came into operational effect on 19 October 2015 and introduced deemed provisions for the preparation, advertising and approval of structure plans (which term includes precinct structure plans). Local governments are to have 'due regard' to approved structure plans when making decisions relating to subdivision and development.

The Regulations identify three different levels of amendments – basic, standard and complex. The resolution of the local government is to specify the level of the amendment and provide an explanation justifying this choice. This Amendment is considered to be a 'standard' amendment.

Two regulations direct matters where a scheme amendment includes land that has an approved structure plan. Part 5 regulation 35A reads (in part) –

> *"If an amendment to a local planning scheme affects the area to which a structure plan approved under the scheme relates, amendment must include a statement that, when the amendment takes effect –*
>
> *a) The approval of the structure plan is to be revoked."*

It is noted under this regulation that under the deemed provisions of local planning schemes set out in Schedule 2, regulation 29(A) states -

> *"(1) The Commission must, as soon as is reasonable practicable, revoke the approval of a structure plan if –*
>
> *(a) an amendment to this Scheme that affects the area to which the structure plan relates takes effect; and*
>
> *(b) the amendment includes a statement in relation to the structure plan under the Planning and Development (Local Planning Schemes) Regulations 2015 regulation 35A(a)."*

***Local Planning Scheme No. 21***

LPS21 sets out the aims for the Scheme area, and controls, regulates and guides orderly and proper land use and development. A local planning scheme is to be read in conjunction with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

At present LPS21 zones the subject land 'Light Industry' and Table 1: Zoning Table identifies the permissibility of land uses with the Light Industry zone. The Amendment proposes rezoning the subject land to 'Urban Development' zone; thereby providing a head of power for subsequent structure planning for the land to proceed and be determined.

The objectives of the 'Urban Development' zone as defined in clause 3.2 Zone Objectives of LPS21 are as follows –

*i. To designate land for future urban development and provide a basis for more detailed structure planning in accordance with this Scheme.*

*ii. To provide for a range of residential densities to encourage a diversity of residential housing opportunities.*

*iii. 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.*

*iv. 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.*

*v. To provide for a range of recreational, community, cultural and social facilities to meet the needs of a growing and diverse population.*

*vi. To provide for the protection of natural areas and habitats within urban areas.*

The subject land is also identified as Special Provision Area 31 (SP31), with reference as the 'Dunsborough Industrial Park', and outlines the requirement for a Structure Plan to be prepared prior to subdivision and development of the land.

**Relevant Plans and Policies**

The key plans and policies most relevant to the proposal include:

*i. State Planning Policy 6.1 Leeuwin-Naturaliste Ridge*

*ii. Leeuwin-Naturaliste Sub-regional Strategy 2019*

*iii. City of Busselton Local Planning Strategy 2019*

*iv. State Planning Policy 3.7: Planning in Bushfire Prone Areas and Guidelines for Planning in Bushfire Prone Areas*

*v. Dunsborough Industrial Park Structure Plan 2000*

*vi. Referral Guideline for 3 WA Threatened Black Cockatoo Species 2022*

Each is discussed below under appropriate subheadings.

**State Planning Policy 6.1 Leeuwin-Naturaliste Ridge**

SPP 6.1 provides the strategic planning framework for the Leeuwin-Naturaliste Region establishing the greater vision and guidance for land use distribution. The policy promotes sustainable development, conservation and land and resource management.

The SPP identifies the subject land as a 'Development Investigation Area' with the following applicable policy statement – '*LUS 1.3 Landscape buffers between the proposed Dunsborough light industrial area, adjoining uses and the tourist drive to Commonage will be established*'.

Commonage Road, adjacent to the subject land, is identified as a 'Travel Route Corridor with Rural Landscape Significance'.

**Leeuwin-Naturaliste Ridge Sub-Regional Strategy**

The purpose of the sub-regional strategy (LNSRS) is to provide direction and guidance to help meet the challenges of managing urban growth and tourism and balancing it with environmental and economic objectives over the next 20 years.

Originally published in 2019, the most recent amendment to the strategy resulted in, amongst other things, the land use designation of the subject land was changed from 'Rural' to 'Urban' on the Strategy Plan. The rationale provided for this change is that the subject land is considered more suitable for residential uses due to its proximity to other residential areas and schools. Land to the southeast of Commonage Road and adjacent to the subject land (east of Genoli Road) is also identified for urban development in the LNSRS and comprises the 'East Dunsborough Structure Plan' area.

**City of Busselton Local Planning Strategy**

The *Local Planning Strategy* (LPS) sets out the long term planning direction for the City and provides an overarching, strategic rationale for decisions related to the planning and development of the District. The LPS map is provided at Attachment N.

Table 4 of the LPS refers to the industrial/service commercial area framework for the City and the subject land is identified on the Strategy map as Area 10. The following key issues for consideration are listed for the subject land -

*a) Currently undeveloped - zoned with an endorsed structure plan.*

*b) Potential development impacts including proximity to residential/tourist uses and accessibility.*

*c) Land to be investigated for urban expansion and the associated relocation of the Light Industrial Area to a more suitable location as part of the planned Dunsborough Planning Investigation Area (15) and the Dunsborough Townsite Strategy, with consideration for rezoning upon completion of planning investigation area requirements.*

Part B of the LPS notes that subdivision and development for industrial purposes has not progressed nor is likely to at this location. The LPS also notes that it may be difficult to deliver all of the demand for industrial land in the Dunsborough Planning Investigation Area which suggests that capacity will need to be found elsewhere. Some of that capacity will be available in the Vasse LIA (which contains land that is zoned with an approved structure plan, but yet to be subdivided) and the Busselton-Vasse Urban Area at Chapman Hill (4) (appropriately zoned with an approved structure plan, but yet to be subdivided), Chapman Hill (7), Airport North (1) (appropriately zoned with an approved structure plan, but yet to be subdivided), Airport North Extension (6) and Airport South (8). Although the LPS pre-dates the most recent amendments to the LNSRS, strategy (c) above is generally consistent with the 'Urban' designation of the subject land by the LNSRS.

Theme 4 Environment, landscape and heritage sets out the following strategies that are relevant to consideration of the proposal –

*a) Protect and enhance the habitat of native fauna, native vegetation, waterways and wetlands as part of the planning and development of the District.*

*d) Support the long term survival of the District's Western Ringtail Possum population, especially the population within urban areas.*

*j) Protect and enhance the visual character of the District by avoiding the further commercialisation of land use and development visible from:*

*ii) regional roads, strategic local roads and travel route corridors (as defined in the Leeuwin Naturaliste Ridge State Planning Policy); as well as providing, wherever possible and consistent with maintaining landscape and visual character values, screening landscaped buffers where development is being undertaken in locations visible from those sites, roads and travel routes.*

*l) Protect and enhance Aboriginal and European historical and cultural heritage as part of the planning and development of the District.*

**State Planning Policy 3.7 Planning in Bushfire Prone Areas and Guidelines for Planning in Bushfire Prone Areas**

State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the associated Guidelines assist in reducing the risk of bushfire to people, property and infrastructure by encouraging a conservative approach to strategic planning, subdivision, development and other planning proposals in bushfire prone areas. The proposal has had due regard to SPP 3.7 and demonstrates that bushfire risk can be managed within the subject land.

**Dunsborough Industrial Park Structure Plan**

As required by LPS21 (SP31), a Structure Plan was prepared for the subject land and approved in 2000. The Structure Plan proposed retention of most of the remnant vegetation with 'rural use' in the western half of the land, and industrial subdivision and landscape buffer to Genoli Road in the remaining eastern portion. Tree farm areas, public open space and landscape/vegetation buffers to Commonage Road and adjoining lots to the south are also included on the Structure Plan, as well as a requirement that reticulated water and sewer is provided to the industrial lots.

Pursuant to the Regulations (2015), the Structure Plan will expire in 2025. It will, however, require revocation when Amendment 58 comes into effect.

**Federal Government Referral Guideline for 3 WA Threatened Black Cockatoo Species**

The document provides guidance on what actions are likely and unlikely to require referral to the Minister for the Environment because they would have a significant impact on black cockatoos. The guideline also provides details on the types of things that need to be considered when determining whether or not the proposal needs to be referred.

Of relevance to the proposal is Table 3 'Referral thresholds for black cockatoos' which sets out the following –

| Attribute | Referral Threshold | Reasons |
|---|---|---|
| Breeding | Any loss of/impact upon known, suitable or potential nesting trees, and the habitat around these trees, is highly likely to require a referral to the minister. | As identified in the conservation planning documents, clearing of breeding habitat is a known threat to the 3 species as a lack of breeding hollows is a limiting factor. Habitat loss, habitat degradation, lack of recruitment, fire and competition are causing the scarcity of nesting resource. |

**Financial Implications**

There are no financial implications associated with the officer recommendation.

**Stakeholder Consultation**

If the Council resolves to initiate the Amendment, the relevant Amendment documentation would be referred to the Environmental Protection Authority (EPA) for consideration of the need for formal assessment under Part IV of the *Environmental Protection Act 1986*. Should the EPA resolve that the Amendment does not require formal assessment, the Amendment will be advertised for 42 days in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**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. Adopt the Amendment without modification.
2. Seek further information before making a decision.
3. Refuse to adopt the Amendment for advertising and provide justification for such a decision.

The officer assessment has not revealed any substantive issue or reasonable grounds that would support the above options.

**CONCLUSION**

Amendment 58 seeks to rezone the land consistent with the strategic direction set out in the applicable State and local planning framework, namely the WAPC's *Leeuwin Naturaliste Sub-regional Strategy* and the City's *Local Planning Strategy.*

Officers are recommending that the Council adopts the Amendment, subject to the modifications included in the Officer Recommendation, for referral to the EPA and advertising.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The implementation of the Officer Recommendation would require referral to the EPA and that would occur within one month of the Council decision.




City of Busselton
Geographe Bay

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Location Plan

15/02/2023

1:31414 @ A4L

N




City of Busselton
Geographe Bay

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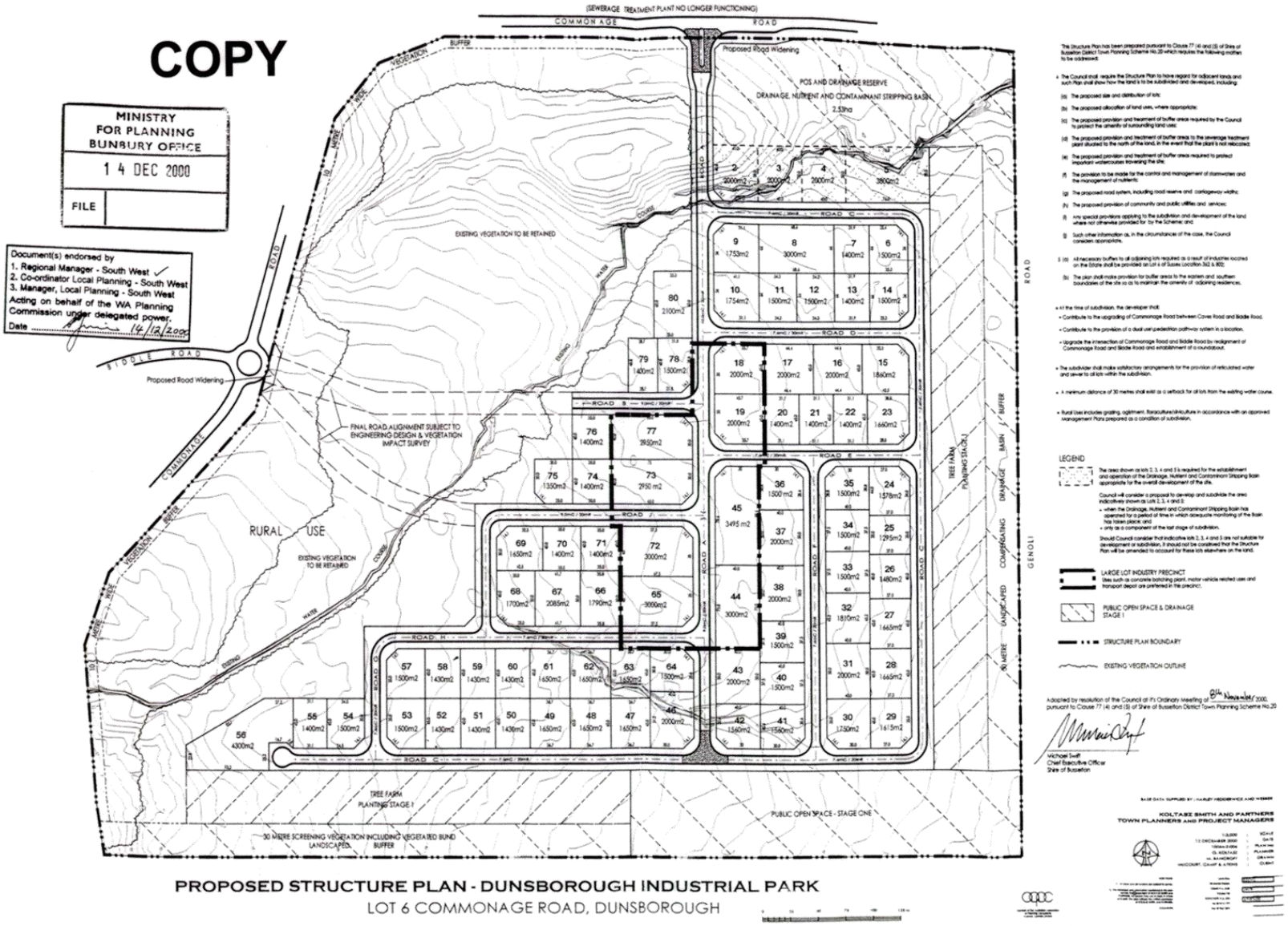
15/02/2023

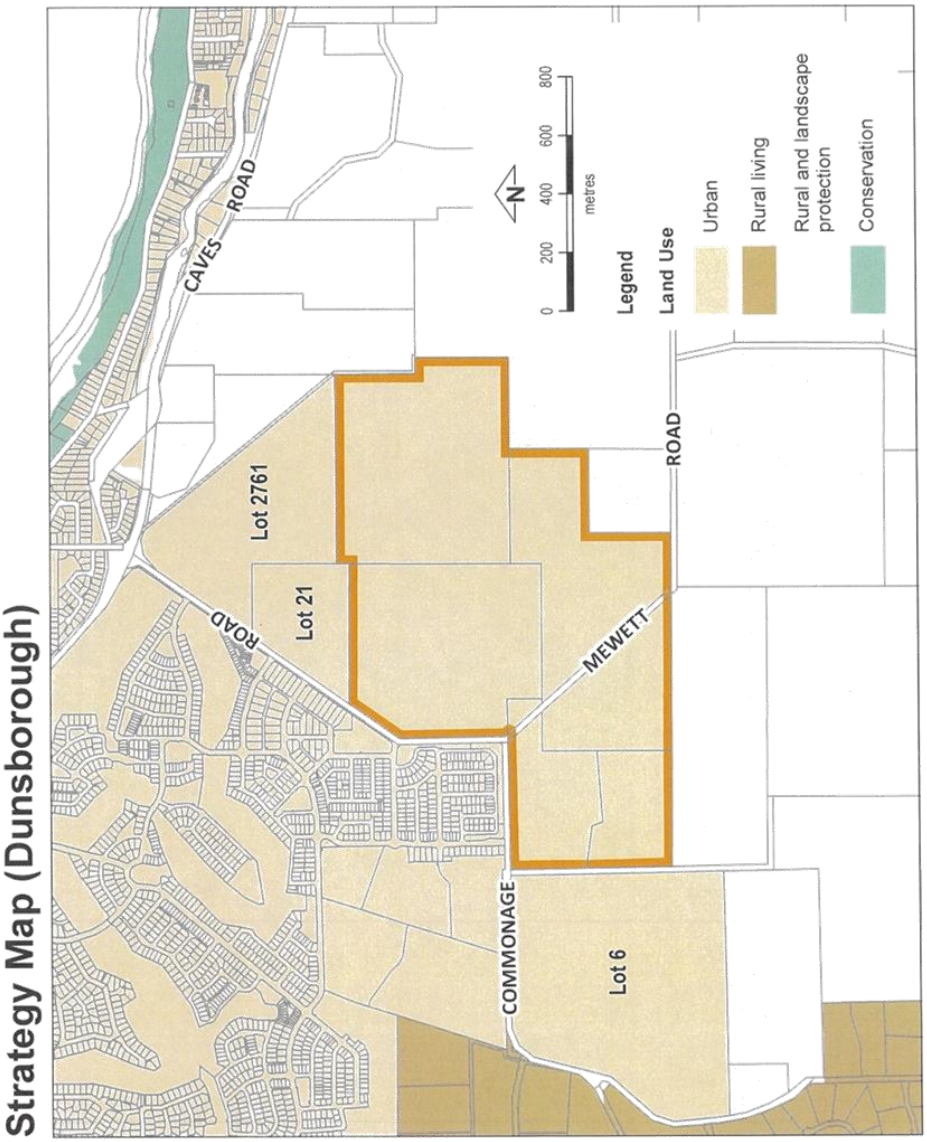
1:6588 @ A4L

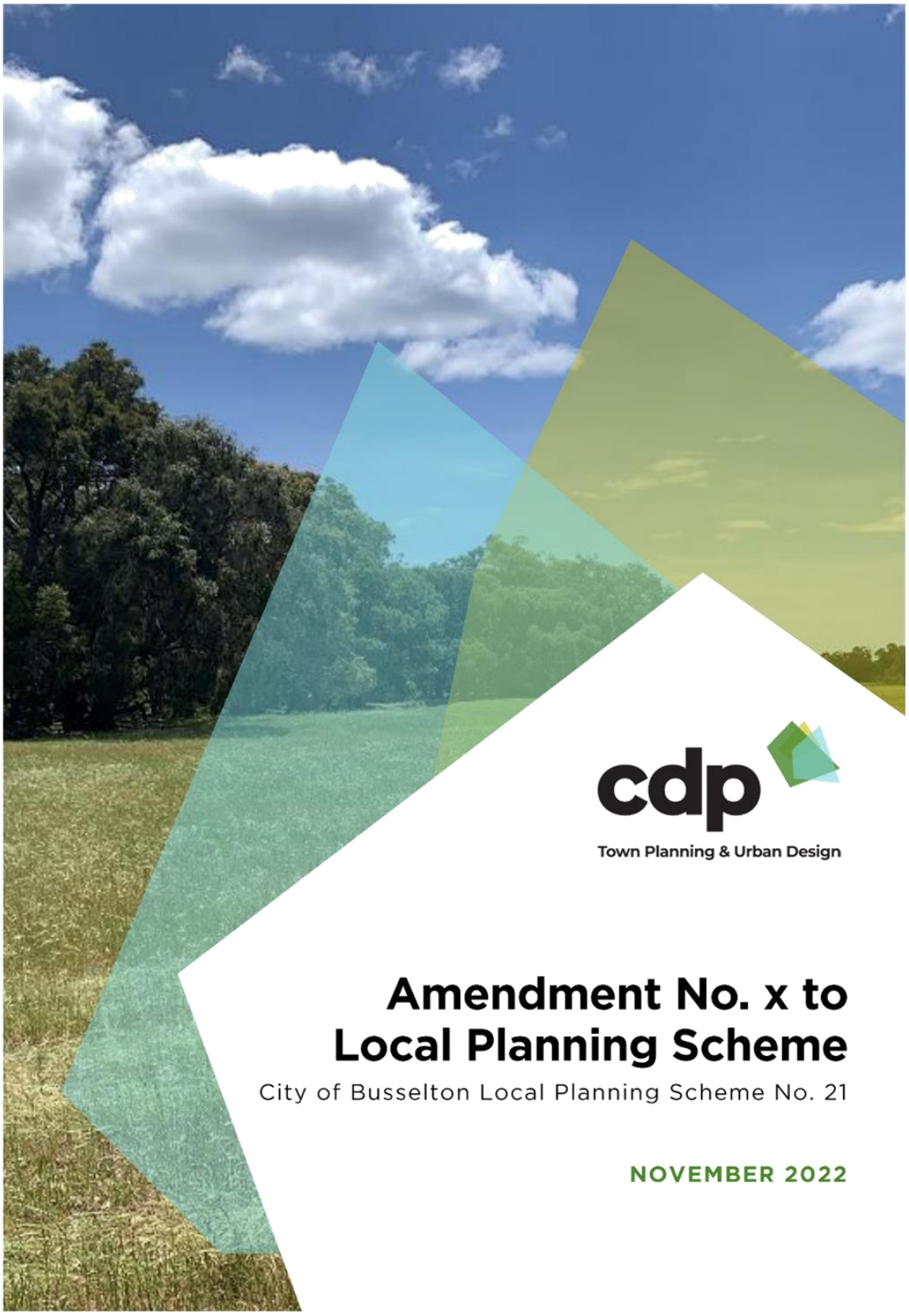
N




**PROPOSED STRUCTURE PLAN - DUNSBOROUGH INDUSTRIAL PARK**

LOT 6 COMMONAGE ROAD, DUNSBOROUGH


Strategy Map (Dunsborough)
CAVES ROAD
Lot 2761
Lot 21
ROAD
MEWETT
ROAD
COMMONAGE
Lot 6
N
0
200
400
600
800
metres
Legend
Land Use
Urban
Rural living
Rural and landscape protection
Conservation



cdp
Town Planning & Urban Design

# Amendment No. x to Local Planning Scheme

City of Busselton Local Planning Scheme No. 21

NOVEMBER 2022

# Amendment No. x to Local Planning Scheme.

City of Busselton Local Planning Scheme No. 21

**NOVEMBER 2022**

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**CDP Project Ref. UrqDu**
**DOCUMENT STATUS**

| Revision | Comment | Prepared | Reviewed | Issued |
|---|---|---|---|---|
| 0 | Draft for client review | DM | KB | 09/06/2022 |
| 1 | Revised draft | DM | KB | 18/10/2022 |
| 2 | Incorporate spring survey results | DM | KB | 20/10/2022 |
| 3 | Finalise for final client review | DM | KB | 17/11/2022 |
| 4 | Update annotations on indicative concept | DM | KB | 30/11/2022 |

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# City of Busselton

## Local Planning Scheme No. 21
## Amendment No. X

*Rezone Lot 6 on Diagram 71498 from 'Light Industry' to 'Residential Development'*

*Remove Lot 6 Commonage Road, Quindalup, from the 'Light Industry' zone and 'Special Provision Area 31' (SP 31) and include it within the 'Residential Development' zone to facilitate residential and related land development. Delete 'Special Provision Area 31' from Schedule 3.*

FORM 2A

*Planning and Development Act 2005*

**RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME**

**City of Busselton Local Planning Scheme No. 21**
**Amendment No. x**

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Rezoning Lot 6 on Diagram 71498, being Lot 6 Commonage Road, Quindalup, from 'Light Industry' to 'Residential Development' and removing 'Special Provision Area 31'.

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

1. It relates to a zone that is identified in the scheme and is consistent with the objectives for that zone.
2. It is consistent with the local planning strategy endorsed by the Commission and with the Leeuwin-Naturaliste Sub-regional Strategy (as amended December 2021) in relation to the subject land.
3. The proposed 'Urban Development' zone will result in development with lower impact on the surrounding locality than the current 'Light Industry' zone and will require preparation of a structure plan to address contemporary environmental, servicing, and urban design issues including interface with the surrounding locality prior to any subdivision or development being permitted.

Dated this _____ day of _____ 2022

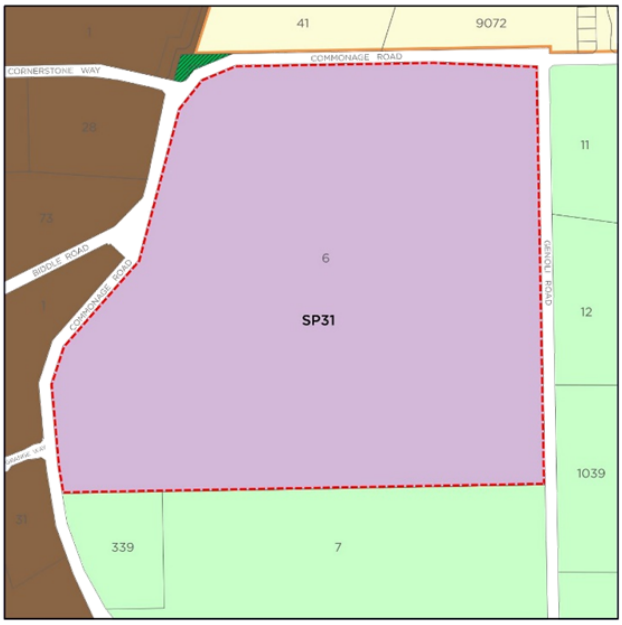
_____
(Chief Executive Officer)

# Amendment Map.

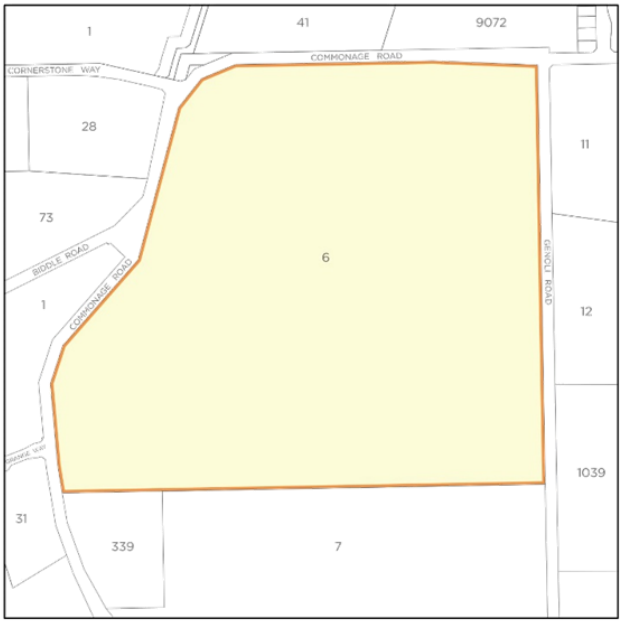


# SCHEME MAP AMENDMENT

City of Busselton
Local Planning Scheme No.21
Amendment No. XX




EXISTING ZONING




PROPOSED ZONING

**LEGEND**

**LOCAL SCHEME RESERVES**

RECREATION

**LOCAL SCHEME ZONES**

LIGHT INDUSTRY

RURAL

RURAL RESIDENTIAL

URBAN DEVELOPMENT

**OTHER CATEGORIES**

SP31 SPECIAL PROVISION AREA

NORTH

Scale: 1:10 000 @ A4

0 100 200 300m

Date: 05/05/2022 Plan: URQDU-7-001


Amendment Report.

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## 1. Introduction

Lot 6 Commonage Road is a 53.98 hectare parcel of land situated on the east and south of Commonage Road and west of Genoli Road, Qunidalup.

In 2000 a structure plan was approved for industrial development of the subject land, consistent with the current 'Light Industry' zoning and requirements of 'Special Provisions Area 31' as defined by City of Busselton Local Planning Scheme No. 21 (LPS 21). Development for this purpose has not proceeded due to lack of demand and better located land elsewhere that is suitable for industrial and service commercial land uses. The Leeuwin-Naturaliste Sub-regional Strategy has identified an area in Vasse as a suitable location for industrial and service commercial development to service the Dunsborough area.

Demand for residential land in and around Dunsborough continues to increase, however, and the need for additional land for housing has been acknowledged in recent strategic planning documents.

This report outlines the proposal to amend LPS 21 by rezoning Lot 6 on Diagram 71498 (the subject land) from 'Light Industry' to 'Urban Development' as contemplated by the *Leeuwin-Naturaliste Sub-regional Planning Strategy*.

## 2. Site Description

### 2.1 Location

The subject land is situated on the south and east of Commonage Road, which is an important traffic route connecting Dunsborough with rural and tourist land uses to the south and west. It is located approximately 2.5 kilometres due south of the Dunsborough town centre. The eastern boundary of the subject land is defined by Genoli Road.

### 2.2 Ownership

Lot 6 on Diagram 714998 is the subject of Certificate of Title 1769/626. The current owners are Elizabeth May Atkins, Luke Frederick Atkins, and Arianne de Lisle Morley, who are tenants-in-common as executors of the estate of Peter Henry Atkins.

### 2.3 Current & Surrounding Land uses

The subject land has historically been used for grazing, with large areas cleared of native vegetation. Evidence of farming use remain, with several tanks, fences, yards, and minor sheds extant. Some reasonably contiguous stands of native vegetation remain, along with some isolated individual trees.

On the north side of Commonage Road, the Dunsborough Lakes Structure Plan area is being progressively developed for residential, 'restricted business and office', and related uses such as schools and playing fields, as well as an extensive golf course.

East of Genoli Road a number of smaller 'Rural' zoned lots include some tourist-related uses such as Simmo's Ice Creamery and Dunsborough Rail Carriages and Farm Stay.

West of Commonage Road in the locality of Quedjinup is an extensive area of 'Rural Residential' zoned land, which is generally well vegetated, and within which are situated numerous tourist-related uses such as short-stay accommodation, artists' studios, and vineyards.

A private school has been built within this area on Cornerstone Way, near the corner of Commonage Road.

Neighbouring lots to the south are heavily vegetated with natural bushland and are zoned 'Rural'.

### 2.4 Site Characteristics

#### *2.4.1 Topography*

The subject land is relatively flat, with a gentle incline from a high point of approximately 25 metres AHD in the south-west corner to a low of about 14 metres AHD in the north-eastern corner. There are two principal drainage channels/creeks crossing the site. An orthophoto of the subject land is provided in **Figure 1**.

#### *2.4.2 Soils*

**Soil System**

The subject land is located within the Abba soil system, two phases or sub-systems of which are present:

- Abba deep sandy rises (213AbABd) – Gently sloping low dunes and rises (0-5% gradients) with deep bleached sands.
- Abba flats (213AbAB1) - Flats and low rises with sandy grey-brown duplex (Abba) and gradational (Busselton) soils.

### Site Classification

Geotechnical investigation noted variable soil conditions across the site with two consistent zones:

Zone A (northern and southwest portion of the site) comprise Bassendean Sand over Guilford Formation. Sand is loose to very dense, and the thickness varies from 0.2 m >2 m.

Zone B: (middle east section of the site). Comprises generally a thin layer of dense to very dense clayey sand, over interbedded layers of sand, clayey sand and sandy clay. In one test pit (TP 12), sandy silt was identified at a depth of between 0.15 m and 0.75 m.

The site has a classification of "S" except for one small area around TP 12 which was "M". This area can be improved to "S" with the removal of the silty material.

### Acid Sulphate Soils

Acid sulphate soils have been detected on site. Therefore, a detailed acid sulphate soil study and management plan will be required. Any future site works will have to be managed to minimise the risk of exposing ASS to atmospheric oxygen, which can cause oxidisation and consequential damage to environmental health and infrastructure.

## *2.4.3 Vegetation*

### Vegetation Complex

Ecosystem Solutions[1] prepared a desktop environmental assessment of the subject land (Refer to **Appendix 1**). Vegetation complex mapping identifies Abba Complex as the only complex within the subject land, described as follows:

- Abba Uplands (AB) - A mixture of open forest of *Corymbia calophylla* (Marri) - *Eucalyptus marginata* (Jarrah) - Banksia species and woodland of *Corymbia calophylla* (Marri) with minor occurrences of *Corymbia haematoxylon* (Mountain Marri). Woodland of *Eucalyptus rudis* (Flooded Gum) - Melaleuca species along creeks and on flood plains.

The vegetation complex mapping for the Abba Uplands vegetation complex boundary is consistent with the soil mapping boundaries of the Abba flats and deep sandy rises.

### Threatened & Priority Flora

Database searches identified the potential for up to 20 threatened species to occur within a ten kilometre radius of the subject land. Ecosystem solutions conducted a site survey in December 2021[2] assessed the condition of vegetation and checked for significant flora species and threatened ecological communities (TECs). A spring survey was then conducted during August, September, and October 2022, the optimal time of year, using the same relevé sites[3] (refer to **Appendix 2**). Although a number of additional species were identified during the spring survey (both endemic and introduced), no threatened or priority flora species were identified. The investigation concluded that it is unlikely that the proposed development will significantly impact on any conservation significant species, as the indicative concept plan indicates retains most of the remnant vegetation within reserves.

---

[1] (Ecosystem Solutions, Sep 2022)
[2] Ibid.
[3] (Ecosystem Solutions, Oct 2022)

#### Threatened & Priority Ecological Communities

The site survey observed two vegetation communities within the subject land:

- *Corymbia calophylla, Agonis flexuosa, Eucalyptus patens* and *Eucalyptus marginata* open forest, which is the majority of the vegetation within the Lot.
- *Melaleuca preissiana, Allocasuarina fraseriana* and *Nuytsia floribunda* open forest, located along the drainage area in the north-west corner of the Lot.

The species identified within the subject land have the characteristics of the Abba Uplands vegetation complex and are considered vulnerable due to the limited amount of this complex remaining, particularly within conservation areas. However, the subject land does not have the characteristics of any of the TECs identified as having the potential to occur within the area.

There is potential for the Swan Coastal Plain Paluslope Wetlands Priority 1 Protected Ecological Community (PEC) to occur within the subject land, as supported by the presence of some associated species that prefer wet locations. Due to grazing by cattle and kangaroos the understorey is lacking, so there is a possible underrepresentation of wetland species. Historical modifications to drainage may have altered site hydrology.

#### Condition of Vegetation

About 67% of the site is assessed as 'completely degraded', having been cleared for grazing with only scattered trees remaining. A further 7% of the site is assessed as 'degraded'. 24% is assessed as 'good', 0.3% as 'very good', and 1.4% as 'excellent'. None of the subject land is assessed as 'pristine'.

The areas of better-quality vegetation have informed the location of proposed conservation areas and public open space in preliminary concept planning for residential development.

Clearing of native vegetation for any but exempted purposes will require approval under the *Environmental Protection Act 1986*.

### 2.4.4 *Fauna*

A desktop study and database search were undertaken by Ecosystem Solutions[4] to determine the presence or likely presence of fauna or fauna assemblages within the subject land. Analysis of the results of the database searches show that conservation significant fauna species likely to be within or utilising the subject land include *Pseudocheirus occidentalis* (Western Ringtail Possum). The three Black Cockatoo species, *Calyptorhynchus banksii naso* (Forest Red-tailed Black Cockatoo), *Calyptohrynchus baudinii* (Baudin's Cockatoo) and *Calyptorhynchus latirostris* (Carnaby's Cockatoo) or their habitat are also likely to occur within the area.

With these species in mind, a field study of the site was conducted, concentrating on areas most likely to be within future development areas.

The surveys took place over multiple days in late 2021 and 2022 at different times of the day. Western Ringtail Possums and Black Cockatoos were observed at various times.

Trees with hollows or potential hollows were identified, including one with multiple hollows and signs of wear indicating potential roosting. Given that Black Cockatoos can range over a considerable distance from their nesting sites and the presence of large areas of their preferred

[4] (Ecosystem Solutions, Sep 2022)

habitat in the area, it is unlikely that they are dependent on the trees within the subject land for nesting or food source.

Ecosystem Solutions assessed the likely impacts for the key protected species to determine whether they would meet the criteria for referral under the *Environmental Protection and Biodiversity Conservation Act*. The recommendation is that a referral pursuant to the EPBC Act is not required, as actions involved do not constitute a significant impact on any of the threatened species present.

### 2.4.5 *Surface Water*

The subject land has not been formally mapped for the presence of wetlands however part of it is likely to be classified as seasonally waterlogged palusplain. Hydrology on the subject land has been modified by historical clearing and drainage. Local Planning Policy 2.2 relating to the current 'Light Industry' zone on the subject land include provisions relating to prevention of polluting groundwater and protection of watercourses and remnant vegetation, reflecting the need for future development to respond appropriately to the land's hydrology (see **3.2.3**).

A structure plan will have to address the presence, quality and function of any identified wetlands, and proposed development would be expected to respond to ecological sustainability and best water management practice.

### 2.4.6 *Aboriginal Heritage*

The subject land is located within Noongar country on Wadandi Boodja. No registered or other sites of Aboriginal heritage significance have been mapped on the subject land.

The site survey in December 2021[5] identified some trees that appear to have been marked, which could be an indicator of Aboriginal cultural heritage (see **Appendix 1**). It is therefore recommended that as part of a future structure planning process, a suitable archaeologist conducts a cultural heritage survey to determine the significance, if any, of the markings. Should cultural significance be identified, suitable management measures will be incorporated into the structure plan as required.

### 2.4.7 *Historic Heritage*

No places of historic heritage significance have been identified on the subject land.

[5] (Ecosystem Solutions, Sep 2022)

***Figure 1. Orthophoto***



# 3. Planning Context

## 3.1 State & Regional Planning Context

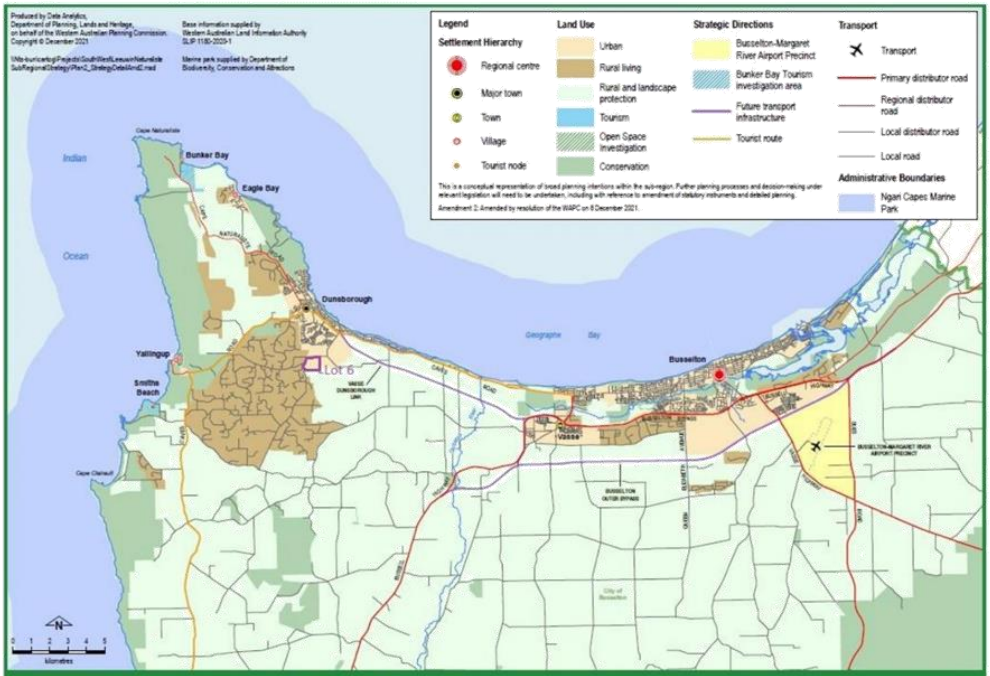
### 3.1.1 *Leeuwin-Naturaliste Sub-regional Strategy*

The purpose of the sub-regional strategy (LNSRS) is to provide direction and guidance to help meet the challenges of managing urban growth and tourism and balancing it with environmental and economic objectives over the next 20 years.

Originally published in 2019, the strategy has been amended twice, most recently in December 2021 when, inter alia, the land use designation of the subject land was changed from 'Rural' to 'Urban' on the Strategy Plan. The rationale given for this change is that the subject land should be considered for alternative uses to light industry, including residential, due to its proximity to other residential areas and schools and the lack of demand for industrial uses over many years. Other land to the east of the subject land was also identified as 'Urban'.

**Figure 2** is an extract of the LNSRS with the subject land indicated (purple outline), showing it within the urban area.

***Figure 2. Extract Leeuwin-Naturaliste Sub-regional Strategy 2021***




*Strategy Plan - Geographe Bay (detail)*

## 3.2 Local Planning Context

### 3.2.1 *Shire of Busselton Local Planning Strategy 2019*

The Local Planning Strategy was adopted by the City of Busselton Council in September 2016 and was endorsed by the Western Australian Planning Commission in March 2020. It sets out the broad planning direction for the next 25 years, as at the date of approval, and is intended to provide a

strategic rationale for decisions relating to planning and development including the progressive review of the local planning scheme.

The local planning strategy is subject to review every five years to ensure that it stays relevant and adequately reflects higher order planning objectives such as those outlined in the more recent *Leeuwin-Naturaliste Sub-regional Strategy*.

Table 4 of the local planning strategy refers to the industrial/service commercial area framework for the City of Busselton and the subject land is identified on the Strategy Map as Area 10. **Table 1** is an extract of Table 4.

Inclusion of the subject land in 'Dunsborough Investigation Area 15' (referenced in **Table 1**) is an acknowledgement that although the Dunsborough Light Industrial Area is appropriately zoned for that purpose, "subdivision and development for industrial purposes has not progressed nor is likely to at this location, largely due to environmental constraints." Alternative land is to be identified to provide for the future needs of Dunsborough for industrial and service commercial purposes. These are most likely to be in Vasse and Busselton.

It is important to note that the local planning strategy pre-dates the most recent amendments to the *Leeuwin-Naturaliste Sub-regional Strategy* (see **3.1.1**). This is significant because references in the local planning strategy to the subject land being included within a Planning Investigation Area are now out-of-date. When the local planning strategy is next updated, it can be expected that this and other amendments to the *Leeuwin-Naturaliste Sub-regional Strategy* will be reflected accordingly.

***Table 1. Extract Table 4 of Local Planning Strategy***

| Industrial/service commercial area type | Industrial/service commercial area | Map ref. | Timeframe | Key issues |
|---|---|---|---|---|
| Light Industrial Area | Dunsborough Light Industrial | 10 | Existing/ current | Currently undeveloped and is appropriately zoned with an endorsed structure plan.<br>Potential development impacts including proximity to residential/ tourist uses, and accessibility.<br>Land to be investigated for urban expansion and the associated relocation of the Light Industrial Area to a more suitable location as part of the planned Dunsborough Planning Investigation Area (15) and the Dunsborough Townsite Strategy, with consideration for rezoning upon completion of planning investigation area requirements. |

### *3.2.2 Shire of Busselton Local Planning Scheme No. 21*

The greater part of the subject land is currently zoned 'Light Industry' in LPS 21. Table 1 of LPS 21 – the Zoning Table – identifies the permissibility of land uses within the 'Light Industry' zone.

A very small portion of the lot in its north-west corner is separated from the main part of the landholding by the Commonage Road reserve, which was realigned at some point to remove a sharp corner and create the current sweeping curve. This small, separated portion is reserved for 'Recreation' and no change is proposed by this Amendment for that land.

In addition, the subject land is identified as 'Special Provision Area 31' in Schedule 3 of LPS 21, which refers to it as the 'Dunsborough Industrial Park' and outlines the requirement for a Structure Plan to be prepared before and subdivision or development of the land can be approved.

The relevant provisions of Schedule 3 are reproduced in **Table 2**. Some of these provisions can be considered relevant regardless of the underlying zone, as discussed further in **3.2.4**.

***Table 2. Special Provision Area 31 requirements***

| No. | Particulars of Land | Zone | Special Provisions |
|---|---|---|---|
| 31 | Lot 6 Commonage Road, Quindalup | Light Industry | 1. The intent of the Dunsborough Industrial Park is to establish an innovative, industrial estate which caters for a wide range of service and industrial activities together with other urban-based, service commercial and industrial activities which are required to cater for the existing and future industrial and service needs of the Dunsborough and surrounding districts.<br>2. a) Prior to approving the subdivision or development of land within the Dunsborough Industrial Park, the local government shall require the preparation and adoption, under the provisions of Part 4 of the Deemed Provisions, of a Structure Plan for the land.<br>b) The Structure Plan must obtain the endorsement of the Western Australian Planning Commission prior to coming into effect.<br>c) Where the local government rejects the Structure Plan, or attaches conditions or requires modification which the applicant considers unreasonable, the applicant shall have the right of review pursuant to Part 14 of the Act.<br>d) Prior to exercising any right of review pursuant to Part 14 of the Act, against a decision of the local government the proponent shall submit the Structure Plan and the local government's resolution to the Western Australian Planning Commission and request the Western Australian Planning Commission to make a determination.<br>e) Where the Commission or the local government attaches conditions or requires modification which the applicant considers unreasonable, the applicant shall have the right of review pursuant to Part 14 of the Act.<br>3. The local government shall require the Structure Plan to have regard for adjacent lands and such Plan shall show how the land is to be subdivided and developed, including –<br>a) The proposed size and distribution of lots;<br>b The proposed allocation of land uses, where appropriate;<br>c) The proposed provision and treatment of buffer areas required by the local government to protect the amenity of surrounding land uses;<br>d) The proposed provision and treatment of buffer areas to the sewerage treatment plant situated to the north of the land, in the event that the plant is not relocated;<br>e) The proposed provision and treatment of buffer areas required to protect important watercourses traversing the site;<br>f) The provision to be made for the control and management of stormwaters and the management of nutrients;<br>g) The proposed road system, including road reserve and carriageway widths;<br>h) The proposed provision of community and public utilities and services;<br>i) Any special provisions applying to the subdivision and development of the land where not otherwise provided for by the Scheme; and<br>j) Such other information as, in the circumstances of the case, the local government considers appropriate.<br>4. a) All necessary buffers to all adjoining lots required as a result of industries located on the Estate shall be provided on Lot 6 of Sussex Location 362 & 802;<br>b) The Plan shall make provision for buffer areas to the eastern and southern boundaries of the site so as to maintain the amenity of adjoining residences. |

It is relevant to note that neighbouring lots to the east of Genoli Road have also been identified as future 'Urban' by the LNSRS but unlike the subject land is still zoned 'Rural' in LPS 21.

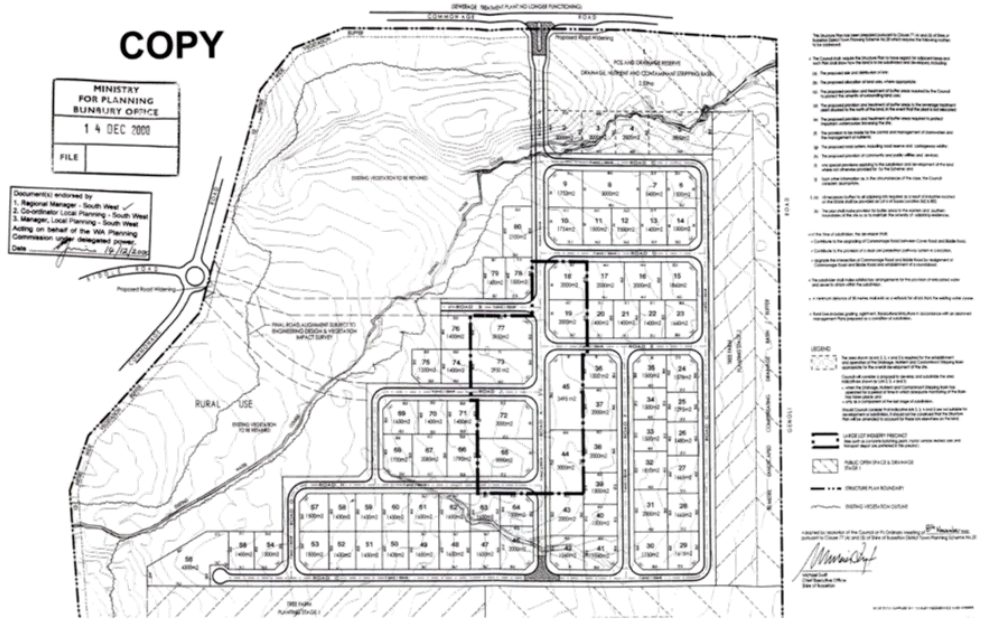
### 3.2.3 *Dunsborough Service & Trades Industrial Park Structure Plan*

As required by the provisions of SPA 31 (**Table 2**), a structure plan was prepared for the subject land and approved in 2000. A copy of the structure plan map is reproduced in **Figure 3**. This plan proposed retention of much of the remnant vegetation with 'rural use' and creation of industrial lots on the east side and a landscaped buffer along Genoli Road. A roundabout in Commonage Road at the intersection with Biddle Road was contemplated to accommodate a possible road connection into the subject land from the west, subject to detailed environmental investigations to assess impact on vegetation and habitat.

Development of industrial land in this area is no longer considered appropriate and the lack of progress of this development is evidence that is not a viable location for this purpose.

This structure plan will expire in October 2025.

***Figure 3. Dunsborough Service & Trade Industrial Park Structure Plan Map***




### 3.2.4 *Local Planning Policy 2.2 Industrial Development*

This local planning policy (LPP) identifies the subject land as 'Special Industrial Precinct No. 2' or the 'Dunsborough Service and Trades Industrial Park Precinct'. The precinct was formed due to its location on 'the sensitive urban/rural fringe area of Dunsborough/Quindalup', requiring special co-ordination and control on industrial development.

In addition to the provisions of Schedule 3 of LPS 21 (**Table 2**), the LPP outlines objectives, procedures and land uses considered permissible and desirable along with those considered inappropriate.

In the context of this rezoning proposal, the key items of relevance in this policy are:

- Support for "dry" activities that will not impinge on available water resources for residential use or lead to pollution of any water resource.

- A desire to protect the scenic and amenity values of the area and particularly Commonage Road and Genoli Road.
- Protection of environmental and conservation values of watercourses, groundwater sources and remnant vegetation.

These are all matters that can be managed as well or better within urban development of the subject land than industrial.

### 3.3 Bushfire

The subject land is mapped as 'bushfire prone'. It is a requirement of *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* that proposed subdivision in bushfire prone land include preparation and implementation of an approved bushfire management plan (BMP).

Ecosystems Solutions[6] prepared a preliminary BMP to detail the fire management methods and requirements that will be implemented in future urban development (refer to **Appendix 3**). This process involved classification and slope of all vegetation within 150 metres of and within the subject land.

The indicative development concept (refer to **4.2**) was used to determine the likely classification of vegetation post development. This allows for an assessment of the bushfire attack level (BAL) for future development, which in turn determines the required standards for future housing and implications for the management of future vegetated areas such as public open space. At each stage of planning, this assessment is more detailed.

The initial BMP concluded that provided the management outlined within it is adopted, the layout and design of the future development is such that no structure will be required to be exposed to a radiant heat flux in excess of BAL-29.

The BAL (bushfire attack level) contour map from the BMP is reproduced in **Figure 4**.

[6] (Ecosystems Solutions, Sept 2022)

***Figure 4. BAL Contours***



## 4. Proposal

### 4.1 Description

The subject land has been zoned 'Light Industry' since prior to the gazettal of LPS 21 in October 2014, but like over 80% of industrial zoned land in the City of Busselton, remains undeveloped.

It is proposed to rezone the land to 'Urban Development' on the Scheme Map. In addition, it is proposed to delete 'Special Provision Area 31' from Schedule 3 of the Scheme Text as it will no longer be required.

The objectives of the 'Urban Development' zone are defined in 3.2 of LPS 21 as follows:

(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.*

A structure plan would be prepared in accordance with the requirements of the deemed provisions of LPS 21, set out in Part 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* As set out in these provisions, as structure plan must include the following information:

- the key attributes and constraints of the area covered by the plan including the natural environment, landform and the topography of the area
- the planning context for the area covered by the plan and the neighbourhood and region within which the area is located
- any major land uses, zoning or reserves proposed by the plan
- estimates of the future number of lots in the area covered by the plan and the extent to which the plan provides for dwellings, retail floor space or other land uses
- the population impacts that are expected to result from the implementation of the plan
- the extent to which the plan provides for the coordination of key transport and other infrastructure
- the proposed staging of the subdivision covered by the plan.

### 4.2 Indicative Development Concept

Based on the desktop and preliminary site investigations an indicative development concept has been prepared showing how the subject land could be developed for primarily residential purposes (see **Figure 5**).

The concept plan provides for the conservation of the majority and best quality remnant native vegetation within public open space that also follows natural drainage channels and maintains an ecological link with bushland on neighbouring land. Further retention of many isolated good quality trees could be achieved within road reserves and within development sites, with trees being removed only where absolutely necessary.

Development would be concentrated on the already cleared parts of the site. The scenic qualities of Commonage Road would be conserved and enhanced through a combination of tree retention, public open space provision, and larger lots adjacent to the road, responding to the Rural-Residential land opposite. A 20 metre wide landscaped pedestrian accessway is intended along Commonage Road to manage the visual interface in accordance with City of Busselton requirements. A public open space buffer would protect the visual amenity of Genoli Road, which has an excellent avenue of large trees within its road reserve that will be conserved and/or supplemented wherever possible.

It is estimated that development of the land would yield approximately 500 residential lots of varying sizes although this is subject to more detailed design as part of a structure plan. Heavily vegetated land in the south-east and south-west parts of the lot would be retained and potentially provide for tourism uses such as short-term accommodation. This also provides a transition to the more heavily vegetated 'Rural' zoned land to the south.

A small commercial centre in the north-east of the future estate could provide local shopping and tourist/food and beverage development.

It is important to note that the indicative concept is preliminary and should not be interpreted as representing a final design. Details of the indicative development concept would be refined through the structure planning process required by the proposed 'Urban Development' zone. This process would confirm the amount and disposition of public open space, land uses, roads and water management based on further technical studies and consultation. Structure plans and their informing studies are referred to relevant agencies and publicly advertised as part of the approval process.

#### *4.2.1 Traffic*

Access into the future development will be required from both Commonage Road and Genoli Road. The location and configuration of future intersections will be subject to more detailed investigation as part of preparing a structure plan under the proposed 'Urban Development' zone.

To inform the indicative concept and a future structure plan over the land, Flyt Pty Ltd prepared a preliminary transport impact assessment (TIA)[7] (refer to **Appendix 4**). This considers the likely impact of the proposed development represented by the indicative concept, in the context of existing and known future development in the surrounding area. As part of this work, automatic traffic counters were placed in five locations along Commonage Road proximate to the subject land for nine days in April/May 2022 to capture traffic volumes.

[7] (Flyt, Aug 2022)

Detailed modelling of future traffic flows will inform the design of intersections to ensure safe vehicle turning movements. Planning may also influence posted speed limits. The indicative concept includes two vehicle access points to Commonage Road and three from Genoli Road.

It is proposed that the southern access to Commonage Road will be limited to left-in, left-out access only, as the location of existing intersections and road geometry limit sight distances in this location. In addition to vehicle movements, cycle and pedestrian routes will be detailed in a structure plan.

### *4.2.2 Service Infrastructure*

The subject land is well placed in regard to service availability with sewer, power, water and communications services. WML Consulting Engineers have determined that at a conceptual level there are workable solutions for all servicing and infrastructure needs for the estate[8] (refer to **Appendix 5**). Solutions for all civil infrastructure components can be achieved by standard industry required methodologies.

#### Stormwater Management

Consistent with the principles of Water Sensitive Urban Design (WSUD), stormwater drainage would be designed to maintain existing drainage flows, with pre-development flow rates retained. This would be done to have no impact on retained vegetation or drain functionality.

#### Sewer

The subject land falls within an existing pump station catchment and is included in current Water Corporation planning. A short sewer extension from the Dunsborough Lakes development will be required to connect the subject land to sewerage.

#### Water

Water Corporation information indicates that an existing water main is present in nearby Diamante Boulevard, northeast of the subject land. This can be extended in stages to serve future development of the subject land, with smaller distribution mains branching off it.

#### Power

Western Power capacity mapping indicates that there is sufficient capacity in the system to accommodate the estimated load for future development of the subject site, calculated by WML Engineering. At a future stage of planning, a request to Western Power to model the proposed development will determine whether any upgrades to the network or line conductors would be required.

#### Telecommunications

NBN fixed line technology is present in Dunsborough so it is expected that this will be extended to the subject land and that no back haul charges are likely to be required.

#### Gas

There is no reticulated gas in Dunsborough.

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[8] (WML Consulting Engineers, Aug 2022)

***Figure 5. Indicative Development Concept***



### 4.3 Justification & Rationale

The specific elements of the proposed scheme amendment and the rationale for each are set out in **Table 3**.

***Table 3: Proposed Amendment & Rationale***

| No. | Description | Justification |
|---|---|---|
| 1 | Amend the Scheme Map by rezoning the land from 'Light Industry' zone to 'Urban Development'. | The bulk of the land has been zoned for light industrial development for over twenty years and a structure plan for this purpose remains valid until 19 October . However, there is insufficient demand for industrial land and other appropriately zoned land is available for the purpose and located in preferrable locations.<br><br>An 'Urban Development' zone will allow for residential and supporting land uses to be developed to meet demonstrated demand, following approval of a structure plan which will address all required environmental, socio-economic, infrastructure servicing, and urban design requirements.<br><br>The subject land is opposite land already zoned 'Urban Development' and represents a logical extension of urban development on land already zoned for non-rural purposes.<br><br>No change is proposed to the approximately 200m² of Lot 6 situated on the north-west side of the Commonage Road reserve, currently reserved for 'Recreation' along with the adjacent former road reserve (now Reserve 34540). |
| 2 | Delete Special Provision Area 31 from the Scheme Map and Schedule 3 of the Scheme Text. | Special Provision Area 31 requires the preparation of a structure plan and was required because it is not implicit in the purpose of the 'Light Industry' zone that a structure plan be prepared.<br><br>Special Provision Area 31 will no longer be required because it is an explicit purpose of the 'Urban Development' zone that a structure plan be prepared.<br><br>The requirements of a structure plan are set out in Schedule 2 of the Deemed Provisions of Local Planning Scheme 21. A structure plan will ensure that the environmental, cultural, social, economic, transportation, and servicing considerations relevant to the subject land are taken into account and that the resultant plan responds to the objectives of the planning framework. |

## 5. Community Engagement

Urban Quarter engaged Aha! Consulting to design and manage preliminary community engagement on the proposed rezoning by holding an open forum, which was hosted at the Dunsborough Country Club on the evening of 5 October 2022[9] (see **Appendix 6**). This was promoted through a range of channels in an attempt to reach a wide audience of potentially interested community members.

Information was provided on the project history, the intended development, current plans to manage environmental values, and the anticipated overall project timelines. Project team members were present to answer any questions. Participants were also asked to answer three questions:

- How important is having access to a variety of housing options to Dunsborough's future?
- Are there any critical environmental values that have not been considered to date?
- What are the three most important outcomes for any residential development to achieve?

Ten community members attended throughout the evening. This was a lower response than anticipated given the level of promotion and the typically passionate response to development in the area. The small number makes it difficult to infer broad community sentiment from the feedback received, however in general:

- Those who attended were positive about the need for a variety of housing options, but there was a desire to see and be part of the more detailed design to help ensure that it is in keeping with desired community outcomes.
- A variety of affordable housing and lot sizes are supported.
- Effective visual buffers and screening from Commonage Road and surrounding development are sought.
- A good balance between housing and public open spaces is required to ensure that trees and animals have space.
- Tree retention/replacement should be maximised and conservation areas should provide a movement corridor for fauna.
- There was some support for inclusion of a mixed-use development with a 'high street' to take pressure off the town centre and provide more amenity for people living nearby, as a counter to the perception of 'urban sprawl'.
- Good amenity and accessibility for pedestrians, with good street parking and measures to avoid the parking of boats and jet skis on the street.
- There was some concern that removal of the light industrial zone would create a shortage of suitable land near the town.
- Site drainage is an issue that needs to be addressed.

Further formal and informal opportunities for community engagement will arise as the project progresses.

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[9] (Aha! Consulting, Oct 2022)

## 6. Conclusion

Lot 6 Commonage Road, Quindalup is currently zoned for 'Light Industry' which is neither required nor appropriate in this location.

Well considered development for residential purposes will better respond to the specific characteristics of the site, including conservation of significant areas of remnant native vegetation within managed conservation reserves and parkland, and will help to meet demand for housing in Dunsborough.

The updated LNSRS has identified land south of Commonage Road for future urban purposes, and the proposing rezoning is the next step to implementing this strategic plan. By virtue of the current zoning, the land is already included in Water Corporation forward planning, unlike nearby land also identified as future urban in the LNSRS.

The proposed amendment to 'Urban Development' will ensure that a structure plan is prepared and approved before any subdivision or development can occur.

## 7. References

Aha! Consulting. (Oct 2022). *Consultation Report Lot 6 Commonage Road Rezoning.* Dunsborough: Urban Quarter.

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FORM 6B

**COUNCIL ADOPTION**

This Standard Amendment was adopted and is recommended for approval by resolution of the Council of the City of Busselton at the Ordinary Meeting of the Council held on the ..... day of ....., 202... and the Common Seal of the City of Busselton was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

**WAPC ENDORSEMENT (r.63)**

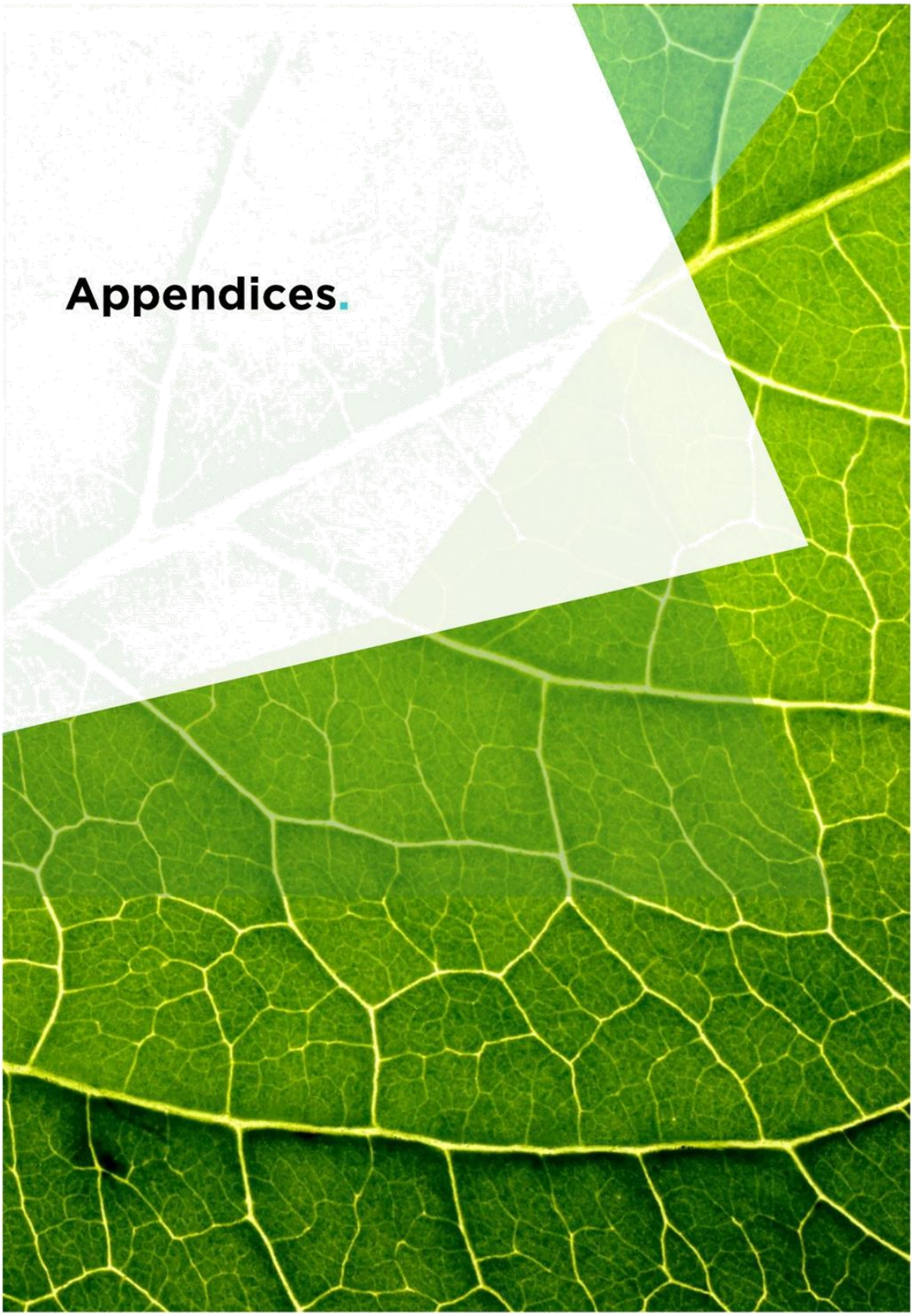
.....
Delegated under S.16 of the
Planning & Development Act 2005

DATE .....

**APPROVAL GRANTED**

.....
MINISTER FOR PLANNING

DATE .....


Appendices.

# Appendix 1.
# Flora & Fauna Significance Report

# Appendix 2.
# Spring Flora Significance Report

# Appendix 3.
# Bushfire Management Plan

# Appendix 4.
# Transport Impact Assessment

# Appendix 5.
# Engineering Services Report

# Appendix 6.
# Engagement Report



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***Figure 5. Indicative Development Concept***






*Figure 6 Proposed concept layout plan and access arrangements for the Lot 6 Commonage Road site (source: CDP Town Planning & Urban Design, 2022)*

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# Flora & Fauna Significance Assessment

## Lot 6 Commonage Road, Quindalup

29 September 2022

Prepared for:

Urban Quarter



# Limitations Statement

This report has been prepared in accordance with the Agreement between Ecosystem Solutions Pty Ltd and Urban Quarter (**"Client"**). It has been solely prepared for a development application at Lot 6 Commonage Road, Quindalup (**"Site"**).

## Information

In undertaking this work the authors have made every effort to ensure the accuracy of the information used. Unless otherwise stated in the report, Ecosystem Solutions Pty Ltd has not independently verified such information and cannot guarantee its accuracy or completeness.

## Conclusions

Within the limitations imposed by the scope of work, preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted practices and using a degree of skill and care ordinarily exercised by reputable ecological consultants under similar circumstances. No other warranty, expressed or implied, is made.

## Reliance

This report is solely for the use of the Client and any reliance on this report by third parties will be at such party's sole risk. This report must only be presented in full and may not be used to support any other purpose than those set out in the report and the Agreement, except where prior written approval with comments are provided by Ecosystem Solutions Pty Ltd. All intellectual property rights in documents created by Ecosystem Solutions Pty Ltd remain the property of Ecosystem Solutions Pty Ltd.

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Ecosystem Solutions Pty Ltd will not be liable to update or revise the report to take into account any events or emergent circumstances or facts occurring or becoming apparent after the date of this report.

# Document Control

Urban Quarter

Lot 6 Commonage Road, Quindalup

| Version | Revision | Purpose | Author | Reviewer | Submitted | |
|---|---|---|---|---|---|---|
| | | | | | Form | Date |
| Report | Rev A | Initial Report | DP | GM | Electronic (email) | 15/02/2022 |
| Report | Rev B | Update Concept Plan | DC | GM | Electronic (email) | 29/09/2022 |

Filename: z:\projects\211229 lot 6 commonage road, dunsborough f&f bmp\reports\lot 6 commonage road, dunsborough - flora and fauna significance report.docx

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# 1 Introduction

Ecosystem Solutions were contracted by the developers to survey Lot 6 Commonage Road, Quindalup (hereafter called the "Site") within the City of Busselton. A survey was undertaken to assess the vegetation condition and document the presence and distribution of flora and fauna on the Site to facilitate Local Planning Scheme rezoning from Industrial to urban residential for future subdivision of the Site, as per Figure 1.

The fauna species specifically targeted are the Western Ringtail Possum (*Pseudocheirus occidentalis*) and signs or suitable habitat for Black Cockatoo Species (*Calyptorhynchus baudinii*, C. *latirostris and C. banksii subsp. naso*) as well as any other conservation significant fauna likely to occur within the Site.

The flora elements specifically targeted include Threatened and Priority species and Threatened or Priority Ecological Communities. However, a flora survey was not conducted in the optimal time for all plant identification and there is a potential for conservation significant annual species to be present that have not been recorded. An additional survey is currently being completed, that will form an addendum to this report and include the details of the spring flora survey.

This flora and fauna assessment was limited to observing species present during the time of the surveys.




*Figure 1 Concept Layout Plan for Lot 6 Commonage Road, Dunsborough*

# 2 Site Details

The Site has been designated as Light Industry under the City of Busselton Local Planning Scheme 21 and the land is currently operated as a rural farming operation. A Structure Plan for Light Industry was approved circa December 2000, however this approval was not acted upon.

The Lot includes a previously cleared area of vegetation with scattered trees and areas of remnant vegetation. The Lot is 54 ha in area with majority of the development proposed within the area cleared with majority of the area of native vegetation proposed for Conservation. A vegetated area to the north of the Lot is proposed for clearing and additional urban development. There are scattered trees within the development footprint which will also require removal.

The Site includes two drainage lines, identified in Figure 2. The northern drainage line flows across Lots from the east to the west, approximately following the area of vegetation. The drainage line to the south is in areas of native vegetation.

The surrounding landscape includes the Dunsborough Lakes residential lots to the north, rural residential lots to the west which includes pockets of remnant vegetation and Rural lots to the east which are predominately cleared of native vegetation. The Lot to the south includes a predominately vegetated Lot with remnant vegetation. The proposed area of Conservation within the Site provides a connection to this vegetation to the south.

The Site sits at approximately 20 m AHD in the north east with a gentle slope up to 25 m AHD to the south west. The Site is located to the south and east of Commonage Road and west of Genoli Road.

# 3 Flora and Vegetation

## 3.1 Desktop analysis

### 3.1.1 Landscape, soils and vegetation

Soil-Landscape systems are areas with recurring patterns of landforms, soils and vegetation and are used by the Department of Agriculture to maintain a consistent approach to land resource surveys.

The Site is located within the Abba System with the Whicher System located to the south west of the Lot (Department of Primary Industries and Regional Development, 2021):

- Abba System (213Ab) - Very flat, poorly drained and characterised by wet soils and semi-wet soils, pale deep sands , pale sandy earth and grey deep sandy complexes.

These soil systems are further divided into mapping units. There are two Phases in the Lot with Abba flats comprising the majority of the Site (Figure 2):

- Abba deep sandy rises (213AbABd) - Gently sloping low dunes and rises (0-5% gradients) with deep bleached sands.
- Abba flats (213AbAB1) - Flats and low rises with sandy grey brown duplex (Abba) and gradational (Busselton) soils.

The following may units are located in close proximity to the Lot:

- Abba wet flats (213AbABw) - Winter wet flats and slight depressions with sandy grey brown duplex (Abba) and gradational (Busselton) soils.
- Yelverton deep sandy flats (214WsYLd) - Level to gently undulating raised shelf, lying 10-40 m above the Swan Coastal Plain. The soils are mainly sands.

The vegetation complex mapping of Havel and Matiske (2000) identifies Abba Complex as the only complex within the Site (Figure 3):

- Abba Uplands (AB) - A mixture of open forest of *Corymbia calophylla* (Marri) - *Eucalyptus marginata* (Jarrah) - Banksia species and woodland of *Corymbia calophylla* (Marri) with minor occurrences of *Corymbia haematoxylon* (Mountain Marri). Woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca* species along creeks and on flood plains.

The vegetation complex mapping for the Abba Uplands vegetation complex boundary is consistent with the soil mapping boundaries of the Abba flats and deep sandy rises within the Soil Landscape map.

The 2018 South West Vegetation Complex Statistics (Government of Western Australia, 2018) for each of the vegetation associations are shown in Table 1.

The National Objectives and Targets for Biodiversity Conservation intends to retain and protect those vegetation communities with less than 30% extent remaining. Abba Complex is well below the National Target with less than 7% remaining from Pre-European extent with all of that vegetation being within the City of Busselton. Only 0.17% of the Abba Complex is protected under conservation. This vegetation complex is therefore considered extremely vulnerable. This proposal aims at including 14.24 ha of Abba complex for conservation which is majority of the Abba complex identified in Figure 3.

*Table 1 Vegetation Complex Statistics (2018)*

| Vegetation Complex | Pre-European Extent Remaining (%) | Veg Complex extent within City of Busselton (%) | Percent Veg Complex extent within lands secure of conservation (IUCN I-IV) |
|---|---|---|---|
| Abba Uplands | 6.64% | 6.64% | 0.17% |

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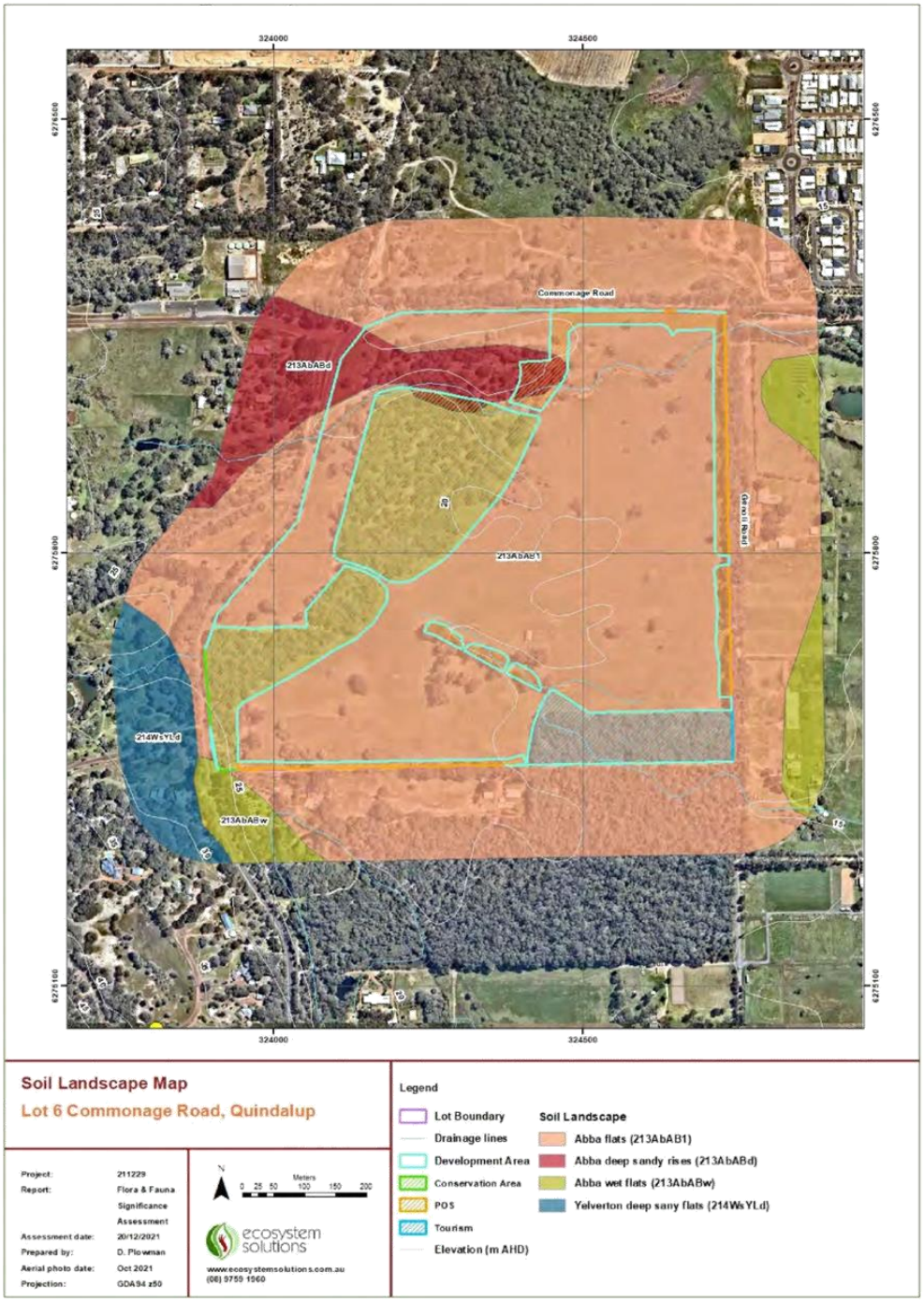


*Figure 2 Soil Landscape Map for Lot 6 Commonage Road, Quindalup*




*Figure 3 Vegetation Complex Map for Lot 6 Commonage Road, Quindalup*

### 3.1.2 Threatened and Priority Flora

Extracts from the Department of Biodiversity, Conservation and Attractions (DBCA) NatureMap Database, with conservation codes derived from the *Biodiversity Conservation Act* 2016 (BC Act), is provided in Appendix A. The Commonwealth Environmental Protection and Biodiversity Conservation (EPBC) Protected Matters Search Tool were obtained, using a 10 km buffer from the Site, to determine if records of any rare or threatened flora are known within the boundary or surrounding the Site, provided in Appendix B.

Species of flora and fauna are protected as defined in Table 1, have been determined that their populations are restricted geographically or threatened by local processes. DBCA recognizes these threats of extinction and consequently applies regulations towards population and species protection. Protected species are gazetted under the *Biodiversity Conservation Act (2016)* and therefore it is an offence to "take" or damage rare flora without Ministerial approval. The act defines "to take" as "… to gather, pick, cut, pull up, destroy, dig up, remove or injure the flora or to cause or permit the same to be done by any means" (Government of Western Australia, 2010).

Appendix C presents the definitions for conservation codes under the *Biodiversity Conservation Act* 2016 which was previously the *Wildlife Conservation Act* 1950.

### 3.1.3 Threatened and Priority Ecological Communities

An ecological community is a naturally occurring biological assemblage that occurs in a particular type of habitat. A Threatened Ecological Community (TEC) is one which is found to fit into one of the following categories: Presumed Totally Destroyed; Critically Endangered; Endangered, or Vulnerable.

Possible TECs that do not meet survey criteria are added to the Department of Parks and Wildlife's Priority Ecological Community Lists, under Priority 1, 2 and 3. These are ranked in order of priority for survey and/or definition of the community type and evaluation of its conservation status.

The PMST report has identified the following to likely occur within 10 km of the Site:

- Banksia woodlands of the Swan Coastal Plain ecological community (Endangered)
- Clay Pans of the Swan Coastal Plain (Critically Endangered)
- Subtropical and Temperate Coastal Saltmarsh (Vulnerable)
- Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain ecological community (Critically Endangered)

DBCA data request also identified a buffer area of Swan Coastal Plain Paluslope Wetlands (Priority 1) to occur within the area.

## 3.2 Results

The Site was surveyed for flora on 20 December 2021 by Kelly Lamp (B.Sc Hons. Nat Rs Mgmt., FB62000182, TFL 54-2021) and Dani Cuthbert (Dip Bus & Dip TM) from Ecosystem Solutions. The Site was walked in a systematic manner to cover the entire area. The condition of the vegetation based on Keighery (1994) was also recorded using Global Positioning System (GPS). The Site was also inspected for flora species of significance and Threatened Ecological Communities, with the entire Site being covered.

### 3.2.1 Threatened, Priority and Significant Flora

The NatureMap Database identified 12 Threatened species, which are rare or are likely to become extinct, and 23 Priority listed species within a 10 km radius of the Site. The Protected Matters Search Tool identified 20 threatened species, within a 10 km radius of the Site. Three of those are considered Critically Endangered species, 12 Endangered species and five vulnerable species. (Appendix A & B). An extract from the DBCA database was also obtained. The results for all database searches are summarised in Table 1.

There were no Threatened flora species recorded during the field surveys. However, a flora survey was not conducted in the optimal time for all plant identification and there is a potential for annual conservation significant species to be present that have not been recorded.

Some trees within the proposed area of disturbance appear to have been marked, with the potential that they represent Aboriginal cultural heritage. It is an offence to cause serious harm to Aboriginal cultural heritage, including by accident, as per Section 93 of the *Aboriginal Cultural Heritage Act 2021*. Therefore, it is recommended a suitable aboriginal heritage archaeologist conducts a cultural heritage survey to determine the significance of these markings.

*Table 2 Conservation significant flora species recorded within 10 km of the Site*

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Brachyscias verecundus* | T | Critically Endangered | Herb | Winter wet clays over ironstone. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 41.6km east of the site. |
| *Caladenia procera* | T | Critically Endangered | Herb | Alluvial loamy flats. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 9.6km southeast of the site, collected in 2012 and 2014. |
| *Gastrolobium argyrotrichum* | T | Critically Endangered | Shrub | Gravelly clay, sandy clay and sand on road verges, swamps and creek banks. | Endemic to area. Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 2.1km southwest pf the site, collected in 2013. |
| *Banksia nivea subsp. uliginosa* | T | Endangered | Shrub | Sandy Clay, gravel. Occurs in two areas, near Busselton and Scott River Plain on clay over laterite in thick scrub, in winter wet southern ironstones. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 19.9km southeast of the site, collected in 2017 and 2018. |
| *Caladenia busselliana* | T | Endangered | Herb | Sandy loam. Winter-wet swamps. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 3.5km southeast of the site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Caladenia caesarea subsp. maritima* | T | Endangered | Herb | Coastal granitic outcrops. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 5.7km north of the site, collected in 2018. |
| *Caladenia excelsa* | T | Endangered | Herb | White, grey or brown sands, sandy loams, loam, clay, laterite and granite. Hilltops, ridges, slopes, swales and low plains in deep pale yellow or grey sandy soils. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 3.1km northwest of the site, collected in 1997. |
| *Caladenia huegelii* | T | Endangered | Herb | Grey or Brown sand, clay loam. Current distribution confined to Dunsborough and north of Busselton. | Species or species habitat known to occur within area (PMST). Naturemap databases closest records are approximately 7km northwest and west of the site, collected in 2013. |
| *Caladenia viridescens* | T | Endangered | Herb | Marri, jarrah and peppermint woodlands in lateritic loam and sandy soils. Grey sand. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 3.4km north of the site, collected in 2014. |
| *Drakaea elastica* | T | Endangered | Herb | White or grey sand, low lying situations adjoining winter wet swamps. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 25.9km east of the site, collected in 2009. |
| *Eucalyptus x phylacis* | T | Endangered | Tree | Mallee-heath or woodland on lateritic soils. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 6.7km northwest of the site, collected in 2012, 2014, 2015 and 2016. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Gastrolobium papilio* | T | Endangered | Shrub | Sandy clay over ironstone and laterite. Flat plains. Species is restricted to Hithergreen and Walsall area in Busselton. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 31.5km southeast of the site. |
| *Lambertia echinata subsp. occidentalis* | T | Endangered | Shrub | White sandy soils over laterite, orange/brown-red clay over ironstone. Flats to foothills, winter wet sites. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 21.3km east of the site. |
| *Petrophile latericola* | T | Endangered | Shrub | Winter wet flats on red sandy clay over ironstone. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 38.8km east of the site, collected in 2013, 2014 and 2017. |
| *Wurmbea calcicola* | T | Endangered | Herb | Coastal heath in soil pockets on limestone rocks. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 14.1km northwest of the site, collected in 2003 and 2015. |
| *Banksia squarrosa subsp. argillacea* | T | Vulnerable | Shrub | White/grey sand, gravelly clay or loam. Winter -wet flats, clay flats. Confined to the western base of the Whicher scarp, east of Busselton. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 7.9km southeast of the site, collected in 2006. |
| *Chamelaucium roycei* | T | Vulnerable | Shrub | Swamp Margins, winter-wet flats, sandy clays. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 15.1km southeast of the site, collected in 1997. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Daviesia elongata subsp. elongata* | T | Vulnerable | Shrub | Jarrah forest or woodland, on sandy soil, laterite. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 9.6km southeast of the site. |
| *Drakaea micrantha* | T | Vulnerable | Herb | White - Grey sand. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 1.1km southwest of the site. |
| *Diuris micrantha* | T | Vulnerable | Herb | Brown loamy clay. Winter-wet swamps, in shallow water. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 78.6km northeast of the site, collected in 2011. |
| *Hemigenia ramosissima* | T | | Shrub | Lateritic soils, clay. Granite Outcrops. Florabase records indicate the species to be restricted to Arthur River, approximately 250km northeast of the site. | Naturemap databases closest record is approximately 4.2km southeast of the site, collected in 1992. |
| *Amphidium tortuosum* | P1 | | Unknown | White/grey sands, coastal limestone. | Naturemap databases closest record is approximately 9.5km northwest of the site. |
| *Caladenia nivalis* | P2 | | Herb | Low coastal heath on granitic outcrops, in shallow loamy soils. | Naturemap databases closest record is approximately 8.4km west of the site. |
| *Millotia tenuifolia var. laevis* | P2 | | Herb | Granite or laterite soils. | Naturemap databases closest record is approximately 9.8km northwest of the site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Thelymitra variegata* | P2 | | Herb | Open eucalypt woodland or shrubland, in sandy soil. | Naturemap databases closest record is approximately 7.6km north of the site. |
| *Acacia ancistrophylla var. perarcuata* | P3 | | Shrub | Red sand, clay loam, loam. | Naturemap databases closest record is approximately 5.5km northeast of the site, collected in 2016. |
| *Acacia inops* | P3 | | Shrub | Black peaty sand, clay, swamps, creeks. Grows along watercourses and swamps. | Naturemap databases closest record is approximately 6.9km west of the site. |
| *Acacia lateriticola var. Glabrous variant (B.R.Maslin 6765)* | P3 | | Shrub | Lateritic soils. | Naturemap databases closest record is approximately 2.9km southwest of the site. |
| *Boronia capitata subsp. gracilis* | P3 | | Shrub | White/grey or black sand. Winter wet swamps or hillslopes. | Naturemap databases closest record is approximately 8.7km south of the site. |
| *Cyathochaeta teretifolia* | P3 | | Herb | Grey sand, sandy clay. Swamps, creek edges. | Naturemap databases closest record is approximately 2.9km south of the site, collected in 1996. |
| *Johnsonia inconspicua* | P3 | | Herb | Sedgeland and banksia or jarrah woodland. White-grey or black sand. Low dunes, winter-wet flats. | Naturemap databases closest record is approximately 1.1km southwest of the site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Lepyrodia heleocharoides* | P3 | | Herb | Moist peaty sand. Dry or seasonally inundated heath or woodland, swamps. | Naturemap databases closest record is approximately 9.9km south of the site, collected in 1989. |
| *Pultenaea pinifolia* | P3 | | Shrub | Loams or clay, floodplains, swampy areas | Naturemap databases closest record is approximately 4.3km south of the site. |
| *Stylidium lowrieanum* | P3 | | Herb | Sand or sandy loam over limestone in peppermint woodlands | Naturemap databases closest record is approximately 5km west of the site. |
| *Acacia flagelliformis* | P4 | | Shrub | Sandy soils and winter-wet areas. | Naturemap databases closest record is approximately 3.9km southeast of the site, collected in 1992. |
| *Acacia semitrullata* | P4 | | Shrub | White/grey sands, sandplains, and swampy areas. | Naturemap databases closest record is approximately 0.9km southwest of the site. |
| *Banksia sessilis var. cordata* | P4 | | Shrub | White/Grey. Coastal limestone. | Naturemap databases closest record is approximately 6.6km west of the site, collected in 1997. |
| *Boronia tenuis* | P4 | | Shrub | Forest on laterite, stony soils or granite. | Naturemap databases closest record is approximately 6.4km north of the site. |
| *Calothamnus graniticus subsp. graniticus* | P4 | | Shrub | Skeletal sandy soils. Granite outcrops in coastal heath. | Naturemap databases closest record is approximately 5km north of the site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Eucalyptus rudis subsp. cratyantha* | P4 | | Tree | Fringing watercourses or swamps. Loam. Flats, hillsides. | Naturemap databases closest record is approximately 7.8km northwest of the site. |
| *Eucalyptus virginea* | P4 | | Tree | Granitic outcrops in jarrah-marri woodland. | Naturemap databases closest record is approximately 6.9km northwest of the site, collected in 2016. |
| *Gahnia sclerioides* | P4 | | Herb | Jarrah forest on loam, sandy soils, often along creek lines. Moist shaded situations | Naturemap databases closest record is approximately 8.2km southwest of the site, collected in 1994. |
| *Thysanotus isantherus* | P4 | | Herb | Granite. | Naturemap databases closest record is approximately 2.7km southwest of the site. |
| *Verticordia lehmannii* | P4 | | Shrub | Sandy clay, winter-wet flats. | Naturemap databases closest record is approximately 3.4km east of the site. |

### 3.2.2 Vegetation Communities

The Protected Matters Search Tool and DBCA database search identified Banksia Woodlands of the Swan Coastal Plain ecological community (Endangered), Clay Pans of the Swan Coastal Plain (Critically Endangered) and Subtropical and Temperate Coastal Saltmarsh (Vulnerable) are likely to occur within the area or on the Site. The Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain ecological community (Critically Endangered) may occur within the area.

Three relevés were completed within the Site, with locations noted in Figure 4 and data collected presented in Appendix D. During the Site assessment the vegetation within the Site was observed to comprise of two vegetation communities (described according to Keighery, 1994, adapted Muir, 1977, and Aplin, 1979, Table 2 below) of:

- *Corymbia calophylla, Agonis flexuosa, Eucalyptus patens* and *Eucalyptus marginata* open forest, which is the majority of the vegetation within the Lot.
- *Melaleuca preissiana, Allocasuarina fraseriana* and *Nuytsia floribunda* open forest, located along the drainage area in the north west corner of the Lot.

The species identified within the Site have the characteristics of the Abba Uplands vegetation complex and there considered vulnerable due to the limited amount of Abba Uplands complex remaining, particularly within conservation areas. The Site does not have the characteristics of the Threatened Ecological Communities listed within the PMST report and described in Section 3.1.3.

There is potential Swan Coastal Plain Paluslope Wetlands (Priority 1, PEC) is located within the Lot and potentially within the area proposed for future development (located within the north west of the Site). This is supported by some flora species being present within the Lot that are consistent with the PEC including *Eucalyptus patens*, *Melaleuca preissiana* and species that prefer wet locations. There is a potential further wetland species are present however some areas lack understorey due to grazing from cattle and kangaroos. The drainage lines also indicate that wet areas occur within the Lot and past changes to the drainage lines, provided in Figure 4 & 5 as an additional drainage line, could have impacted the hydrology of the Site and therefore the abundance of required species.

### 3.2.3 Vegetation Condition

Utilising the scale of condition developed by Keighery (1994, Table 4), vegetation within the Site was ranked from Excellent to Completely Degraded (Figure 5).

Completely degraded vegetation represents the greatest area of the Site, 36 ha or 67% of the Lot. This area has been cleared almost entirely of all native vegetation and contains only scattered trees with a cleared understory due to past clearing and grazing. This area represents majority of the area proposed for development.

The Degraded vegetation, with majority of this vegetation proposed for development, comprises 4 ha, 7% of the Lot, which includes trees with the understorey lacking native species. This area has also been impacted by grazing. Good vegetation condition (13 ha, 24% of the Lot) includes areas proposed for conservation with some of this area, located in the north of the Lot, proposed for future development.

Areas of Very Good (0.15 ha, 0.3% of the Lot) and Excellent (0.77 ha, 1.4% of the Lot) are proposed for conservation.

*Table 3 Keighery Condition Scale (Keighery 1994)*

| Category | Description |
|---|---|
| **Pristine** | Pristine or nearly so, no obvious signs of destruction. |
| **Excellent** | Vegetation structure intact, disturbance affecting individual species and weeds are non-aggressive species. For example, damage to trees caused by fire, the presence of non-aggressive weeds and occasional vehicle track. |
| **Very Good** | Vegetation structure altered, No obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, dieback, logging and grazing. |
| **Good** | Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate to it. For example, disturbance to vegetation structure caused by very frequent fires, the presence of some very aggressive weeds at high density, partial clearing, dieback and grazing. |
| **Degraded** | Basic vegetation structure severely impacted by disturbance. Scope for regeneration, but not to a state approaching good condition without intensive management. For example, disturbance to vegetation structure caused by very frequent fires, the presence of very aggressive weeds, partial clearing, dieback and grazing. |
| **Completely Degraded** | The structure of the vegetation in no longer intact and the area is completely or almost completely without native species. These areas are often described as "parkland cleared" with the flora composing weed or crop species with isolated native trees or shrubs. |

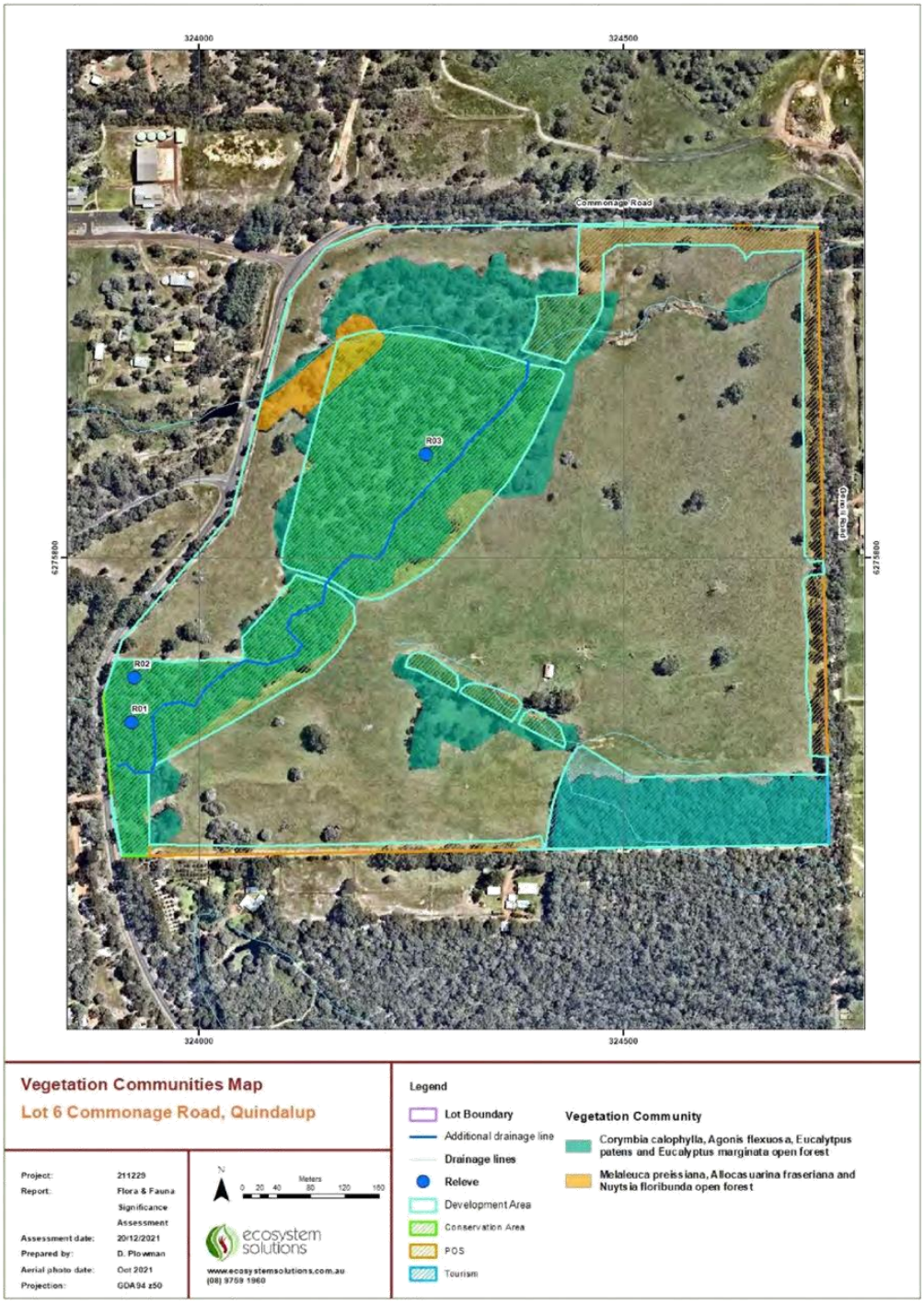


*Figure 4 Vegetation Condition Mapping for Lot 6 Commonage Road, Dunsborough*




*Figure 5 Vegetation Condition Mapping for Lot 6 Commonage Road, Dunsborough*

# 4 Fauna

## 4.1 Desktop Analysis

The conservation status of fauna within Western Australia is determined by criteria outlined within two acts of legislation: Commonwealth EPBC Act 1999 and the State-based Western Australian *Biodiversity Conservation Act 2016* (WA). The conservation codes for fauna under the *Biodiversity Conservation Act (2016)* which was previously the *Wildlife Conservation Act 1950* are presented in Appendix C. These categories are consistent with the International Union for Conservation of Nature (IUCN) classifications and therefore link into a global ranking system for taxa at risk of extinction.

A desktop study and analysis of the records of NatureMap and the Protected Matters Search Tool (Appendix A & B) were made to determine the presence or likely presence of fauna or fauna assemblages within the Site. The analysis primarily targeted terrestrial threatened vertebrate species listed under the *Biodiversity Conservation Act 2016* (WA) and *Environmental Protection Biodiversity Conservation Act 1999* (Commonwealth). A list of fauna expected to occur within a 10-kilometre radius of the Site was compiled from searches conducted on the DBCA database (NatureMap) and the Commonwealth EPBC Protected Matters Search Tool (Table 5).

Marine species and freshwater fish have been excluded due to the location of the Site. Invertebrates have also been excluded as this is a specialist area not covered under the Scope of this report.

The results of the native fauna database search for species likely to be within or utilising the Site are listed below (Table 4).

The NatureMap Database identified 24 Threatened species, which are rare or are likely to become extinct, 12 Priority listed species and one other specifically protected species within a 10 km radius of the Site. The Protected Matters Search Tool identified five threatened species, within a 10 km radius of the Site. One of which is a Critically endangered species, two Endangered species and two Vulnerable species.

Analysis of the results of the database searches show that conservation significant fauna species likely to be within or utilising the Site include *Pseudocheirus occidentalis* (Western Ringtail Possum).

The three Black Cockatoo species, *Calyptorhynchus banksii* naso (Forest Red-tailed Black Cockatoo), *Calyptohrynchus baudinii* (Baudin's Cockatoo) and *Calyptorhynchus latirostris* (Carnaby's Cockatoo) or habitat of the species are also likely to occur within the area.

Other fauna of conservation significance may use the site including as part of a larger patch however monitoring did not target these species. Impacts to these species are considered negligible due to the small area of vegetation to be managed.

*Table 4 Conservation significant fauna species recorded within 10 km of the Site*

| Species | Conservation Status | | Preferred Habitat | Likelihood of occurrence within the proposed subdivision area. |
|---|---|---|---|---|
| | DBCA Conservation Code | EPBC Act Status | | |
| *Pseudocheirus occidentalis* Western Ringtail Possum | Threatened | Critically Endangered | Coastal Areas of Peppermint woodland and peppermint woodland and peppermint / tuart associations. | Breeding known to occur within area (PMST). Naturemap databases closest record is approximately 0.2km east of the site, collected in 2017. |
| *Calyptorhynchus baudinii* Baudin's Cockatoo | Threatened | Endangered | Dense Jarrah, Karri and Marri forests. Species nest in large hollows in these species. | Breeding known to occur within area (PMST). Naturemap databases has multiple close records at approximately 1.6km south of the site, collected in 1999-2002. |
| *Calyptorhynchus latirostris* Carnaby's Cockatoo | Threatened | Endangered | Dense Jarrah, Karri and Marri forests. Species nest in large hollows in these species. | Species or species habitat known to occur within area (PMST). Naturemap databases has multiple close records at approximately 1.7km south of the site, collected in 1999 and 2000. |
| *Calyptorhynchus banksii subsp. naso* Forest Red-tailed Black Cockatoo | Threatened | Vulnerable | Dense Jarrah, Karri and Marri forests. Species nest in large hollows in these species. | Naturemap databases closest record is approximately 1.7km west of the site, collected in 2016. |

| | | | | |
|---|---|---|---|---|
| *Dasyurus geoffroii*<br>Western Quoll, Chuditch | Threatened | Vulnerable | Variety, most dense in riparian jarrah forests. Require large, unfragmented habitats. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 2.6km south of the site, collected in 1985. |
| *Setonix brachyurus*<br>*Quokka* | Threatened | Vulnerable | Mainly dense riparian vegetation, other areas with dense vegetated understory with proximity to freshwater. | Naturemap databases closest record is approximately 7km west of the site, collected in 1979. |
| *Leipoa ocellata*<br>Malleefowl | Threatened | | Semi-arid to arid shrublands and low woodlands dominated by mallee and/or acacia. | Naturemap databases closest record is approximately 2.1km east of the site, collected in 1900. |
| Falco hypoleucos<br>Grey Falcon | | Vulnerable | Areas where annual rainfall is less than 500 mm. Timbered lowland plains and acacia shrublands crossed by tree lined water courses. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 202km northeast of the site, collected in 1929. |
| *Ctenotus ora*<br>*Coastal Plains Skink* | P3 | | Coastal Plains, Sand dunes between Dunsborough and Mandurah. | Naturemap databases closest record is approximately 3.4km north of the site, collected in 2012. |
| *Falsistrellus mackenziei*<br>*Western False Pipistrelle, Western Falsistrelle* | P4 | | Wet sclerophyll forests of Karri, Jarrah and Tuart eucalypts. Roost in hollows in old trees, branches, and stumps. | Naturemap databases closest record is approximately 5.3km northwest of the site, collected in 2014. |
| *Hydromys chrysogaster*<br>Rakali | P4 | | Found near permanent fresh or brackish waters. | Naturemap databases closest record is approximately 2.9km northeast of the site, collected in 2006. |
| *Isoodon fusciventer* | P4 | | | |

| | | | |
|---|---|---|---|
| Quenda, southwestern brown bandicoot | | Forest, woodland, shrub, and heath, usually in sandy soils with dense healthy vegetation in lower stratum. | Naturemap databases closest record is approximately 1.36km northwest of the site, collected in 2005. |
| *Notamacropus irma*<br>Western Brush Wallaby | P4 | Some areas of mallee and heathland. Uncommon in wet sclerophyll forests. | Naturemap databases closest record is approximately 2.2km northwest of the site, collected in 2005. |
| *Oxyura australis*<br>Blue-billed Duck | P4 | Deep freshwater areas with dense vegetation. | Unlikely to be reliant on the Site due to lack of habitat. Naturemap databases closest record is approximately 1.9km northeast of the site, collected in 2003. |
| *Falco peregrinus*<br>Peregrine Falcon | S | Wide variety. Prefers coastal and inland cliffs or open woodlands near water. | Naturemap databases closest record is approximately 1.7km south of the site, collected in 2000. |
| *Phascogale tapoatafa subsp. wambenger*<br>South-western Brush-tailed Phascogale | S | Highly arboreal, prefers open forest with sparse groundcover. | Naturemap databases closest record is approximately 4.1km north of the site, collected in 2016. |

## 4.2 Field Survey

With these species in mind, a field study of the site was conducted. The approach adopted for this survey was:

- A Satellite Image of the Site was acquired.
- A daytime visual inspection of the property and adjoining vegetation for any signs of fauna (e.g. scats, diggings, dreys, nests, burrows, feeding signs) was conducted.
- Hollow bearing trees or trees suitable for Black Cockatoos were recorded with a focus on the areas of vegetation that are proposed to be removed.
- Direct observations of fauna and signs of fauna were recorded using a Trimble Global Positioning System (GPS) and ArcPad© (Version 8- ESRI).
- Two dawn and two dusk surveys were conducted to determine Black Cockatoo and Western Ringtail Possum activity. A 40 w LightForce hand-held spotlight was used with white light to observe nocturnal mammals. Observations were recorded using GPS and ArcPad©.
- Field observations were analysed and mapped with ArcGis (ArcMap V10.6.1©).

The Site was inspected via a walked transect and the trees were inspected via a physical inspection for hollows or signs of fauna usage.

All trees with large hollows were inspected for any signs of use by cockatoos. These include wear around the hollow, chewing, scarring and scratch marks on the trunks or branches. Old or recent evidence of cockatoo's feeding or roosting sites (feathers, droppings etc.) were also searched for.

This type of survey has minimal impact on the fauna within the property and provides sufficient data on the presence and relative abundance and distribution of taxa. During the field surveys, the habitat at the site was assessed to determine its potential suitability to host any of the anticipated threatened or rare species. This approach is consistent with a Level 1 survey under the EPA's Technical Guidance: Sampling methods for Terrestrial vertebrate fauna (2016) which specifies a minimum requirement of a desktop study to gather information on the subject site and a reconnaissance survey to verify the accuracy of the background study and delineate fauna and faunal assemblages.

The survey's protocol is also consistent with the requirements outlined in the Development Planning Guidelines for Western Ringtail Possums (CALM 2003, now DBCA).

The draft referral guideline for the three threatened black cockatoo species (Department of Environment and Energy, 2017) outline requirements for appropriate level of surveys for these species. This survey's intensity and design comply with these guidelines.

## 4.3 Results

The Site was surveyed for fauna over multiple days in December 2021 and February 2022 by Ecosystem Solutions Gary McMahon (B.Sc. M. Env Mgmt), Dani Cuthbert (Dip Bus & Dip TM), Kelly Lamp (B.Sc Hons. Nat Rs Mgmt and Lorraine Duffy (B.Sc Env Biology, B. Arts Geo). The Site was traversed in a systematic manner, focussing on the vegetated areas.

Dawn and dusk surveys were conducted by Gary McMahon for any sign of Black Cockatoos, Western Ringtail Possums and any other conservation listed species, as described in Table 5.

*Table 5 Fauna survey times and observations*

| Survey Type | Date and Time | Sunrise / Sunset Time | Observations |
|---|---|---|---|
| Dawn | 21 January 2022<br>4:30 am to 6:30 am | First Light<br>5:03 am<br>Sunrise<br>5:31 am | No Black Cockatoos, Western Ringtail Possums or other significant fauna were observed during this survey. |
| Dawn | 24 January 2022<br>4:30 am to 6:30 am | First Light<br>5:06 am<br>Sunrise<br>5:33 am | No Black Cockatoos, Western Ringtail Possums or other significant fauna were observed during this survey. |
| Dusk/Nocturnal | 7th February 2022<br>6:15 pm to 11.25 pm | Sunset<br>7:19 pm<br>Last light<br>7:45 pm | Three Western Ringtail Possums were observed (Figure 7). No Black Cockatoos were observed during this survey. |
| Dusk/Nocturnal | 9th February 2022<br>6.15 pm to 10.05 pm | Sunset<br>7:17 pm<br>Last light<br>7:44 pm | Two Western Ringtail Possums were observed (Figure 7). No Black Cockatoos were observed during this survey. |
| Daytime surveys | 20 December 2021<br>9 February 2022<br>10 February 2022 | N/A | Five dreys were observed indicating the presence of Western Ringtail Possums (Figure 7).<br>Approx. 20 Black Cockatoos observed foraging (Figure 7). |

While no other animals of significance were observed, either directly or through signs, the lack of this data should not be taken as an indication that those species are absent from the Site. No trapping or seasonal sampling was conducted.

### 4.3.1 Black Cockatoos

Approximately 20 White tailed black cockatoos (*Calyptohrynchus baudinii/ latirostris)* were observed on the 9th February 2022 during a day survey, foraging in a *Corymbia calophylla* located in the north western corner of the Site, within vegetation that is proposed to be removed (Figure 7).

There were no observations of Black Cockatoos during the dawn and dusk surveys indicating they are not currently using the Site for roosting.

Trees on the Site that are proposed to be removed with a diameter at breast height (DBH) over 500 mm and having the capacity to support nesting of any Black Cockatoo species were recorded (Figure 6). Some trees within the edge of the vegetation to be conserved were also recorded, however the trees within the entirety of the conservation area were not surveyed. A total of 361 potentially significant trees were recorded in the area surveyed, which focused on the vegetation proposed to be removed, with 51 having hollows and 18 having potential hollows. One tree had multiple hollows with signs of wear (Figure 6). These trees represent potential roosting for Black Cockatoos.

All local species of Black Cockatoos can forage over extensive areas (up to 15 - 20 km from their nesting sites (Saunders, 1980)) and given that there are large areas of preferred habitat within their range, it could be assumed that Black Cockatoo species are not relying on the vegetation proposed to be removed for nesting habitat or food source. Table 8 and Table 9 discuss the and impact on Black Cockatoos in relation to significance criteria under the EPBC Act.

### 4.3.2 Western Ringtail Possums

In total five Western Ringtail Possum (*Pseudocheirus occidentalis*) observations, were made during the two nocturnal surveys. The locations of the Western Ringtail Possums are shown in Figure 7 which are located in areas proposed for conservation.

The canopy of the vegetation that is proposed to be removed within the Site was thoroughly inspected and six potential Western Ringtail Possum dreys were observed (Figure 7). The areas of vegetation that are proposed to be conserved was not inspected.

All areas of vegetation within the Lot represent suitable habitat for the Western Ringtail Possum and it is likely they are utilising the entire Site. Table 8 discuss the likely presence and impact on Western Ringtail Possums in relation to significance criteria under the EPBC Act.

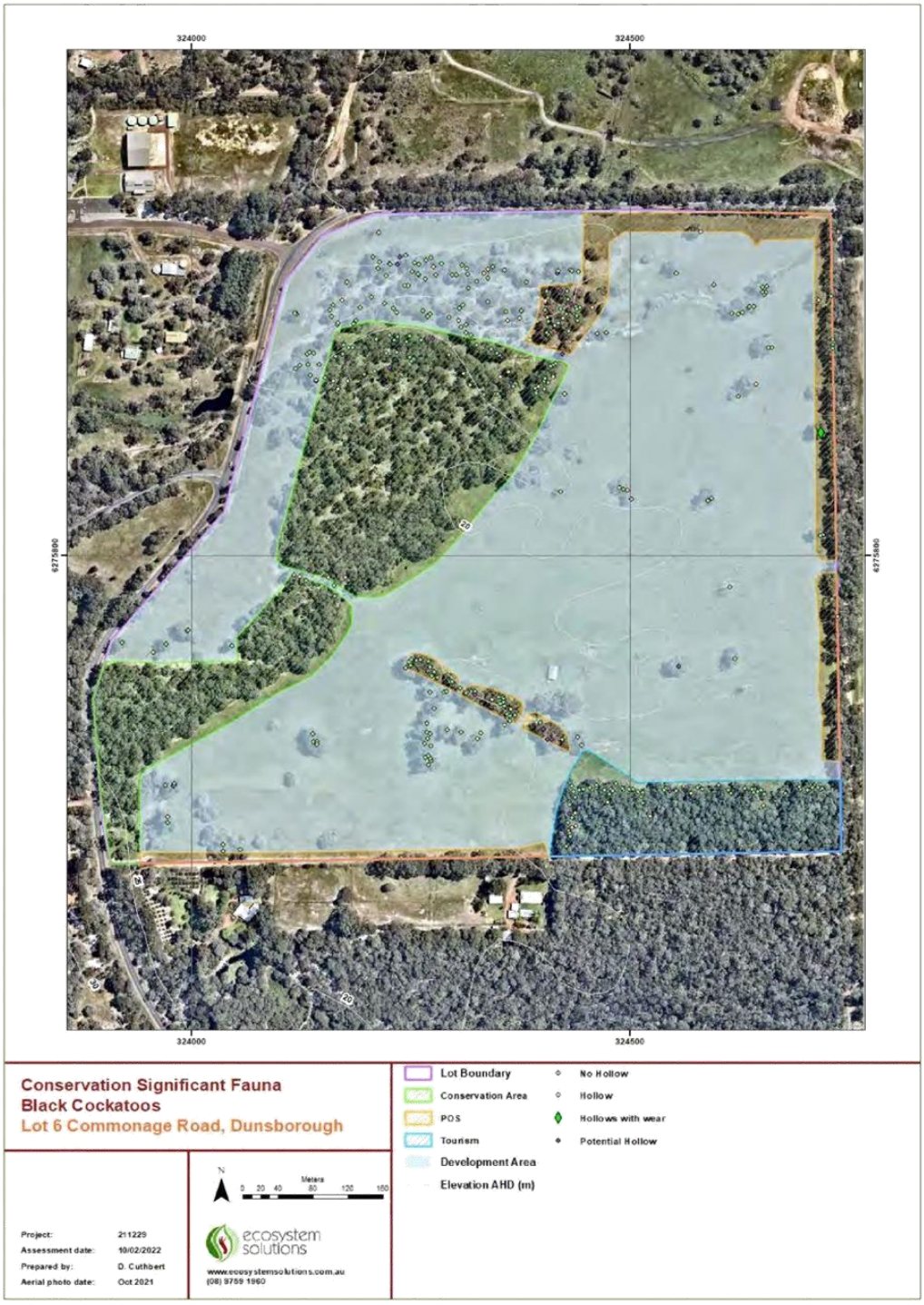


*Figure 6 Potentially Significant Trees at Lot 6 Commonage Road, Dunsborough*




*Figure 7 Conservation Significant Fauna Observations at Lot 6 Commonage Road, Dunsborough*

# 5 Survey Constraints

Survey limitations are summarised in Table 6 and 7 below:

*Table 6 Summary of flora survey limitations*

| Constraint | Impact | Comment |
|---|---|---|
| Availability of contextual information at a regional and local scale | Nil | Broad scale vegetation and soil mapping data were available. DBCA, NatureMap and PMST database extracts for conservation significant flora and ecological communities were obtained. |
| Competency / experience of the survey team | Nil | The ecologist leading the field survey has conducted numerous flora and fauna surveys across the south west of Western Australia and has over 10 years' experience. The ecologist completing the flora identifications has over 10 years experience identifying Western Australian flora, including for numerous surveys across the south west, with any potential conservation significant flora being submitted to the Western Australian Herbarium for identification. |
| Proportion of flora recorded and/or collected, any identification issues | Minor | A focus was placed on identifying any potential conservation significant flora species, with these specimens all identified to species level. Specimens that were not potentially conservation significant species have been identified to genus level, or species where this is easily ascertained. |
| Was the appropriate area fully surveyed (effort and extent) | Nil | Three relevés were conducted within the Site, with the entire Site surveyed on foot for Conservation Significant vegetation communities and flora species. This is deemed sufficient given the lack of remnant vegetation within the Site that is proposed for clearing. |
| Access restrictions within the survey area | Nil | All parts of the Site were accessible by foot. |

| Constraint | Impact | Comment |
|---|---|---|
| Survey timing, rainfall, season of survey | Moderate | The survey was conducted in Summer which is not the optimal time to observe all conservation significant flora species. Given the disturbed nature of the area of vegetation that will be cleared, it is considered unlikely that any conservation significant flora species will be located within the proposed clearing area. |
| Disturbance that may have affected the results of the survey, such as fire, flood or clearing | Nil | There were no recent disturbances that constrained the survey of the Site. |

*Table 7 Summary of fauna survey limitations*

| Constraint | Impact | Comment |
|---|---|---|
| Availability of data and information | Nil | DBCA, NatureMap and PMST database extracts for conservation significant fauna were obtained. The Site is within a well surveyed area. |
| Competency / experience of the survey team, including experience in the bioregion surveyed | Nil | The ecologist leading the field surveys has conducted numerous fauna surveys across the south west of Western Australia and has over 20 years experience. |
| Scope of the survey, e.g. where faunal groups were excluded from the survey | Minor | This survey focussed on birds, mammals and other vertebrate species. Invertebrates were not included in the scope of this survey. |
| Timing, weather and season | Minor | The surveys were conducted in Summer, with September being an optimum time for bird and mammal surveys in the south west. |
| Disturbance that may have affected results, e.g. fire, flood | Nil | There were no disturbances that constrained the survey of the Site. |
| The proportion of fauna identified, recorded or collected | Nil | Yes, any potential conservation significant fauna species observed during the surveys have been identified. |
| Adequacy of the survey intensity and proportion of survey achieved, e.g. the extent to which the area was surveyed | Nil | The whole of the Site was surveyed on foot for Conservation Significant fauna species, during daytime, dawn and dusk / nocturnal surveys. |
| Access problems | | All parts of the Site were accessible by foot. |

Field surveys were confined to three day flora/fauna survey, two dawn fauna surveys and two dusk / nocturnal fauna spotlight surveys conducted over non-consecutive nights. These were conducted to assess for Black Cockatoo and Western Ringtail Possum activity, along with any other conservation significant fauna. All surveys were conducted using experienced ecologists, with a head torch and a single hand-held spotlight used for the nocturnal fauna surveys.

The site was traversed by foot in a systematic way to cover the entire area, focussing on the area of proposed vegetation removal.

All large trees within the vegetation that is proposed to be removed of suitable size were examined from the ground for the presence of hollows. Guidelines for the survey techniques for Black Cockatoo species (DSEWPC, 2011) state that all trees with a DBH of over 500 m should be inspected. It should be noted however, that all the prerequisites that determine the suitability of a hollow for use by cockatoos are difficult to assess. In addition to entrance size, the depth, floor, and orientation of the hollow are important factors. The presence of suitable hollows, even in breeding areas, does not make them available for breeding as hollows must be spatially, structurally, and temporally correct (Johnstone and Johnston, 2004). The listing of potential nesting hollows is therefore likely to be an over estimation of those suitable.

Western Ringtail Possums are arboreal nocturnal species (DBCA, 2017). They use up to 2-7 rest sites and up to 20 throughout the year. Rest sites can be within a tree hollow or drey, built in various tree canopies. In suburban areas, they may also rest in roof spaces and other dark cavities. Their home range is less than 5 ha. There are constraints in surveying Western Ringtail Possums due to the time they may arise from their rest site. Their home range may overlap the survey area, with a rest site being used outside the Site during the survey times.

There are constraints in monitoring flora which include some annual species that do not appear every season, with the survey limited to identifying only those flora that appear during the survey times. The survey was completed in late December, early February, which is outside the optimal flowering time of some species. However, due to the highly disturbed nature of the Site, it is unlikely that there are additional conservation significant flora species within the Site.

# 6 Significance

Under the EPBC Act, an action that has, will have, or is likely to have, a significant impact on a matter of national environmental significance, requires approval from the Minister. A significant impact is defined as an impact which is important or of consequence, having regard for its context or intensity (Commonwealth of Australia, 2009).

Matters of environmental significance include listed threatened species and ecological communities. For this proposal, there is a limited potential for impact on threatened species. Significant Impact Guidelines 1.1 (Commonwealth of Australia, 2009) lists significant impact criteria for the assessment for activities which may impact on threatened species.

Table 8 and Table 9 discuss the referral triggers and the likely presence and impact on Black Cockatoos and Western Ringtail Possums.

*Table 8 Significant Impact Criteria for Key Protected Species*

| Significant Impact Criterion | Discussion | | Meets Criterion |
|---|---|---|---|
| | Black Cockatoo Species | Western Ringtail Possum | |
| Lead to a long-term decrease in the size of an important population[1] of a species | It has been confirmed that Black Cockatoos are utilising the Site for foraging. There are 51 trees with hollows and 18 with potential hollows within, or in close proximity, to vegetation that is proposed to be removed. No direct evidence of breeding was observed at the time of survey.<br>The long-term decrease of an important population of the species is unlikely due to the large foraging range and majority of the Site will be conserved. A relatively small area is proposed for clearing. | A population of Western Ringtail Possums reside on the Site, with five observations and six dreys seen within the proposed area of clearing. The proposal includes clearing of approximately 5.2 ha with 14.24 ha proposed for conservation that also represents suitable Western Ringtail Possum habitat.<br>During any clearing works, an approved DBCA fauna handler shall be engaged to relocate any captured fauna within 200m of the capture point. This will reduce the likelihood of a long-term decline in population. | No |
| Reduce the area of occupancy of an important population | Black Cockatoos were observed foraging within the vegetation proposed to be cleared. No Black Cockatoos were observed nesting or roosting within the Site.<br>A relatively small reduction in area of occupancy will occur with majority of the Site, which also represents suitable foraging habitat will be conserved. | The area where the Western Ringtail Possums were observed during the nocturnal surveys will be conserved. A relatively small area of occupations (where the dreys were observed) will be cleared. | No |

[1] *An 'important population' is a population that is necessary for a species' long-term survival and recovery.*

| | | | |
|---|---|---|---|
| Fragment an existing important population into two or more populations | It is unlikely this proposal will fragment the population due to the relatively small area proposed for clearing. | It is unlikely this proposal will fragment the population due to the relatively small area proposed for clearing. | No |
| Adversely affect habitat critical to the survival of a species. | Majority of the habitat will be conserved. | Majority of the habitat will be conserved. | No |
| Disrupt the breeding cycle of an important population | It is unlikely this proposal will disrupt the breeding cycle of an important population as no breeding was observed on Site and majority of the suitable breeding habitat will be conserved. | It is unlikely this proposal will disrupt the breeding cycle of an important population as majority of the suitable habitat will be conserved. | No |
| Modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline | A decrease in trees above 500 mm DBH, many with hollows, will occur.<br>It is unlikely this proposal will decrease the availability or quality of habitat due to majority of the vegetation will be conserved. | It is unlikely this proposal will decrease the availability or quality of habitat as majority of the vegetation and habitat will be conserved. | No |
| Result in invasive species that are harmful to a vulnerable species becoming established in the vulnerable species' habitat | Introductions are unlikely to occur. Any introductions are highly unlikely to have any impact on species. | Introductions are unlikely to occur. Any introductions are highly unlikely to have any impact on species. | No |
| Introduce disease that may cause the species to decline | Highly unlikely to occur. | Highly unlikely to occur. | No |

| | | | |
|---|---|---|---|
| Interfere substantially with the recovery of the species. | Development will not impact on the recovery of the species. | Development will not impact on the recovery of the species. | No |

Referral guidelines for the three threatened Black Cockatoo species (Commonwealth of Australia. 2011) uses a decision tree and a set of criteria to determine whether actions significantly impact on Black Cockatoos. These are set out in Table 9, based on the details of the development and the data obtained from the surveys. Notes on the flow chart follow.

*Table 9 Assessment of Significant Impact to Black Cockatoo*

| Question | Answer |
|---|---|
| 1. Could the impacts of your action occur within the modelled distribution of the Black Cockatoos? | Yes - Action occurs within the modelled distribution area of all three species. |
| 2. Could the impacts of your action affect any Black Cockatoo habitat or individuals? | Yes, Black Cockatoos have been observed foraging within the Site. |
| 3. Have you surveyed for Black Cockatoos using the recommended methods? | Yes |
| 4. Is Black Cockatoo habitat present? | Yes. |
| 5. Is your impact mitigation best practice so that it may reduce the significance of your impacts on Black Cockatoos? | Yes, majority of the vegetation and foraging habitat will be conserved within the Site. |
| 6. Could your action require a referral to the federal environmental Minister for significant impact on Black Cockatoos? | No, as the area for clearing is relatively small. It is unlikely that the species is dependent on the Site. |

Using the flow chart and criteria it is determined that there is a low risk of actions resulting in an impact upon Black Cockatoos and Western Ringtail Possums within the Site.

It is recommended that a referral pursuant to the *EPBC Act* is not required for the Site, as actions involved do not constitute a significant impact on any of the threatened species present.

# 7 Summary and Recommendations

## 7.1 Conservation Significant Flora

- There were no Threatened Flora or conservation significant flora identified within the Site however the flora survey did not occur during the optimal time for flora observation and identification.
- It is unlikely that this proposal will significantly impact on conservation significant species as majority of the vegetation will be conserved. A referral under the EPBC Act is not recommended.

## 7.2 Vegetation

- Two vegetation communities were observed within the Site (Figure 4):
  - *Corymbia calophylla, Agonis flexuosa, Eucalyptus patens* and *Eucalyptus marginata* open forest
  - *Melaleuca preissiana, Allocasuarina fraseriana* and *Nuytsia floribunda* open forest
- There is the potential Swan Coastal Plain Paluslope Wetlands (Priority 1, PEC) is located within the Lot, including within the proposed area for development, classified in Good condition.
- Majority of the area within the Lot is considered Completely Degraded (36 ha or 67%), which is majority of the area proposed for development. Some areas of development are proposed within areas of Degraded to Good classification (Figure 5). Impacts to vegetation include past clearing and ongoing grazing by cattle and kangaroos.
- The area proposed for conservation is classified Degraded to Excellent (Figure 5).
- There were no Threatened Ecological Communities observed within the Site.

## 7.3 Black Cockatoos

- The Site has been surveyed using the recommended methods from the relevant guidelines.
- A total of 361 significant trees were recorded in the area surveyed, which focused on the vegetation proposed to be removed, with 51 having hollows and 18 having potential hollows. One tree had multiple hollows with signs of wear (Figure 6).
- Approximately 20 White tailed Black Cockatoos (*Calyptohrynchus baudinii/ latirostris*) were observed foraging in a *Corymbia calophylla* tree located in the north western corner of the Site, within vegetation that is proposed to be removed (Figure 7).

- The area of vegetation proposed to be removed is relatively small, with majority of the vegetation within the Site proposed for conservation also being suitable habitat for Black Cockatoos. It is unlikely this proposal will significantly impact the local Black Cockatoo population. A referral under the EPBC Act is not recommended.

## 7.4 Western Ringtail Possum

- A total of five observations of Western Ringtail Possum, *Pseudocheirus occidentalis*, occurred during nocturnal surveys. The locations of these observations were within the vegetation proposed for conservation.
- A total of six dreys were observed, likely used by Western Ringtail Possums. The locations of these are within the vegetation proposed for disturbance however the survey for these dreys were focused on the area proposed for development.
- All vegetation within the Lot represents suitable habitat for Western Ringtail Possums. It is unlikely this proposal will significantly impact the local Western Ringtail population as majority of the vegetation will be retained for conservation. A referral under the EPBC Act is not recommended.
- During any clearing works, an approved DBCA fauna handler shall be engaged to relocate any captured fauna within 200m of the capture point.

## 7.5 Other Significance

- Some trees within the proposed area of disturbance appear to be marked, with the potential that they represent Aboriginal cultural heritage. It is an offence to cause serious harm to Aboriginal cultural heritage, including by accident, as per section 93 of the *Aboriginal Cultural Heritage Act 2021*. Therefore, it is recommended a suitable aboriginal heritage archaeologist conducts a cultural heritage survey to determine the significance of these markings.
- While no other fauna of significance was observed, either directly or through signs, the lack of this data should not be taken directly as an indication that those species are absent from the Site. No trapping or seasonal sampling was conducted.

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# Appendix A NatureMap Extract

NatureMap

# NatureMap Species Report

*Created By Guest user on 05/11/2021*

**Kingdom** Plantae
**Conservation Status** Conservation Taxon (T, X, IA, S, P1-P5)
**Current Names Only** Yes
**Core Datasets Only** Yes
**Method** 'By Circle'
**Centre** 115° 06' 22" E,33° 38' 35" S
**Buffer** 10km
**Group By** Conservation Status

| Conservation Status | Species | Records |
|---|---|---|
| Priority 1 | 1 | 1 |
| Priority 2 | 3 | 3 |
| Priority 3 | 9 | 31 |
| Priority 4 | 10 | 57 |
| Rare or likely to become extinct | 12 | 123 |
| **TOTAL** | **35** | **215** |

| | Name ID | Species Name | Naturalised | Conservation Code | Endemic To Query Area |
|---|---|---|---|---|---|
| **Rare or likely to become extinct** | | | | | |
| 1 | 32046 | *Banksia squarrosa subsp. argillacea* | | T | |
| 2 | 13615 | *Caladenia busselliana* | | T | |
| 3 | 13616 | *Caladenia caesarea subsp. maritima* | | T | |
| 4 | 13619 | *Caladenia excelsa* | | T | |
| 5 | 1596 | *Caladenia huegelii (Grand Spider Orchid)* | | T | |
| 6 | 18038 | *Caladenia procera* | | T | |
| 7 | 13622 | *Caladenia viridescens* | | T | |
| 8 | 3808 | *Daviesia elongata* | | T | |
| 9 | 13635 | *Drakaea micrantha* | | T | |
| 10 | 13024 | *Eucalyptus x phylacis* | | T | |
| 11 | 44440 | *Gastrolobium argyrotrichum* | | T | |
| 12 | 6867 | *Hemigenia ramosissima* | | T | |
| **Priority 1** | | | | | |
| 13 | 32312 | *Amphidium lorbosum* | | P1 | |
| **Priority 2** | | | | | |
| 14 | 15373 | *Caladenia nivelis* | | P2 | |
| 15 | 14337 | *Millotia tenuifolia var. laevis* | | P2 | |
| 16 | 1717 | *Thelymitra variegata (Queen of Sheba)* | | P2 | |
| **Priority 3** | | | | | |
| 17 | 14048 | *Acacia ancistrophylla var. perarcuata* | | P3 | |
| 18 | 3386 | *Acacia inops* | | P3 | |
| 19 | 14930 | *Acacia lateriticola var. Glabrous variant (B.R.Maslin 6765)* | | P3 | |
| 20 | 11612 | *Boronia capitata subsp. gracilis* | | P3 | |
| 21 | 16245 | *Cyathochaeta teretifolia* | | P3 | |
| 22 | 1296 | *Johnsonia inconspicua* | | P3 | |
| 23 | 1086 | *Lepyrodia heleocharoides* | | P3 | |
| 24 | 4179 | *Pultenaea pinifolia* | | P3 | |
| 25 | 12590 | *Stylidium lowrieanum (Lowrie's Triggerplant)* | | P3 | |
| **Priority 4** | | | | | |
| 26 | 3339 | *Acacia flagelliformis* | | P4 | |
| 27 | 3537 | *Acacia semitrullata* | | P4 | |
| 28 | 32078 | *Banksia sessilis var. cordata* | | P4 | |
| 29 | 4444 | *Boronia tenuis (Blue Boronia)* | | P4 | |
| 30 | 11273 | *Calothamnus graniticus subsp. graniticus* | | P4 | |
| 31 | 13512 | *Eucalyptus rudis subsp. cratyantha* | | P4 | |
| 32 | 19629 | *Eucalyptus virginea* | | P4 | |
| 33 | 17744 | *Gahnia sclerioides* | | P4 | |
| 34 | 1336 | *Thysanotus isantherus* | | | |

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NatureMap

| | Name ID | Species Name | Naturalised | Conservation Code | Endemic To Query Area |
|---|---|---|---|---|---|
| | | | | P4 | |
| 35. | 6093 | *Verticordia ashmanii* | | P4 | |

**Conservation Codes**
T - Rare or likely to become extinct
X - Presumed extinct
IA - Protected under international agreement
S - Other specially protected fauna
1 - Priority 1
2 - Priority 2
3 - Priority 3
4 - Priority 4
5 - Priority 5

* For NatureMap's purposes, species flagged as endemic are those whose records are wholly contained within the search area. Note that only those records complying with the search criteria are included in the calculation. For example, if you limit records to those from a specific datasource, only records from that datasource are used to determine if a species is restricted to the query area.

NatureMap

# NatureMap Species Report

*Created By Guest user on 05/11/2021*

**Kingdom** Animalia
**Conservation Status** Conservation Taxon (T, X, IA, S, P1-P5)
**Current Names Only** Yes
**Core Datasets Only** Yes
**Method** 'By Circle'
**Centre** 115° 06' 22" E,33° 38' 35" S
**Buffer** 10km
**Group By** Conservation Status

| Conservation Status | Species | Records |
|---|---|---|
| Other specially protected fauna | 4 | 209 |
| Priority 3 | 1 | 5 |
| Priority 4 | 7 | 64 |
| Protected under international agreement | 13 | 153 |
| Rare or likely to become extinct | 24 | 1109 |
| **TOTAL** | **49** | **1530** |

| | Name ID | Species Name | Naturalised | Conservation Code | Endemic To Query Area |
|---|---|---|---|---|---|
| **Rare or likely to become extinct** | | | | | |
| 1 | 34110 | *Austrobassiminea letha (Cape Leeuwin Freshwater Snail)* | | T | |
| 2 | 25450 | *Balaenoptera musculus (Blue Whale)* | | T | |
| 3 | 24048 | *Balaenoptera musculus subsp. brevicauda (Pygmy Blue Whale)* | | T | |
| 4 | 24784 | *Calidris ferruginea (Curlew Sandpiper)* | | T | |
| 5 | 24731 | *Calyptorhynchus banksii subsp. naso (Forest Red-tailed Black Cockatoo)* | | T | |
| 6 | 24733 | *Calyptorhynchus baudinii (Baudin's Cockatoo, White-tailed Long-billed Black Cockatoo)* | | T | |
| 7 | 24734 | *Calyptorhynchus latirostris (Carnaby's Cockatoo, White-tailed Short-billed Black Cockatoo)* | | T | |
| 8 | 48400 | *Calyptorhynchus sp. (white-tailed black cockatoo)* | | T | |
| 9 | 25335 | *Caretta caretta (Loggerhead Turtle)* | | T | |
| 10 | 25575 | *Charadrius leschenaultii (Greater Sand Plover)* | | T | |
| 11 | 25576 | *Charadrius mongolus (Lesser Sand Plover)* | | T | |
| 12 | 24092 | *Dasyurus geoffroii (Chuditch, Western Quoll)* | | T | |
| 13 | 25346 | *Dermochelys coriacea (Leatherback Turtle)* | | T | |
| 14 | 33946 | *Engaewa reducta (Dunsborough Burrowing Crayfish)* | | T | |
| 15 | 24043 | *Eubalaena australis (Southern Right Whale)* | | T | |
| 16 | 24557 | *Lepoa ocellata (Malleefowl)* | | T | |
| 17 | 24210 | *Neoptroca cinerea (Australian Sea-lion)* | | T | |
| 18 | 24795 | *Numenius madagascariensis (Eastern Curlew)* | | T | |
| 19 | 24073 | *Physeter macrocephalus (Sperm Whale)* | | T | |
| 20 | 24166 | *Pseudocheirus occidentalis (Western Ringtail Possum, ngwayir)* | | T | |
| 21 | 24145 | *Setonix brachyurus (Quokka)* | | T | |
| 22 | 34134 | *Thalassarche carteri (Indian Yellow-nosed Albatross)* | | T | |
| 23 | 44607 | *Thalassarche melanophris (Black-browed Albatross)* | | T | |
| 24 | 34113 | *Westralunio carteri (Carter's Freshwater Mussel)* | | T | |
| **Protected under international agreement** | | | | | |
| 25 | 41323 | *Actitis hypoleucos (Common Sandpiper)* | | IA | |
| 26 | 24779 | *Calidris acuminata (Sharp-tailed Sandpiper)* | | IA | |
| 27 | 24780 | *Calidris alba (Sanderling)* | | IA | |
| 28 | 24786 | *Calidris melanotos (Pectoral Sandpiper)* | | IA | |
| 29 | 24788 | *Calidris ruficollis (Red-necked Stint)* | | IA | |
| 30 | 48587 | *Hydroprogne caspia (Caspian Tern)* | | IA | |
| 31 | 30932 | *Limosa lapponica (Bar-tailed Godwit)* | | IA | |
| 32 | 24497 | *Oceanites oceanicus (Wilson's Storm-petrel)* | | IA | |
| 33 | 41347 | *Onychoprion anaethetus (Bridled Tern)* | | IA | |
| 34 | 48591 | *Pandion cristatus (Osprey, Eastern Osprey)* | | IA | |
| 35 | 48597 | *Thalasseus bergii (Crested Tern)* | | IA | |
| 36 | 24806 | *Tringa nebularia (Common Greenshank, greenshank)* | | IA | |

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NatureMap

| | Name ID | Species Name | Naturalised | Conservation Code | Endemic To Query Area |
|---|---|---|---|---|---|
| 37. | 24809 | *Tringa stagnatilis (Marsh Sandpiper, little greenshank)* | | IA | |
| **Other specially protected fauna** | | | | | |
| 38. | 24208 | *Arctocephalus forsteri (New Zealand Fur Seal, long-nosed fur-seal)* | | S | |
| 39. | 25624 | *Falco peregrinus (Peregrine Falcon)* | | S | |
| 40. | 24051 | *Megaptera novaeangliae (Humpback Whale)* | | S | |
| 41. | 48070 | *Phascogale tapoatafa subsp. wambenger (South-western Brush-tailed Phascogale, Wambenger)* | | S | |
| **Priority 3** | | | | | |
| 42. | 41641 | *Ctenotus ora (Coastal Plains Skink)* | | P3 | |
| **Priority 4** | | | | | |
| 43. | 24189 | *Falsistrellus mackenziei (Western False Pipistrelle, Western Falsistrelle)* | | P4 | |
| 44. | 24215 | *Hydromys chrysogaster (Water-rat, Rakali)* | | P4 | |
| 45. | 48588 | *Isoodon fusciventer (Quenda, southwestern brown bandicoot)* | | P4 | |
| 46. | 48022 | *Notamacropus ema (Western Brush Wallaby)* | | P4 | |
| 47. | 24328 | *Oxyura australis (Blue-billed Duck)* | | P4 | |
| 48. | 24663 | *Phaethon rubricauda (Red-tailed Tropicbird)* | | P4 | |
| 49. | 48135 | *Thinornis rubricollis (Hooded Plover, Hooded Dotterel)* | | P4 | |

**Conservation Codes**
T - Rare or likely to become extinct
X - Presumed extinct
IA - Protected under international agreement
S - Other specially protected fauna
1 - Priority 1
2 - Priority 2
3 - Priority 3
4 - Priority 4
5 - Priority 5

* For NatureMap's purposes, species flagged as endemic are those whose records are wholely contained within the search area. Note that only those records complying with the search criterion are included in the calculation. For example, if you limit records to those from a specific datasource, only records from that datasource are used to determine if a species is restricted to the query area.

# Appendix B Protected Matters Search Tool Extract

Australian Government
Department of Agriculture, Water and the Environment

# EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about Environment Assessments and the EPBC Act including significance guidelines, forms and application process details.

**Report created: 05/11/21 16:15:48**

Summary
Details
- Matters of NES
- Other Matters Protected by the EPBC Act
- Extra Information

Caveat
Acknowledgements




This map may contain data which are ©Commonwealth of Australia (Geoscience Australia), ©PSMA 2015

Coordinates
Buffer: 10.0Km



## Summary

### Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the Administrative Guidelines on Significance.

| | |
|---|---|
| World Heritage Properties: | None |
| National Heritage Places: | None |
| Wetlands of International Importance: | None |
| Great Barrier Reef Marine Park: | None |
| Commonwealth Marine Area: | 1 |
| Listed Threatened Ecological Communities: | 4 |
| Listed Threatened Species: | 63 |
| Listed Migratory Species: | 44 |

### Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at http://www.environment.gov.au/heritage

A permit may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

| | |
|---|---|
| Commonwealth Land: | 1 |
| Commonwealth Heritage Places: | None |
| Listed Marine Species: | 67 |
| Whales and Other Cetaceans: | 13 |
| Critical Habitats: | None |
| Commonwealth Reserves Terrestrial: | None |
| Australian Marine Parks: | 1 |

### Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

| | |
|---|---|
| State and Territory Reserves: | 9 |
| Regional Forest Agreements: | 1 |
| Invasive Species: | 25 |
| Nationally Important Wetlands: | None |
| Key Ecological Features (Marine) | 2 |

## Details

### Matters of National Environmental Significance

**Commonwealth Marine Area** [ Resource Information ]

Approval is required for a proposed activity that is located within the Commonwealth Marine Area which has, will have, or is likely to have a significant impact on the environment. Approval may be required for a proposed action taken outside the Commonwealth Marine Area but which has, may have or is likely to have a significant impact on the environment in the Commonwealth Marine Area. Generally the Commonwealth Marine Area stretches from three nautical miles to two hundred nautical miles from the coast.

Name
EEZ and Territorial Sea

**Marine Regions** [ Resource Information ]

If you are planning to undertake action in an area in or close to the Commonwealth Marine Area, and a marine bioregional plan has been prepared for the Commonwealth Marine Area in that area, the marine bioregional plan may inform your decision as to whether to refer your proposed action under the EPBC Act.

Name
South-west

**Listed Threatened Ecological Communities** [ Resource Information ]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

| Name | Status | Type of Presence |
|---|---|---|
| Banksia Woodlands of the Swan Coastal Plain ecological community | Endangered | Community likely to occur within area |
| Clay Pans of the Swan Coastal Plain | Critically Endangered | Community likely to occur within area |
| Subtropical and Temperate Coastal Saltmarsh | Vulnerable | Community likely to occur within area |
| Tuart (Eucalyptus gomphocephala) Woodlands and Forests of the Swan Coastal Plain ecological community | Critically Endangered | Community may occur within area |

**Listed Threatened Species** [ Resource Information ]

| Name | Status | Type of Presence |
|---|---|---|
| Birds | | |
| Anous tenuirostris melanops<br>Australian Lesser Noddy [26000] | Vulnerable | Species or species habitat may occur within area |
| Botaurus poiciloptilus<br>Australasian Bittern [1001] | Endangered | Species or species habitat likely to occur within area |
| Calidris canutus<br>Red Knot, Knot [855] | Endangered | Species or species habitat known to occur within area |
| Calidris ferruginea<br>Curlew Sandpiper [856] | Critically Endangered | Species or species habitat known to occur within area |
| Calyptorhynchus banksii naso<br>Forest Red-tailed Black-Cockatoo, Karrak [67034] | Vulnerable | Species or species habitat known to occur within area |

| Name | Status | Type of Presence |
|---|---|---|
| Calyptorhynchus baudinii<br>Baudin's Cockatoo, Long-billed Black-Cockatoo [769] | Endangered | Breeding known to occur within area |
| Calyptorhynchus latirostris<br>Carnaby's Cockatoo, Short-billed Black-Cockatoo [59523] | Endangered | Species or species habitat known to occur within area |
| Diomedea amsterdamensis<br>Amsterdam Albatross [64405] | Endangered | Species or species habitat may occur within area |
| Diomedea dabbenena<br>Tristan Albatross [66471] | Endangered | Species or species habitat may occur within area |
| Diomedea epomophora<br>Southern Royal Albatross [89221] | Vulnerable | Foraging, feeding or related behaviour likely to occur within area |
| Diomedea exulans<br>Wandering Albatross [89223] | Vulnerable | Foraging, feeding or related behaviour likely to occur within area |
| Diomedea sanfordi<br>Northern Royal Albatross [64456] | Endangered | Foraging, feeding or related behaviour likely to occur within area |
| Falco hypoleucos<br>Grey Falcon [929] | Vulnerable | Species or species habitat may occur within area |
| Halobaena caerulea<br>Blue Petrel [1059] | Vulnerable | Species or species habitat may occur within area |
| Limosa lapponica menzbieri<br>Northern Siberian Bar-tailed Godwit, Russkoye Bar-tailed Godwit [86432] | Critically Endangered | Species or species habitat known to occur within area |
| Macronectes giganteus<br>Southern Giant-Petrel, Southern Giant Petrel [1060] | Endangered | Species or species habitat may occur within area |
| Macronectes halli<br>Northern Giant Petrel [1061] | Vulnerable | Species or species habitat may occur within area |
| Numenius madagascariensis<br>Eastern Curlew, Far Eastern Curlew [847] | Critically Endangered | Species or species habitat known to occur within area |
| Pachyptila turtur subantarctica<br>Fairy Prion (southern) [64445] | Vulnerable | Species or species habitat likely to occur within area |
| Phoebetria fusca<br>Sooty Albatross [1075] | Vulnerable | Species or species habitat may occur within area |
| Pterodroma mollis<br>Soft-plumaged Petrel [1036] | Vulnerable | Species or species habitat may occur within area |
| Sternula nereis nereis<br>Australian Fairy Tern [82950] | Vulnerable | Species or species habitat known to occur within area |
| Thalassarche carteri<br>Indian Yellow-nosed Albatross [64464] | Vulnerable | Foraging, feeding or related behaviour may occur within area |
| Thalassarche cauta<br>Shy Albatross [89224] | Endangered | Foraging, feeding or |

| Name | Status | Type of Presence |
|---|---|---|
| | | related behaviour likely to occur within area |
| Thalassarche impavida<br>Campbell Albatross, Campbell Black-browed Albatross [64459] | Vulnerable | Species or species habitat may occur within area |
| Thalassarche melanophris<br>Black-browed Albatross [66472] | Vulnerable | Species or species habitat may occur within area |
| Thalassarche steadi<br>White-capped Albatross [64462] | Vulnerable | Foraging, feeding or related behaviour likely to occur within area |
| Crustaceans | | |
| Engaewa reducta<br>Dunsborough Burrowing Crayfish [82675] | Critically Endangered | Species or species habitat known to occur within area |
| Fish | | |
| Nannatherina balstoni<br>Balston's Pygmy Perch [66698] | Vulnerable | Species or species habitat likely to occur within area |
| Mammals | | |
| Balaenoptera musculus<br>Blue Whale [36] | Endangered | Species or species habitat likely to occur within area |
| Dasyurus geoffroii<br>Chuditch, Western Quoll [330] | Vulnerable | Species or species habitat likely to occur within area |
| Eubalaena australis<br>Southern Right Whale [40] | Endangered | Breeding known to occur within area |
| Megaptera novaeangliae<br>Humpback Whale [38] | Vulnerable | Congregation or aggregation known to occur within area |
| Neophoca cinerea<br>Australian Sea-lion, Australian Sea Lion [22] | Endangered | Species or species habitat may occur within area |
| Pseudocheirus occidentalis<br>Western Ringtail Possum, Ngwayir, Womp, Woder, Ngoor, Ngoolangit [25911] | Critically Endangered | Breeding known to occur within area |
| Other | | |
| Westralunio carteri<br>Carter's Freshwater Mussel, Freshwater Mussel [86266] | Vulnerable | Species or species habitat known to occur within area |
| Plants | | |
| Banksia nivea subsp. uliginosa<br>Swamp Honeypot [82766] | Endangered | Species or species habitat likely to occur within area |
| Banksia squarrosa subsp. argillacea<br>Whicher Range Dryandra [82769] | Vulnerable | Species or species habitat may occur within area |
| Brachyscias verecundus<br>Ironstone Brachyscias [81321] | Critically Endangered | Species or species habitat may occur within area |
| Caladenia busselliana<br>Bussell's Spider-orchid [24369] | Endangered | Species or species habitat known to occur within area |
| Caladenia caesarea subsp. maritima<br>Cape Spider-orchid [64856] | Endangered | Species or species habitat known to occur within area |

| Name | Status | Type of Presence |
|---|---|---|
| Caladenia excelsa<br>Giant Spider-orchid [56717] | Endangered | Species or species habitat likely to occur within area |
| Caladenia huegelii<br>King Spider-orchid, Grand Spider-orchid, Rusty Spider-orchid [7309] | Endangered | Species or species habitat known to occur within area |
| Caladenia procera<br>Carbunup King Spider Orchid [68679] | Critically Endangered | Species or species habitat likely to occur within area |
| Caladenia viridescens<br>Dunsborough Spider-orchid [56776] | Endangered | Species or species habitat known to occur within area |
| Chamelaucium sp. S coastal plain (R.D.Royce 4872)<br>Royce's Waxflower [87814] | Vulnerable | Species or species habitat may occur within area |
| Daviesia elongata subsp. elongata<br>Long-leaved Daviesia [64883] | Vulnerable | Species or species habitat known to occur within area |
| Diuris micrantha<br>Dwarf Bee-orchid [55082] | Vulnerable | Species or species habitat likely to occur within area |
| Drakaea elastica<br>Glossy-leafed Hammer Orchid, Glossy-leaved Hammer Orchid, Warty Hammer Orchid [16753] | Endangered | Species or species habitat may occur within area |
| Drakaea micrantha<br>Dwarf Hammer-orchid [56755] | Vulnerable | Species or species habitat known to occur within area |
| Eucalyptus x phylacis<br>Meelup Mallee [87817] | Endangered | Species or species habitat known to occur within area |
| Gastrolobium argyrotrichum<br>Metricup Pea [89145] | Critically Endangered | Species or species habitat known to occur within area |
| Gastrolobium papilio<br>Butterfly-leaved Gastrolobium [78415] | Endangered | Species or species habitat may occur within area |
| Lambertia echinata subsp. occidentalis<br>Western Prickly Honeysuckle [64528] | Endangered | Species or species habitat may occur within area |
| Petrophile latericola<br>Laterite Petrophile [64532] | Endangered | Species or species habitat may occur within area |
| Wurmbea calcicola<br>Naturaliste Nancy [64691] | Endangered | Species or species habitat likely to occur within area |
| Reptiles | | |
| Caretta caretta<br>Loggerhead Turtle [1763] | Endangered | Foraging, feeding or related behaviour known to occur within area |
| Chelonia mydas<br>Green Turtle [1765] | Vulnerable | Foraging, feeding or related behaviour known to occur within area |
| Dermochelys coriacea<br>Leatherback Turtle, Leathery Turtle, Luth [1768] | Endangered | Breeding likely to occur within area |

| Name | Status | Type of Presence |
|---|---|---|
| Natator depressus | | |
| Flatback Turtle [59257] | Vulnerable | Foraging, feeding or related behaviour known to occur within area |
| Sharks | | |
| Carcharias taurus (west coast population) | | |
| Grey Nurse Shark (west coast population) [68752] | Vulnerable | Species or species habitat known to occur within area |
| Carcharodon carcharias | | |
| White Shark, Great White Shark [64470] | Vulnerable | Species or species habitat known to occur within area |
| Rhincodon typus | | |
| Whale Shark [66680] | Vulnerable | Species or species habitat may occur within area |

Listed Migratory Species [ Resource Information ]

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

| Name | Threatened | Type of Presence |
|---|---|---|
| Migratory Marine Birds | | |
| Apus pacificus | | |
| Fork-tailed Swift [678] | | Species or species habitat likely to occur within area |
| Ardenna carneipes | | |
| Flesh-footed Shearwater, Fleshy-footed Shearwater [82404] | | Species or species habitat likely to occur within area |
| Diomedea amsterdamensis | | |
| Amsterdam Albatross [64405] | Endangered | Species or species habitat may occur within area |
| Diomedea dabbenena | | |
| Tristan Albatross [66471] | Endangered | Species or species habitat may occur within area |
| Diomedea epomophora | | |
| Southern Royal Albatross [89221] | Vulnerable | Foraging, feeding or related behaviour likely to occur within area |
| Diomedea exulans | | |
| Wandering Albatross [89223] | Vulnerable | Foraging, feeding or related behaviour likely to occur within area |
| Diomedea sanfordi | | |
| Northern Royal Albatross [64456] | Endangered | Foraging, feeding or related behaviour likely to occur within area |
| Hydroprogne caspia | | |
| Caspian Tern [808] | | Foraging, feeding or related behaviour known to occur within area |
| Macronectes giganteus | | |
| Southern Giant-Petrel, Southern Giant Petrel [1060] | Endangered | Species or species habitat may occur within area |
| Macronectes halli | | |
| Northern Giant Petrel [1061] | Vulnerable | Species or species habitat may occur within area |
| Onychoprion anaethetus | | |
| Bridled Tern [82845] | | Foraging, feeding or related behaviour likely to occur within area |
| Phoebetria fusca | | |
| Sooty Albatross [1075] | Vulnerable | Species or species habitat may occur within area |
| Thalassarche carteri | | |
| Indian Yellow-nosed Albatross [64464] | Vulnerable | Foraging, feeding or related behaviour may |

| Name | Threatened | Type of Presence |
|---|---|---|
| | | occur within area |
| Thalassarche cauta<br>Shy Albatross [89224] | Endangered | Foraging, feeding or related behaviour likely to occur within area |
| Thalassarche impavida<br>Campbell Albatross, Campbell Black-browed Albatross [64459] | Vulnerable | Species or species habitat may occur within area |
| Thalassarche melanophris<br>Black-browed Albatross [66472] | Vulnerable | Species or species habitat may occur within area |
| Thalassarche steadi<br>White-capped Albatross [64462] | Vulnerable | Foraging, feeding or related behaviour likely to occur within area |
| Migratory Marine Species | | |
| Balaena glacialis australis<br>Southern Right Whale [75529] | Endangered* | Breeding known to occur within area |
| Balaenoptera edeni<br>Bryde's Whale [35] | | Species or species habitat may occur within area |
| Balaenoptera musculus<br>Blue Whale [36] | Endangered | Species or species habitat likely to occur within area |
| Caperea marginata<br>Pygmy Right Whale [39] | | Species or species habitat may occur within area |
| Carcharhinus longimanus<br>Oceanic Whitetip Shark [84108] | | Species or species habitat may occur within area |
| Carcharodon carcharias<br>White Shark, Great White Shark [64470] | Vulnerable | Species or species habitat known to occur within area |
| Caretta caretta<br>Loggerhead Turtle [1763] | Endangered | Foraging, feeding or related behaviour known to occur within area |
| Chelonia mydas<br>Green Turtle [1765] | Vulnerable | Foraging, feeding or related behaviour known to occur within area |
| Dermochelys coriacea<br>Leatherback Turtle, Leathery Turtle, Luth [1768] | Endangered | Breeding likely to occur within area |
| Lagenorhynchus obscurus<br>Dusky Dolphin [43] | | Species or species habitat may occur within area |
| Lamna nasus<br>Porbeagle, Mackerel Shark [83288] | | Species or species habitat may occur within area |
| Manta alfredi<br>Reef Manta Ray, Coastal Manta Ray, Inshore Manta Ray, Prince Alfred's Ray, Resident Manta Ray [84994] | | Species or species habitat may occur within area |
| Manta birostris<br>Giant Manta Ray, Chevron Manta Ray, Pacific Manta Ray, Pelagic Manta Ray, Oceanic Manta Ray [84995] | | Species or species habitat may occur within area |
| Megaptera novaeangliae<br>Humpback Whale [38] | Vulnerable | Congregation or aggregation known to occur within area |

| Name | Threatened | Type of Presence |
|---|---|---|
| Natator depressus | | |
| Flatback Turtle [59257] | Vulnerable | Foraging, feeding or related behaviour known to occur within area |
| Orcinus orca | | |
| Killer Whale, Orca [46] | | Species or species habitat may occur within area |
| Rhincodon typus | | |
| Whale Shark [66680] | Vulnerable | Species or species habitat may occur within area |
| **Migratory Terrestrial Species** | | |
| Motacilla cinerea | | |
| Grey Wagtail [642] | | Species or species habitat may occur within area |
| **Migratory Wetlands Species** | | |
| Actitis hypoleucos | | |
| Common Sandpiper [59309] | | Species or species habitat known to occur within area |
| Calidris acuminata | | |
| Sharp-tailed Sandpiper [874] | | Species or species habitat likely to occur within area |
| Calidris canutus | | |
| Red Knot, Knot [855] | Endangered | Species or species habitat known to occur within area |
| Calidris ferruginea | | |
| Curlew Sandpiper [856] | Critically Endangered | Species or species habitat known to occur within area |
| Calidris melanotos | | |
| Pectoral Sandpiper [858] | | Species or species habitat known to occur within area |
| Limosa lapponica | | |
| Bar-tailed Godwit [844] | | Species or species habitat known to occur within area |
| Numenius madagascariensis | | |
| Eastern Curlew, Far Eastern Curlew [847] | Critically Endangered | Species or species habitat known to occur within area |
| Pandion haliaetus | | |
| Osprey [952] | | Breeding known to occur within area |
| Tringa nebularia | | |
| Common Greenshank, Greenshank [832] | | Species or species habitat likely to occur within area |

## Other Matters Protected by the EPBC Act

**Commonwealth Land** [ Resource Information ]

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

| Name |
|---|
| Commonwealth Land - |

**Listed Marine Species** [ Resource Information ]

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

| Name | Threatened | Type of Presence |
|---|---|---|
| Birds | | |

| Name | Threatened | Type of Presence |
|---|---|---|
| Actitis hypoleucos<br>Common Sandpiper [59309] | | Species or species habitat known to occur within area |
| Anous tenuirostris melanops<br>Australian Lesser Noddy [26000] | Vulnerable | Species or species habitat may occur within area |
| Apus pacificus<br>Fork-tailed Swift [678] | | Species or species habitat likely to occur within area |
| Ardea ibis<br>Cattle Egret [59542] | | Species or species habitat may occur within area |
| Calidris acuminata<br>Sharp-tailed Sandpiper [874] | | Species or species habitat likely to occur within area |
| Calidris canutus<br>Red Knot, Knot [855] | Endangered | Species or species habitat known to occur within area |
| Calidris ferruginea<br>Curlew Sandpiper [856] | Critically Endangered | Species or species habitat known to occur within area |
| Calidris melanotos<br>Pectoral Sandpiper [858] | | Species or species habitat known to occur within area |
| Catharacta skua<br>Great Skua [59472] | | Species or species habitat may occur within area |
| Diomedea amsterdamensis<br>Amsterdam Albatross [64405] | Endangered | Species or species habitat may occur within area |
| Diomedea dabbenena<br>Tristan Albatross [66471] | Endangered | Species or species habitat may occur within area |
| Diomedea epomophora<br>Southern Royal Albatross [89221] | Vulnerable | Foraging, feeding or related behaviour likely to occur within area |
| Diomedea exulans<br>Wandering Albatross [89223] | Vulnerable | Foraging, feeding or related behaviour likely to occur within area |
| Diomedea sanfordi<br>Northern Royal Albatross [64456] | Endangered | Foraging, feeding or related behaviour likely to occur within area |
| Haliaeetus leucogaster<br>White-bellied Sea-Eagle [943] | | Species or species habitat known to occur within area |
| Halobaena caerulea<br>Blue Petrel [1059] | Vulnerable | Species or species habitat may occur within area |
| Larus pacificus<br>Pacific Gull [811] | | Foraging, feeding or related behaviour may occur within area |
| Limosa lapponica<br>Bar-tailed Godwit [844] | | Species or species habitat known to occur within area |

| Name | Threatened | Type of Presence |
|---|---|---|
| Macronectes giganteus<br>Southern Giant-Petrel, Southern Giant Petrel [1060] | Endangered | Species or species habitat may occur within area |
| Macronectes halli<br>Northern Giant Petrel [1061] | Vulnerable | Species or species habitat may occur within area |
| Merops ornatus<br>Rainbow Bee-eater [670] | | Species or species habitat may occur within area |
| Motacilla cinerea<br>Grey Wagtail [642] | | Species or species habitat may occur within area |
| Numenius madagascariensis<br>Eastern Curlew, Far Eastern Curlew [847] | Critically Endangered | Species or species habitat known to occur within area |
| Pachyptila turtur<br>Fairy Prion [1066] | | Species or species habitat likely to occur within area |
| Pandion haliaetus<br>Osprey [952] | | Breeding known to occur within area |
| Phoebetria fusca<br>Sooty Albatross [1075] | Vulnerable | Species or species habitat may occur within area |
| Pterodroma mollis<br>Soft-plumaged Petrel [1036] | Vulnerable | Species or species habitat may occur within area |
| Puffinus assimilis<br>Little Shearwater [59363] | | Foraging, feeding or related behaviour known to occur within area |
| Puffinus carneipes<br>Flesh-footed Shearwater, Fleshy-footed Shearwater [1043] | | Species or species habitat likely to occur within area |
| Sterna anaethetus<br>Bridled Tern [814] | | Foraging, feeding or related behaviour likely to occur within area |
| Sterna caspia<br>Caspian Tern [59467] | | Foraging, feeding or related behaviour known to occur within area |
| Thalassarche carteri<br>Indian Yellow-nosed Albatross [64464] | Vulnerable | Foraging, feeding or related behaviour may occur within area |
| Thalassarche cauta<br>Shy Albatross [89224] | Endangered | Foraging, feeding or related behaviour likely to occur within area |
| Thalassarche impavida<br>Campbell Albatross, Campbell Black-browed Albatross [64459] | Vulnerable | Species or species habitat may occur within area |
| Thalassarche melanophris<br>Black-browed Albatross [66472] | Vulnerable | Species or species habitat may occur within area |
| Thalassarche steadi<br>White-capped Albatross [64462] | Vulnerable | Foraging, feeding or related behaviour likely to occur within area |
| Thinornis rubricollis<br>Hooded Plover [59510] | | Species or species |

| Name | Threatened | Type of Presence |
|---|---|---|
| | | habitat known to occur within area |
| Tringa nebularia<br>Common Greenshank, Greenshank [832] | | Species or species habitat likely to occur within area |
| Fish | | |
| Acentronura australe<br>Southern Pygmy Pipehorse [66185] | | Species or species habitat may occur within area |
| Campichthys galei<br>Gale's Pipefish [66191] | | Species or species habitat may occur within area |
| Heraldia nocturna<br>Upside-down Pipefish, Eastern Upside-down Pipefish, Eastern Upside-down Pipefish [66227] | | Species or species habitat may occur within area |
| Hippocampus angustus<br>Western Spiny Seahorse, Narrow-bellied Seahorse [66234] | | Species or species habitat may occur within area |
| Hippocampus breviceps<br>Short-head Seahorse, Short-snouted Seahorse [66235] | | Species or species habitat may occur within area |
| Hippocampus subelongatus<br>West Australian Seahorse [66722] | | Species or species habitat may occur within area |
| Histiogamphelus cristatus<br>Rhino Pipefish, Macleay's Crested Pipefish, Ring-back Pipefish [66243] | | Species or species habitat may occur within area |
| Lissocampus caudalis<br>Australian Smooth Pipefish, Smooth Pipefish [66249] | | Species or species habitat may occur within area |
| Lissocampus fatiloquus<br>Prophet's Pipefish [66250] | | Species or species habitat may occur within area |
| Lissocampus runa<br>Javelin Pipefish [66251] | | Species or species habitat may occur within area |
| Maroubra perserrata<br>Sawtooth Pipefish [66252] | | Species or species habitat may occur within area |
| Mitotichthys meraculus<br>Western Crested Pipefish [66259] | | Species or species habitat may occur within area |
| Nannocampus subosseus<br>Bonyhead Pipefish, Bony-headed Pipefish [66264] | | Species or species habitat may occur within area |
| Phycodurus eques<br>Leafy Seadragon [66267] | | Species or species habitat may occur within area |
| Phyllopteryx taeniolatus<br>Common Seadragon, Weedy Seadragon [66268] | | Species or species habitat may occur within area |
| Pugnaso curtirostris<br>Pugnose Pipefish, Pug-nosed Pipefish [66269] | | Species or species habitat may occur within area |
| Solegnathus lettiensis<br>Gunther's Pipehorse, Indonesian Pipefish [66273] | | Species or species |

| Name | Threatened | Type of Presence |
|---|---|---|
| | | habitat may occur within area |
| Stigmatopora argus<br>Spotted Pipefish, Gulf Pipefish, Peacock Pipefish [66276] | | Species or species habitat may occur within area |
| Stigmatopora nigra<br>Widebody Pipefish, Wide-bodied Pipefish, Black Pipefish [66277] | | Species or species habitat may occur within area |
| Urocampus carinirostris<br>Hairy Pipefish [66282] | | Species or species habitat may occur within area |
| Vanacampus margaritifer<br>Mother-of-pearl Pipefish [66283] | | Species or species habitat may occur within area |
| Vanacampus phillipi<br>Port Phillip Pipefish [66284] | | Species or species habitat may occur within area |
| Vanacampus poecilolaemus<br>Longsnout Pipefish, Australian Long-snout Pipefish, Long-snouted Pipefish [66285] | | Species or species habitat may occur within area |
| Mammals | | |
| Arctocephalus forsteri<br>Long-nosed Fur-seal, New Zealand Fur-seal [20] | | Species or species habitat may occur within area |
| Neophoca cinerea<br>Australian Sea-lion, Australian Sea Lion [22] | Endangered | Species or species habitat may occur within area |
| Reptiles | | |
| Caretta caretta<br>Loggerhead Turtle [1763] | Endangered | Foraging, feeding or related behaviour known to occur within area |
| Chelonia mydas<br>Green Turtle [1765] | Vulnerable | Foraging, feeding or related behaviour known to occur within area |
| Dermochelys coriacea<br>Leatherback Turtle, Leathery Turtle, Luth [1768] | Endangered | Breeding likely to occur within area |
| Natator depressus<br>Flatback Turtle [59257] | Vulnerable | Foraging, feeding or related behaviour known to occur within area |

| Whales and other Cetaceans | | [ Resource Information ] |
|---|---|---|
| Name | Status | Type of Presence |
| Mammals | | |
| Balaenoptera acutorostrata<br>Minke Whale [33] | | Species or species habitat may occur within area |
| Balaenoptera edeni<br>Bryde's Whale [35] | | Species or species habitat may occur within area |
| Balaenoptera musculus<br>Blue Whale [36] | Endangered | Species or species habitat likely to occur within area |
| Caperea marginata<br>Pygmy Right Whale [39] | | Species or species habitat may occur within area |

| Name | Status | Type of Presence |
|---|---|---|
| Delphinus delphis<br>Common Dolphin, Short-beaked Common Dolphin [60] | | Species or species habitat may occur within area |
| Eubalaena australis<br>Southern Right Whale [40] | Endangered | Breeding known to occur within area |
| Grampus griseus<br>Risso's Dolphin, Grampus [64] | | Species or species habitat may occur within area |
| Lagenorhynchus obscurus<br>Dusky Dolphin [43] | | Species or species habitat may occur within area |
| Megaptera novaeangliae<br>Humpback Whale [38] | Vulnerable | Congregation or aggregation known to occur within area |
| Orcinus orca<br>Killer Whale, Orca [46] | | Species or species habitat may occur within area |
| Stenella attenuata<br>Spotted Dolphin, Pantropical Spotted Dolphin [51] | | Species or species habitat may occur within area |
| Tursiops aduncus<br>Indian Ocean Bottlenose Dolphin, Spotted Bottlenose Dolphin [68418] | | Species or species habitat likely to occur within area |
| Tursiops truncatus s. str.<br>Bottlenose Dolphin [68417] | | Species or species habitat may occur within area |

**Australian Marine Parks** [ Resource Information ]

| Name | Label |
|---|---|
| Geographe | Multiple Use Zone (IUCN VI) |

## Extra Information

**State and Territory Reserves** [ Resource Information ]

| Name | State |
|---|---|
| Haag | WA |
| Leeuwin-Naturaliste | WA |
| NTWA Bushland covenant (0085A) | WA |
| NTWA Bushland covenant (0085B) | WA |
| NTWA Bushland covenant (0102) | WA |
| NTWA Bushland covenant (0116A) | WA |
| NTWA Bushland covenant (0116B) | WA |
| Unnamed WA26065 | WA |
| Yelverton | WA |

**Regional Forest Agreements** [ Resource Information ]

Note that all areas with completed RFAs have been included.

| Name | State |
|---|---|
| South West WA RFA | Western Australia |

**Invasive Species** [ Resource Information ]

Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resouces Audit, 2001.

| Name | Status | Type of Presence |
|---|---|---|

| Name | Status | Type of Presence |
|---|---|---|
| **Birds** | | |
| Anas platyrhynchos<br>Mallard [974] | | Species or species habitat likely to occur within area |
| Columba livia<br>Rock Pigeon, Rock Dove, Domestic Pigeon [803] | | Species or species habitat likely to occur within area |
| Streptopelia senegalensis<br>Laughing Turtle-dove, Laughing Dove [781] | | Species or species habitat likely to occur within area |
| Sturnus vulgaris<br>Common Starling [389] | | Species or species habitat likely to occur within area |
| **Mammals** | | |
| Bos taurus<br>Domestic Cattle [16] | | Species or species habitat likely to occur within area |
| Canis lupus familiaris<br>Domestic Dog [82654] | | Species or species habitat likely to occur within area |
| Felis catus<br>Cat, House Cat, Domestic Cat [19] | | Species or species habitat likely to occur within area |
| Feral deer<br>Feral deer species in Australia [85733] | | Species or species habitat likely to occur within area |
| Mus musculus<br>House Mouse [120] | | Species or species habitat likely to occur within area |
| Oryctolagus cuniculus<br>Rabbit, European Rabbit [128] | | Species or species habitat likely to occur within area |
| Rattus rattus<br>Black Rat, Ship Rat [84] | | Species or species habitat likely to occur within area |
| Sus scrofa<br>Pig [6] | | Species or species habitat likely to occur within area |
| Vulpes vulpes<br>Red Fox, Fox [18] | | Species or species habitat likely to occur within area |
| **Plants** | | |
| Asparagus asparagoides<br>Bridal Creeper, Bridal Veil Creeper, Smilax, Florist's Smilax, Smilax Asparagus [22473] | | Species or species habitat likely to occur within area |
| Brachiaria mutica<br>Para Grass [5879] | | Species or species habitat may occur within area |
| Cenchrus ciliaris<br>Buffel-grass, Black Buffel-grass [20213] | | Species or species habitat may occur within area |
| Chrysanthemoides monilifera<br>Bitou Bush, Boneseed [18983] | | Species or species habitat may occur within area |
| Chrysanthemoides monilifera subsp. monilifera<br>Boneseed [16905] | | Species or species |

| Name | Status | Type of Presence |
|---|---|---|
| | | habitat likely to occur within area |
| Genista monspessulana<br>Montpellier Broom, Cape Broom, Canary Broom, Common Broom, French Broom, Soft Broom [20126] | | Species or species habitat likely to occur within area |
| Genista sp. X Genista monspessulana<br>Broom [67538] | | Species or species habitat may occur within area |
| Lycium ferocissimum<br>African Boxthorn, Boxthorn [19235] | | Species or species habitat likely to occur within area |
| Olea europaea<br>Olive, Common Olive [9160] | | Species or species habitat may occur within area |
| Pinus radiata<br>Radiata Pine Monterey Pine, Insignis Pine, Wilding Pine [20780] | | Species or species habitat may occur within area |
| Rubus fruticosus aggregate<br>Blackberry, European Blackberry [68406] | | Species or species habitat likely to occur within area |
| Tamarix aphylla<br>Athel Pine, Athel Tree, Tamarisk, Athel Tamarisk, Athel Tamarix, Desert Tamarisk, Flowering Cypress, Salt Cedar [16018] | | Species or species habitat likely to occur within area |

**Key Ecological Features (Marine)** [ Resource Information ]

Key Ecological Features are the parts of the marine ecosystem that are considered to be important for the biodiversity or ecosystem functioning and integrity of the Commonwealth Marine Area.

| Name | Region |
|---|---|
| Commonwealth marine environment within and | South-west |
| Western rock lobster | South-west |

## Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

## Coordinates

-33.643092 115.10623

## Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

-Office of Environment and Heritage, New South Wales
-Department of Environment and Primary Industries, Victoria
-Department of Primary Industries, Parks, Water and Environment, Tasmania
-Department of Environment, Water and Natural Resources, South Australia
-Department of Land and Resource Management, Northern Territory
-Department of Environmental and Heritage Protection, Queensland
-Department of Parks and Wildlife, Western Australia
-Environment and Planning Directorate, ACT
-Birdlife Australia
-Australian Bird and Bat Banding Scheme
-Australian National Wildlife Collection
-Natural history museums of Australia
-Museum Victoria
-Australian Museum
-South Australian Museum
-Queensland Museum
-Online Zoological Collections of Australian Museums
-Queensland Herbarium
-National Herbarium of NSW
-Royal Botanic Gardens and National Herbarium of Victoria
-Tasmanian Herbarium
-State Herbarium of South Australia
-Northern Territory Herbarium
-Western Australian Herbarium
-Australian National Herbarium, Canberra
-University of New England
-Ocean Biogeographic Information System
-Australian Government, Department of Defence
Forestry Corporation, NSW
-Geoscience Australia
-CSIRO
-Australian Tropical Herbarium, Cairns
-eBird Australia
-Australian Government – Australian Antarctic Data Centre
-Museum and Art Gallery of the Northern Territory
-Australian Government National Environmental Science Program
-Australian Institute of Marine Science
-Reef Life Survey Australia
-American Museum of Natural History
-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania
-Tasmanian Museum and Art Gallery, Hobart, Tasmania
-Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the Contact Us page.

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# Appendix C Conservation Codes for Western Australian Flora and Fauna

| CONSERVATION CODE | CATEGORY |
|---|---|
| **Threatened species (T)** | Listed by order of the Minister as Threatened in the category of critically endangered, endangered or vulnerable under Section 19(1), or is a rediscovered species to be regarded as threatened species under section 26(2) of the *Biodiversity Conservation Act 2016* (BC Act).<br>***Threated fauna*** is that subset of 'Specially Protected Fauna' listed under Schedules 1 to 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for Threatened Fauna.<br>***Threatened flora*** is that subset of 'Rare Flora' listed under schedules 1 to 3 of the *Wildlife Conservation (Rare Flora) Notice 2018* for Threated Flora.<br>The Assessment of the conservation status of these species is based on their national extent and ranked according to their level of threat using IUCN Red List categories and criteria as detailed below |
| **Critically endangered species (CR)** | Threatened species considered to be *"facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with the criteria set out in the ministerial guidelines"*.<br>Listed as critically endangered under section 19(1)(a) of the BC Act in accordance with the criteria set out in section 20 and the ministerial guidelines. Published under schedule 1 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for critically endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for critically endangered flora. |
| **Endangered species (EN)** | Threatened species considered to be *"facing a very high risk of extinction in the wild in the near future, as determined in accordance with criteria set out in the ministerial guidelines"*.<br>Listed as endangered under Section 19(1)(b) of the BC Act in accordance with the criteria set out in section 21 and the ministerial guidelines. Published under schedule 2 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for endangered flora. |

| CONSERVATION CODE | CATEGORY |
|---|---|
| **Vulnerable species (VU)** | Threatened species considered to *be "facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with criteria set out in the ministerial guidelines".*<br>Listed as endangered under section 19(1)(c) of the BC Act in accordance with the criteria set out in section 22 and the ministerial guidelines. Published under schedule 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for vulnerable fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for vulnerable flora. |
| **Extinct species (EX)** | Species where *"there is no reasonable doubt that the last member of the species has died"*, and listing is otherwise in accordance with the ministerial guidelines (section 24 of the BC Act).<br>Published as presumed extinct under schedule 4 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for extinct fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for extinct flora. |
| **Extinct in the wild species (EW)** | Species that *"is known only to survive in cultivation, captivity or as a naturalised population well outside its part range; and it has not been recorded in its known habitat or expected habitat, at appropriate seasons, anywhere in its past range, despite surveys over a time frame appropriate to its life cycle and form"*, and listing is otherwise in accordance with the ministerial guidelines (section 25 of the BC Act).<br>Currently there are no threated fauna or flora species listed as extinct in the wild. If listing of a species as extinct in the wild occurs, then a schedule will be added to the applicable notice. |
| **Specially protected species** | Listed by order of the Minister as specially protected under section 13(1) of the BC Act. Meeting one or more of the following categories: species of special conservation interest; migratory species; cetaceans; species subject to international agreement; or species otherwise in need of special protection.<br>Species that are listed as threatened species (critically endangered, endangered or vulnerable) or extinct species under the BC Act cannot also be listed as Specially Protected species. |

| CONSERVATION CODE | CATEGORY |
|---|---|
| **Migratory species (MI)** | Fauna that periodically or occasionally visit Australia or an external Territory or the exclusive economic zone; or the species is subject of an international agreement that relates to the protection of migratory species and that binds the Commonwealth; and listing is otherwise in accordance with the ministerial guidelines (Section 15 of the BC Act).<br>Includes birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and the Republic of Korea (ROKAMBA), and fauna subject to the *Convention on the Conservation of Migratory Species of Wild Animals* (Bonn Convention), an environmental treaty under the United Nations Environment Program. Migratory species listed under the BC Act are a subset of the migratory animals, that are known to visit Western Australia, protected under the international agreements of treaties, excluding species that are listed as Threated species.<br>Published as migratory birds protected under an international agreement under schedule 5 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*. |
| **Species of special conservation interest (conservation dependent fauna) (CD)** | Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened, and listing is otherwise in accordance with the ministerial guidelines (section 14 of the BC Act).<br>Published as conservation dependent fauna under schedule 6 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*. |
| **Other specially protected species (OS)** | Fauna otherwise in need of special protection to ensure their conservation, and listing is otherwise in accordance with the ministerial guidelines (section 18 of the BC Act).<br>Published as other specially protected fauna under schedule 7 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*. |

| CONSERVATION CODE | CATEGORY |
|---|---|
| **Priority species (P)** | Possibly threatened species that do not meet survey criteria, or are otherwise data deficient, are added to the Priority Fauna or Priority Flora Lists under Priorities 1, 2 or 3. These three categories are ranked in order of priority for survey and evaluation of conservation status so that consideration can be given to their declaration as threatened fauna or flora.<br>Species that are adequately known, are rare but not threatened, or meet criteria for near threatened, or that have been recently removed from the threatened species or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species require regular monitoring.<br>Assessment of Priority codes in based on the Western Australian distribution of the species, unless the distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations. |
| **Priority 1 - Poorly-known species** | Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases, or otherwise under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under immediate threat from known threatening processes. Such species are in urgent need of further survey. |
| **Priority 2 - Poorly-known species** | Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, e.g. national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under threat from know threatening processes. Such species are in urgent need of further survey. |

| CONSERVATION CODE | CATEGORY |
|---|---|
| **Priority 3 - Poorly-known species** | Species that are known from several locations, and the species does not appear to be under imminent threat, or from few but widespread locations with either large population size or significant remaining areas of suitable habitat, much of it not under imminent threat. Species may be included if they are comparatively well known from several locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. Such species are in need of further survey. |
| **Priority 4 - Rare, Near Threatened and other species in need of monitoring** | (a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection but could be if present circumstances change. These species are usually represented on conservation lands.<br>(b) Near Threatened. Species that are considered to have been adequately surveyed and that are close to qualifying for vulnerable but are not listed as Conservation Dependent.<br>(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy. |

# Appendix D Relevé Field Sheet

| STRUCTURAL VEGETATION, FLORA - Relevé | | | | | | | | | | | SITE_ID: R01 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date: 20/12/2021 | GPS: | | | | | | | | | E | Structural comm. type |
| | | | | | | | | | | N | |
| Recorder: KL | | | | | | | | | | | Vegetation Community A |
| Location: North (approx. 20m) of creekline | | | | | | | | | | | |

| Condition: Excellent | |
|---|---|
| Aspect: N/A | Slope: Flat |
| Geology: Laterite | Rock: 0% |
| Soil Colour: Brown | Soil Type: Sandy Loam |
| Litter (% cover & depth): 95%, average 3cm patches of up to 8cm | Bare Ground (% cover): <2% |
| Hydrology: Good drainage | Topographic position: Riparian Bank (Dam) |

| Layer | Height (m) | Cover | Plant Species (Dominant 3 first) |
|---|---|---|---|
| Tree (T2) | 10-30 | 30-70 | *Corymbia calophylla, Eucalyptus patens, Eucalyptus marginata, Agonis flexuosa* |
| Tree (T3) | < 10 | 10-30 | *Agonis flexuosa, Corymbia calophylla* |
| Shrub (S1) | > 2 | 2-10 | *Xanthorrhoea preissii, Trymalium odoratissimum, Logania vaginalis, Hovea elliptica, Agonis flexuosa* |
| Shrub (S2) | 1-2 | 10-30 | *Xanthorrhoea preissii, Agonis flexuosa, Hovea elliptica, Acacia pulchella Logania vaginalis* |
| Shrub (S3) | 0-1 | 30-70 | *Chorizema cordatum, Dampiera sp., Hibbertia hypericoides, Scaevola calliptera, Tremandra diffusa, Hakea lissocarpha, Hovea elliptica, Opercularia sp., Xanthorrhoea gracilis, Hibbertia diamesogenos, Conostylis aculeata, Pteridium esculentum* |
| Sedge/Rush (VR) | | 10-30 | *Mesomelaena tetragona, Netrostylis* sp. Jarrah Forest, *Lepidosperma sp.* |
| Herb (H) | | <2 | *Opercularia hispidula, Agrostocrinum hirsutum, *Watsonia sp., *Sonchus sp., Microtis sp.* |
| Grass (G) | | 2-10 | *Tetrarrhena laevis, Rytidosperma* sp. (DL05), **Briza maxima* |
| Other (climbers) (C) | | <2 | *Billardiera variifolia* |

Cover Codes: D >70% M 30-70% S 10-30% V 2-10% VV <2% E <5% Emergent * = Introduced

Surrounding Plants: *Darwinia citriodora, Scaevola microphylla, Billardiera heterophylla, Lepidosperma effusum*

| STRUCTURAL VEGETATION, FLORA - Relevé | | | | | | | | | | | SITE_ID: R02 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date: 20/12/2021 | GPS: | | | | | | | | | E | Structural comm. type |
| | | | | | | | | | | N | |
| Recorder: KL | | | | | | | | | | | Vegetation Community A |
| Location: West edge of site | | | | | | | | | | | |

| Condition: Very Good | |
|---|---|
| Aspect: South | Slope: Gentle |
| Geology: Laterite | Rock: 0% |
| Soil Colour: Grey (orange tinge) | Soil Type: Sand |
| Litter (% cover & depth): 95%, 2cm | Bare Ground (% cover): <2% |
| Hydrology: Good drainage | Topographic position: Flat |

| Layer | Height (m) | Cover | Plant Species (Dominant 3 first) |
|---|---|---|---|
| Tree (T2) | 10-30 | 10-30 | *Corymbia calophylla, Eucalyptus patens, Agonis flexuosa* |
| Tree (T3) | < 10 | 30-70 | *Agonis flexuosa, Corymbia calophylla, Nuytsia floribunda* |
| Shrub (S1) | > 2 | 10-30 | *Agonis flexuosa, Corymbia calophylla, Xanthorrhoea preissii, Nuytsia floribunda* |
| Shrub (S2) | 1-2 | 10-30 | *Xanthorrhoea preissii, Agonis flexuosa, Hakea lissocarpha, Macrozamia riedlei, Acacia pulchella, Trymalium ledifolium, Acacia extensa* |
| Shrub (S3) | 0-1 | 30-70 | *Xanthorrhoea preissii, Phyllanthus calycinus, Hakea lissocarpha, Dampier asp. (DL08), Calothamnus sanguineus, Trymalium ledifolium, Hibbertia hypericoides, Macrozamia riedlei, Chorizema cordatum (DL10)* |
| Sedge/Rush (VR) | | 10-30 | *Netrostylis* sp. Jarrah Forest, Morelotia octandra, *Mesomelaena tetragona, Desmocladus flexuosus/fasciculatus* |
| Herb (H) | | <2 | *Opercularia hispidula, Tripterococcus brunonis, Thelymitra sp., Burchardia congesta, *Zantedeschia aethiopica, Lagenophora huegelii, *Sonchus asper* |
| Grass (G) | | 2-10 | *Microlaena stipoides, Rytidosperma* sp. (DL05), *Tetrarrhena laevis, *Briza maxima, *Ehrharta calycina* |
| Other (climbers) (C) | | <2 | *Hardenbergia comptoniana* |

Cover Codes: D >70% M 30-70% S 10-30% V 2-10% VV <2% E <5% Emergent * = Introduced

Surrounding Plants:

| STRUCTURAL VEGETATION, FLORA – Relevé | | | | | | | | | | | SITE_ID: R03 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date: 20/12/2021 | GPS: | | | | | | | | | E | Structural comm. type |
| | | | | | | | | | | N | |
| Recorder: KL | Photo no. + direction: | | | | | | | | | | Vegetation Community A |
| Location: Lot 6 Commonage Road | | | | | | | | | | | |

| Condition: Good | |
|---|---|
| Aspect: N/A | Slope: Flat |
| Geology: Laterite | Rock: 0% |
| Soil Colour: Grey | Soil Type: Sand |
| Litter (% cover & depth): 90% | Bare Ground (% cover): 5% |
| Hydrology: Good drainage | Topographic position: Plain |

| Layer | Height (m) | Cover | Plant Species (Dominant 3 first) |
|---|---|---|---|
| Tree (T2) | 10-30 | 30-70 | *Corymbia calophylla, Eucalyptus marginata* |
| Tree (T3) | < 10 | 10-30 | *Corymbia calophylla, Eucalyptus marginata, Agonis flexuosa, Xylomelum occidentale, Nuytsia floribunda* |
| Shrub (S1) | > 2 | 2-10 | *Corymbia calophylla* |
| Shrub (S2) | 1-2 | 10-30 | *Xanthorrhoea preissii* |
| Shrub (S3) | 0-1 | 30-70 | *Xanthorrhoea preissii, Acacia pulchella, Lomandra sp. (sterile)* |
| Sedge/Rush (VR) | | 10-30 | *Mesomelaena tetragona, Morelotia octandra, Desmocladus fasciculatus, DL04, *Sonchus sp, Netrostylis* sp. Jarrah Forest |
| Herb (H) | | <2 | **Solanum* sp., **Zantedeschia aethiopica, *Sonchus sp., Orobanche minor* |
| Grass (G) | | 2-10 | *Microlaena stipoides (DL03), Rytidosperma* sp. (DL05), **Briza maxima, *Avena sp., *Lagurus ovatus* |
| Other (climbers) (C) | | <2 | **Briza minor* |

Cover Codes: D >70% M 30-70% S 10-30% V 2-10% VV <2% E <5% Emergent * = Introduced

Surrounding Plants: *Persoonia elliptica*

# Appendix E Significant Trees

| DBH (cm) | Species | Height (m) | Notes | Easting | Northing |
|---|---|---|---|---|---|
| >50 | Corymbia calophylla | 10 | Chimney hollow (large) | 115.10 | -33.64 |
| 146 | Corymbia calophylla | 20 | 3 hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Eucalyptus marginata | 18 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 22 | Hollow | 115.10 | -33.64 |
| 69 | Corymbia calophylla | 21 | Potential hollow | 115.10 | -33.64 |
| 148 | Corymbia calophylla | 25 | Potential hollow | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 18 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 19 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| 85 | Corymbia calophylla | 22 | Hollow | 115.10 | -33.64 |
| >50 | Eucalyptus marginata | 21 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 21 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 18 | No hollows | 115.10 | -33.64 |
| >50 | Eucalyptus marginata | 19 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 21 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 17 | No hollows | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 18 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 18 | No hollows | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 19 | No hollows | 115.11 | -33.64 |
| 58 | Dead | 19 | 4 hollows | 115.11 | -33.64 |
| 76 | Corymbia calophylla | 20 | Hollow | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 14 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 19 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 18 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 20 | No hollows | 115.11 | -33.64 |
| 142 | Corymbia calophylla | 26 | Potential hollow | 115.11 | -33.64 |
| 93 | Corymbia calophylla | 25 | Potential hollow | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 21 | No hollows | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 21 | No hollows | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 23 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.10 | -33.64 |
| >50 | Eucalyptus marginata | 23 | Hollow | 115.10 | -33.64 |
| 90 | Corymbia calophylla | 6 | Hollow | 115.10 | -33.64 |
| >50 | Eucalyptus marginata | 19 | No hollows | 115.10 | -33.64 |
| >50 | Eucalyptus marginata | 19 | No hollows | 115.10 | -33.64 |

| | | | | | |
|---|---|---|---|---|---|
| >50 | Corymbia calophylla | 22 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| >50 | Dead | 18 | 3 hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 17 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| 56 | Corymbia calophylla | 18 | Potential hollow | 115.11 | -33.64 |
| 112 | Dead | 22 | 4 hollows & 4 potential hollows | 115.11 | -33.64 |
| 116 | Corymbia calophylla | 23 | 2 hollows | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 24 | No hollows | 115.11 | -33.64 |
| 54 | Dead | 17 | 3 hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| >50 | Dead | 16 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.11 | -33.64 |
| 67 | Corymbia calophylla | 14 | Hollow | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| 58 | Corymbia calophylla | 18 | Potential hollow | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| 118 | Corymbia calophylla | 26 | Potential hollow | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| 86 | Corymbia calophylla | 25 | 1 Potential hollow | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 28 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 27 | No hollows | 115.11 | -33.64 |

| | | | | | |
|---|---|---|---|---|---|
| >50 | Corymbia calophylla | 26 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 19 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Dead (Corymbia calophylla) | 18 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 21 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| 84 | Dead | 16 | 2 hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| 62 | Corymbia calophylla | 25 | 3 hollows | 115.10 | -33.64 |
| 67 | Corymbia calophylla | 23 | 1 hollow | 115.10 | -33.64 |
| 86 | Corymbia calophylla | 24 | 1 hollow | 115.10 | -33.64 |
| 62 | Dead | 25 | 2 hollows | 115.10 | -33.64 |
| 90 | Eucalyptus marginata | 25 | No hollows | 115.10 | -33.64 |
| >50 | Eucalyptus marginata | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.10 | -33.64 |
| 76 | Corymbia calophylla | 28 | Potential hollow | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| 75 | Eucalyptus marginata | 24 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.10 | -33.64 |
| 60 | Dead | 15 | 2 hollows | 115.11 | -33.64 |
| 76 | Dead | 22 | 5 hollows | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 23 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| 115 | Corymbia calophylla | 25 | 4 hollows | 115.11 | -33.64 |
| 109 | Corymbia calophylla | 26 | 1 hollow | 115.11 | -33.64 |
| 70 | Corymbia calophylla | 27 | 1 Potential hollow | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 18 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 23 | No hollows | 115.11 | -33.64 |
| 158 | Corymbia calophylla | 26 | 4 hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 26 | No hollows | 115.11 | -33.64 |
| 108 | Dead | 25 | 4 hollows & 2 potential hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 24 | No hollows | 115.11 | -33.64 |
| 166 | Corymbia calophylla | 27 | 4 hollows | 115.11 | -33.64 |
| >50 | Eucalyptus patens | 10 | No hollows | 115.11 | -33.64 |
| 137 | Eucalyptus patens | 20 | Potential hollow | 115.11 | -33.64 |
| >50 | Eucalyptus patens | 22 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.10 | -33.65 |

| | | | | | |
|---|---|---|---|---|---|
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 22 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Eucalyptus patens | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 17 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 18 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 18 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows, scars on tree | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| 138 | Corymbia calophylla | 25 | Potential hollow | 115.11 | -33.64 |
| 75 | Corymbia calophylla | 20 | Hollow | 115.11 | -33.64 |
| 137 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| 102 | Corymbia calophylla | 20 | Hollow | 115.11 | -33.64 |
| 96 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.64 |
| 61 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| 81 | Eucalyptus patens | 20 | Potential hollow | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| 111 | Corymbia calophylla | 25 | Potential hollow | 115.11 | -33.64 |
| 97 | Eucalyptus patens | 25 | Potential hollow | 115.11 | -33.64 |
| 90 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| 157 | Corymbia calophylla | 25 | Potential hollow | 115.11 | -33.64 |

| | | | | | |
|---|---|---|---|---|---|
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Eucalyptus marginata | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 17 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.65 |
| 69 | Dead | 15 | Hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| 70 | Eucalyptus marginata | 25 | Multiple hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| 119 | Corymbia calophylla | 25 | Potential hollow | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| 130 | Corymbia calophylla | 20 | Multiple large hollows | 115.11 | -33.65 |
| >50 | Eucalyptus marginata | 25 | No hollows | 115.11 | -33.65 |
| >50 | Eucalyptus marginata | 20 | No hollows | 115.11 | -33.65 |
| >50 | Eucalyptus marginata | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| 133 | Corymbia calophylla | 25 | Multiple hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 17 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.65 |

| | | | | | |
|---|---|---|---|---|---|
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| 103 | Corymbia calophylla | 20 | Multiple potential hollows | 115.11 | -33.65 |
| 87 | Corymbia calophylla | 15 | Hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.65 |
| 91 | Corymbia calophylla | 25 | Hollows | 115.11 | -33.65 |
| 100 | Corymbia calophylla | 25 | No hollows | 115.11 | -33.65 |
| 59 | Dead | 10 | Hollow | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 18 | No hollows | 115.11 | -33.65 |
| 59 | Corymbia calophylla | 12 | No hollows | 115.11 | -33.65 |
| 59 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| 174 | Corymbia calophylla | 30 | Hollows | 115.10 | -33.65 |
| 174 | Corymbia calophylla | 10 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.10 | -33.65 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.65 |
| 90 | Dead | 10 | Hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 25 | No hollows | 115.10 | -33.64 |
| 133 | Corymbia calophylla | 15 | Hollows | 115.10 | -33.64 |
| >50 | Eucalyptus marginata | 10 | No hollows | 115.10 | -33.64 |
| 58 | Dead (Eucalyptus marginata) | 10 | No hollows | 115.10 | -33.64 |
| 58 | Eucalyptus marginata | 12 | Potential hollow | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 12 | No hollows | 115.10 | -33.64 |
| 119 | Corymbia calophylla | 12 | Hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.10 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.10 | -33.64 |
| 59 | Eucalyptus patens | 8 | No hollows | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 10 | No hollows | 115.11 | -33.64 |
| 68 | Dead (Eucalyptus marginata) | 10 | Hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| 173 | Dead (Eucalyptus marginata) | 30 | Hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| 170 | Corymbia calophylla | 25 | Potential hollow | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |

| | | | | | |
|---|---|---|---|---|---|
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 12 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Dead (Corymbia calophylla) | 10 | No hollows | 115.11 | -33.64 |
| 145 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 20 | No hollows | 115.11 | -33.64 |
| 84 | Eucalyptus marginata | 15 | No hollows | 115.11 | -33.64 |
| 144 | Corymbia calophylla | 15 | Hollows | 115.11 | -33.64 |
| 133 | Corymbia calophylla | 25 | Hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 15 | No hollows | 115.11 | -33.64 |
| 159 | Corymbia calophylla | 25 | Multiple hollows | 115.11 | -33.64 |
| >50 | Eucalyptus marginata | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| >50 | Corymbia calophylla | 10 | No hollows | 115.11 | -33.64 |
| 94 | Dead | 10 | Hollow | 115.11 | -33.64 |

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# Flora and Vegetation Assessment Addendum – Spring Flora Survey

## Lot 6 Commonage Road, Quindalup

18 October 2022

Prepared for:

Urban Quarter



# Limitations Statement

This report has been prepared in accordance with the Agreement between Ecosystem Solutions Pty Ltd and Urban Quarter (**"Client"**). It has been solely prepared for a development application at Lot 6 Commonage Road, Quindalup (**"Site"**).

## Information

In undertaking this work the authors have made every effort to ensure the accuracy of the information used. Unless otherwise stated in the report, Ecosystem Solutions Pty Ltd has not independently verified such information and cannot guarantee its accuracy or completeness.

## Conclusions

Within the limitations imposed by the scope of work, preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted practices and using a degree of skill and care ordinarily exercised by reputable ecological consultants under similar circumstances. No other warranty, expressed or implied, is made.

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Ecosystem Solutions Pty Ltd will not be liable to update or revise the report to take into account any events or emergent circumstances or facts occurring or becoming apparent after the date of this report.

# Document Control

Urban Quarter

Lot 6 Commonage Road, Quindalup

| Version | Revision | Purpose | Author | Reviewer | Submitted | |
|---|---|---|---|---|---|---|
| | | | | | Form | Date |
| Report | Rev A | Initial Report | KL | GM | Electronic (email) | 18/10/2022 |

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# Appendices

Appendix A Conservation Significant Flora Records
Appendix B Updated Relevé Field Sheets

# 1 Introduction

Ecosystem Solutions were contracted to complete a Flora and Fauna Significance Assessment (unpublished report, 15 February 2022) for Lot 6 Commonage Road, Quindalup (hereafter called the "Site") within the City of Busselton. A survey was undertaken to assess the presence and distribution of flora on the Site to facilitate Local Planning Scheme rezoning from Industrial to urban residential for future subdivision of the Site, as per Figure 1. This assessment was not carried out during spring, the recommended survey time for vegetation surveys in the South-West botanical province (EPA, 2016). The current flora assessment has been conducted in spring, to identify any additional species at the existing relevé locations and complete targeted searches for Threatened and Priority flora species that are likely to occur within the Site.

The draft concept layout plan includes the majority of the vegetation in reserves, with the main impact being a portion of vegetation to the north of the Site.




*Figure 1 Concept Layout Plan for Lot 6 Commonage Road, Dunsborough*

# 2 Methods

## 2.1 Desktop Study Methods

A review of all publicly available flora data was completed during the recent Flora and Fauna Significance Assessment (Ecosystem Solutions, 15 February 2022). This review has been used for the current report. An additional NatureMap search was completed, which identified five additional conservation significant flora species that have been recorded within the area since the previous flora survey.

Based on the above, a summary of the conservation significant flora that have been previously recorded within 10km of the Site is provided in Appendix A. From this list, Table 1 below highlights the species that are considered to potentially occur within the Site.

*Table 1 Conservation Significant Flora likely to occur within the Site*

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Gastrolobium argyrotrichum* | T | Critically Endangered | Shrub | Gravelly clay, sandy clay and sand on road verges, swamps and creek banks. | Endemic to area. Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 2.1km southwest of the site, collected in 2013. |
| *Caladenia excelsa* | T | Endangered | Herb | White, grey or brown sands, sandy loams, loam, clay, laterite and granite. Hilltops, ridges, slopes, swales and low plains in deep pale yellow or grey sandy soils. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 3.1km northwest of the site, collected in 1997. |
| *Caladenia huegelii* | T | Endangered | Herb | Grey or Brown sand, clay loam. Current distribution confined to Dunsborough and north of Busselton. | Species or species habitat known to occur within area (PMST). Naturemap databases closest records are approximately 7km northwest and west of the site, collected in 2013. |
| *Caladenia viridescens* | T | Endangered | Herb | Marri, jarrah and peppermint woodlands in lateritic loam and sandy soils. Grey sand. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 3.4km north of the site, collected in 2014. |
| *Daviesia elongata subsp. elongata* | T | Vulnerable | Shrub | Jarrah forest or woodland, on sandy soil, laterite. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 9.6km southeast of the site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Drakaea micrantha* | T | Vulnerable | Herb | White - Grey sand. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 1.1km southwest of the site. |
| *Dillwynia* sp. Capel | P1 | | Shrub | Grey sand. | Naturemap databases closest record approximately 3km to the south of the Site. |
| *Millotia tenuifolia var. laevis* | P2 | | Herb | Granite or laterite soils. | Naturemap databases closest record is approximately 9.8km northwest of the site. |
| *Thelymitra variegata* | P2 | | Herb | Open eucalypt woodland or shrubland, in sandy soil. | Naturemap databases closest record is approximately 7.6km north of the site. |
| *Acacia lateriticola var. Glabrous variant (B.R.Maslin 6765)* | P3 | | Shrub | Lateritic soils. | Naturemap databases closest record is approximately 2.9km southwest of the site. |
| *Boronia capitata subsp. gracilis* | P3 | | Shrub | White/grey or black sand. Winter wet swamps or hillslopes. | Naturemap databases closest record is approximately 8.7km south of the site. |
| *Cyathochaeta teretifolia* | P3 | | Herb | Grey sand, sandy clay. Swamps, creek edges. | Naturemap databases closest record is approximately 2.9km south of the site, collected in 1996. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Dampiera triloba* | P3 | | Herb | Sand, loam over sand. | Naturemap databases closest record approximately 3km to the north of the Site. |
| *Johnsonia inconspicua* | P3 | | Herb | Sedgeland and banksia or jarrah woodland. White-grey or black sand. Low dunes, winter-wet flats. | Naturemap databases closest record is approximately 1.1km southwest of the site. |
| *Lepyrodia heleocharoides* | P3 | | Herb | Moist peaty sand. Dry or seasonally inundated heath or woodland, swamps. | Naturemap databases closest record is approximately 9.9km south of the site, collected in 1989. |
| *Netrostylis* sp. Blackwood | P3 | | Sedge | Loam soils along waterways | Naturemap databases closest record approximately 3km to the north of the Site. |
| *Olearia strigosa* | P3 | | Shrub | Sandy loam. Open Forest | Naturemap databases closest record approximately 3km to the north of the Site. |
| *Stylidium lowrieanum* | P3 | | Herb | Sand or sandy loam over limestone in peppermint woodlands | Naturemap databases closest record is approximately 5km west of the site. |
| *Acacia flagelliformis* | P4 | | Shrub | Sandy soils and winter-wet areas. | Naturemap databases closest record is approximately 3.9km southeast of the site, collected in 1992. |
| *Acacia semitrullata* | P4 | | Shrub | White/grey sands, sandplains, and swampy areas. | Naturemap databases closest record is approximately 0.9km southwest of the site. |
| *Eucalyptus rudis subsp. cratyantha* | P4 | | Tree | Fringing watercourses or swamps. Loam. Flats, hillsides. | Naturemap databases closest record is approximately 7.8km northwest of the site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Gahnia sclerioides* | P4 | | Herb | Jarrah forest on loam, sandy soils, often along creek lines. Moist shaded situations | Naturemap databases closest record is approximately 8.2km southwest of the site, collected in 1994. |

* T = Threatened, CR = Critically Endangered, EN= Endangered, VU = Vulnerable, P = Priority

## 2.2 Project Team and Licensing

The Project Manager / Field Team leader for the current survey has extensive experience in conducting flora and vegetation surveys in the south-west of WA (>10 years, Table 2 below). Other personnel have experience in assisting with flora and vegetation surveys in this area.

*Table 2 Project Team and Licencing*

| Team member | Role | Qualifications | Licence No |
|---|---|---|---|
| Kelly Lamp | Project Manager / Field Team leader / plant identifications | B.Sc Hons. Nat Rs Mgmt | FB62000182, TFL 54-2021 |
| Hayley Drake | Field survey | B.Sc Cons & Wildlife Bio and Molecular Biology | FB62000348 |

## 2.3 Field Survey Methods

### 2.3.1 Survey Timing

The field surveys were conducted over the following days:

- 25 August 2022 - targeted search for *Drakaea elastica* and *D. micrantha*, identification of any habitat suitable for *Caladenia excelsa* or *C. huegelii*.
- 8 September 2022 - targeted significant flora survey and re-score of previously established relevés.
- 18 October 2022 - targeted survey for *Caladenia* species.

### 2.3.2 Relevé Sites

The existing relevé sites were reassessed to capture additional flora species at the optimum time of year. A number of additional species, in particular herbs, were identified. These were both

indigenous and weed species, no Threatened or Priority flora was recorded. The updated data sheets and photographs of each site are provided in Appendix B, with the additional species in bold text.

### 2.3.3 Targeted Searches

Targeted searches were completed for conservation significant flora, identified as having the potential to occur within the Site based on the previous desktop study (Table 1).

A targeted search was completed for *Drakaea micrantha*, and *D. elastica*, although the latter is unlikely to occur within the Site. The search occurred on 25th August 2022, when a known occurrence of *Drakaea micrantha* adjacent to Sheoak Drive was checked and seen to have the leaves present, with leaves being the best way to detect this species.

The areas of the Site that were considered potential habitat for this species were searched, with transects approximately 10 metres apart used to cover the area. In particular, the light sands to the north west of the Site were targeted.

On the 8th September 2022 areas of the Site considered most likely to support conservation significant flora were surveyed, these were located in the south west corner, an area that has maintained a relatively intact understorey. The remainder of the Site is lacking in understorey due to a history of grazing and now heavily impacted by weeds. This area was traversed at a lower intensity.

On 16th October an additional search was undertaken in the south-west of the Site, to identify some *Caladenia* species that had not been flowering at the time of the relevés.

## 2.4 Results

A number of additional flora species were able to be identified during the current survey and have been added to the applicable relevé sheets (Appendix B). No Threatened or Priority flora species were recorded within the Site.

The Vegetation Community and Condition mapping that was completed as part of the previous survey remains valid.

# 3 Survey Constraints

Survey limitations are summarised in Table 3 and 4 below:

*Table 3 Summary of flora survey limitations*

| Constraint | Impact | Comment |
|---|---|---|
| Availability of contextual information at a regional and local scale | Nil | Broad scale vegetation and soil mapping data were available. DBCA, NatureMap and PMST database extracts for conservation significant flora and ecological communities were obtained. |
| Competency / experience of the survey team | Nil | The ecologist leading the field survey has conducted numerous flora and fauna surveys across the south west of Western Australia and has over 10 years' experience. The ecologist completing the flora identifications has over 10 years experience identifying Western Australian flora, including numerous surveys across the south west, with any potential conservation significant flora being submitted to the Western Australian Herbarium for identification. |
| Proportion of flora recorded and/or collected, any identification issues | Minor | A focus was placed on identifying any potential conservation significant flora species, with these specimens all identified to species level. Specimens that were not potentially conservation significant species have been identified to genus level, or species level where practicable. |
| Was the appropriate area fully surveyed (effort and extent) | Nil | Three relevés were conducted within the Site, with the entire Site surveyed on foot for Conservation Significant vegetation communities and flora species. This is deemed sufficient given the degraded nature of the remnant vegetation within the Site, in particular that which is proposed to be cleared. |
| Access restrictions within the survey area | Nil | All parts of the Site were accessible by foot. |

| Constraint | Impact | Comment |
|---|---|---|
| Survey timing, rainfall, season of survey | Moderate | The survey was conducted in Spring which is the optimal time to observe flora species within the south-west botanical province. |
| Disturbance that may have affected the results of the survey, such as fire, flood or clearing | Nil | There were no recent disturbances that constrained the survey of the Site. |

# 4 Summary and Recommendations

There were no Threatened or Priority flora recorded within the Site as part of this spring flora survey.

It is unlikely that this proposal will significantly impact on conservation significant species, as the draft concept plan indicates the majority of the vegetation to be retained within reserves. A referral under the EPBC Act is not recommended.

# 5 References (not all cited)

Aplin, T. E. H. (1977). The Flora. University of Western Australia Press.

Ecosystem Solutions (15 February 2022). Flora & Fauna Significance Assessment Lot 6 Commonage Rd Quindalup. Unpublished Report.

Environmental Protection Authority (2016). Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment. Western Australia: Environmental Protection Authority.

Webb, A., Keighery, B., Keighery, G., Longman, V., Black, A., & O'Connor, A. (2009). The Flora and Vegetation of the Busselton Plain (Swan Coastal Plain). Western Australia: State of Western Australia

Whitford, K. R. (2002). Hollows in jarrah (Eucalyptus marginata) and marri (Corymbia calophylla) trees. Hollow sizes, tree attributes and ages. Forest Ecology and Management, 106, 201-214.

# Appendix A Conservation Significant Flora Records

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Brachyscias verecundus* | T | Critically Endangered | Herb | Winter wet clays over ironstone. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 41.6km east of the site. |
| *Caladenia procera* | T | Critically Endangered | Herb | Alluvial loamy flats. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 9.6km southeast of the site, collected in 2012 and 2014. |
| *Gastrolobium argyrotrichum* | T | Critically Endangered | Shrub | Gravelly clay, sandy clay and sand on road verges, swamps and creek banks. | Endemic to area. Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 2.1km southwest pf the site, collected in 2013. |
| *Banksia nivea subsp. uliginosa* | T | Endangered | Shrub | Sandy Clay, gravel. Occurs in two areas, near Busselton and Scott River Plain on clay over laterite in thick scrub, in winter wet southern ironstones. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 19.9km southeast of the site, collected in 2017 and 2018. |
| *Caladenia busselliana* | T | Endangered | Herb | Sandy loam. Winter-wet swamps. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 3.5km southeast of the site. |
| *Caladenia caesarea subsp. maritima* | T | Endangered | Herb | Coastal granitic outcrops. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 5.7km north of the site, collected in 2018. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Caladenia excelsa* | T | Endangered | Herb | White, grey or brown sands, sandy loams, loam, clay, laterite and granite. Hilltops, ridges, slopes, swales and low plains in deep pale yellow or grey sandy soils. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 3.1km northwest of the site, collected in 1997. |
| *Caladenia huegelii* | T | Endangered | Herb | Grey or Brown sand, clay loam. Current distribution confined to Dunsborough and north of Busselton. | Species or species habitat known to occur within area (PMST). Naturemap databases closest records are approximately 7km northwest and west of the site, collected in 2013. |
| *Caladenia viridescens* | T | Endangered | Herb | Marri, jarrah and peppermint woodlands in lateritic loam and sandy soils. Grey sand. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 3.4km north of the site, collected in 2014. |
| *Drakaea elastica* | T | Endangered | Herb | White or grey sand, low lying situations adjoining winter wet swamps. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 25.9km east of the site, collected in 2009. |
| *Eucalyptus x phylacis* | T | Endangered | Tree | Mallee-heath or woodland on lateritic soils. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 6.7km northwest of the site, collected in 2012, 2014, 2015 and 2016. |
| *Gastrolobium papilio* | T | Endangered | Shrub | Sandy clay over ironstone and laterite. Flat plains. Species is restricted to Hithergreen and Walsall area in Busselton. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 31.5km southeast of the site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Lambertia echinata subsp. occidentalis* | T | Endangered | Shrub | White sandy soils over laterite, orange/brown-red clay over ironstone. Flats to foothills, winter wet sites. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 21.3km east of the site. |
| *Petrophile latericola* | T | Endangered | Shrub | Winter wet flats on red sandy clay over ironstone. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 38.8km east of the site, collected in 2013, 2014 and 2017. |
| *Wurmbea calcicola* | T | Endangered | Herb | Coastal heath in soil pockets on limestone rocks. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 14.1km northwest of the site, collected in 2003 and 2015. |
| *Banksia squarrosa subsp. argillacea* | T | Vulnerable | Shrub | White/grey sand, gravelly clay or loam. Winter -wet flats, clay flats. Confined to the western base of the Whicher scarp, east of Busselton. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 7.9km southeast of the site, collected in 2006. |
| *Chamelaucium roycei* | T | Vulnerable | Shrub | Swamp Margins, winter-wet flats, sandy clays. | Species or species habitat may occur within area (PMST). Naturemap databases closest record is approximately 15.1km southeast of the site, collected in 1997. |
| *Daviesia elongata subsp. elongata* | T | Vulnerable | Shrub | Jarrah forest or woodland, on sandy soil, laterite. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 9.6km southeast of the site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Drakaea micrantha* | T | Vulnerable | Herb | White - Grey sand. | Species or species habitat known to occur within area (PMST). Naturemap databases closest record is approximately 1.1km southwest of the site. |
| *Diuris micrantha* | T | Vulnerable | Herb | Brown loamy clay. Winter-wet swamps, in shallow water. | Species or species habitat likely to occur within area (PMST). Naturemap databases closest record is approximately 78.6km northeast of the site, collected in 2011. |
| *Hemigenia ramosissima* | T | | Shrub | Lateritic soils, clay. Granite Outcrops. Florabase records indicate the species to be restricted to Arthur River, approximately 250km northeast of the site. | Naturemap databases closest record is approximately 4.2km southeast of the site, collected in 1992. |
| *Amphidium tortuosum* | P1 | | Unknown | White/grey sands, coastal limestone. | Naturemap databases closest record is approximately 9.5km northwest of the site. |
| *Dillwynia sp. Capel (P.A. Jurjevich 1771)* | P1 | | Shrub | Littered grey loamy sand, rocky soils. Valleys, rangelands. | Naturemap databases closest record is approximately 3 km to the south of the Site. |
| *Caladenia nivalis* | P2 | | Herb | Low coastal heath on granitic outcrops, in shallow loamy soils. | Naturemap databases closest record is approximately 8.4km west of the site. |
| *Millotia tenuifolia var. laevis* | P2 | | Herb | Granite or laterite soils. | Naturemap databases closest record is approximately 9.8km northwest of the site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Thelymitra variegata* | P2 | | Herb | Open eucalypt woodland or shrubland, in sandy soil. | Naturemap databases closest record is approximately 7.6km north of the site. |
| *Acacia ancistrophylla var. perarcuata* | P3 | | Shrub | Red sand, clay loam, loam. | Naturemap databases closest record is approximately 5.5km northeast of the site, collected in 2016. |
| *Acacia inops* | P3 | | Shrub | Black peaty sand, clay, swamps, creeks. Grows along watercourses and swamps. | Naturemap databases closest record is approximately 6.9km west of the site. |
| *Acacia lateriticola var. Glabrous variant (B.R.Maslin 6765)* | P3 | | Shrub | Lateritic soils. | Naturemap databases closest record is approximately 2.9km southwest of the site. |
| *Boronia capitata subsp. gracilis* | P3 | | Shrub | White/grey or black sand. Winter wet swamps or hillslopes. | Naturemap databases closest record is approximately 8.7km south of the site. |
| *Cyathochaeta teretifolia* | P3 | | Herb | Grey sand, sandy clay. Swamps, creek edges. | Naturemap databases closest record is approximately 2.9km south of the site, collected in 1996. |
| *Dampiera triloba* | P3 | | Shrub/ Herb | Damp peat/loam soil. | Naturemap databases closest record is approximately 3 km to the north of the Site. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Johnsonia inconspicua* | P3 | | Herb | Sedgeland and banksia or jarrah woodland. White-grey or black sand. Low dunes, winter-wet flats. | Naturemap databases closest record is approximately 1.1km southwest of the site. |
| *Lepyrodia heleocharoides* | P3 | | Herb | Moist peaty sand. Dry or seasonally inundated heath or woodland, swamps. | Naturemap databases closest record is approximately 9.9km south of the site, collected in 1989. |
| *Netrostylis sp. Blackwood River (A.R. Annels 3043)* | P3 | | Segde | Loam soil. | Naturemap databases closest record is approximately 3 km to the north of the Site. |
| *Olearia strigosa* | P3 | | Shrub | Sandy loam. Open forest. | Naturemap databases closest record is approximately 3 km to the north of the Site. |
| *Pultenaea pinifolia* | P3 | | Shrub | Loams or clay, floodplains, swampy areas | Naturemap databases closest record is approximately 4.3km south of the site. |
| *Stylidium lowrieanum* | P3 | | Herb | Sand or sandy loam over limestone in peppermint woodlands | Naturemap databases closest record is approximately 5km west of the site. |
| *Acacia flagelliformis* | P4 | | Shrub | Sandy soils and winter-wet areas. | Naturemap databases closest record is approximately 3.9km southeast of the site, collected in 1992. |
| *Acacia semitrullata* | P4 | | Shrub | White/grey sands, sandplains, and swampy areas. | Naturemap databases closest record is approximately 0.9km southwest of the site. |
| *Banksia sessilis var. cordata* | P4 | | Shrub | White/Grey. Coastal limestone. | Naturemap databases closest record is approximately 6.6km west of the site, collected in 1997. |

| Species | BC Act (State) | EPBC Act (Federal) | Life Form | Habitat | Likelihood of occurrence within the proposed development area |
|---|---|---|---|---|---|
| *Boronia tenuis* | P4 | | Shrub | Forest on laterite, stony soils or granite. | Naturemap databases closest record is approximately 6.4km north of the site. |
| *Calothamnus graniticus subsp. graniticus* | P4 | | Shrub | Skeletal sandy soils. Granite outcrops in coastal heath. | Naturemap databases closest record is approximately 5km north of the site. |
| *Cyanothamnus tenuis* | P4 | | Shrub | Laterite, stony soils, granite. | Naturemap databases closest record is approximately 6 km to the north of the Site. |
| *Eucalyptus rudis subsp. cratyantha* | P4 | | Tree | Fringing watercourses or swamps. Loam. Flats, hillsides. | Naturemap databases closest record is approximately 7.8km northwest of the site. |
| *Eucalyptus virginea* | P4 | | Tree | Granitic outcrops in jarrah-marri woodland. | Naturemap databases closest record is approximately 6.9km northwest of the site, collected in 2016. |
| *Gahnia sclerioides* | P4 | | Herb | Jarrah forest on loam, sandy soils, often along creek lines. Moist shaded situations | Naturemap databases closest record is approximately 8.2km southwest of the site, collected in 1994. |
| *Thysanotus isantherus* | P4 | | Herb | Granite. | Naturemap databases closest record is approximately 2.7km southwest of the site. |
| *Verticordia lehmannii* | P4 | | Shrub | Sandy clay, winter-wet flats. | Naturemap databases closest record is approximately 3.4km east of the site. |

* T = Threatened, CR = Critically Endangered, EN= Endangered, VU = Vulnerable, P = Priority

# Appendix B Updated Relevé Field Sheets

| STRUCTURAL VEGETATION, FLORA - Relevé | | SITE_ID: R01 |
|---|---|---|
| Date: 08/09/2022 | GPS: 115°6'4.722"E 33°38'41.387"S | Structural comm. type |
| Recorder: KL | Photo no.: 1 & 2 | Vegetation Community A |
| Location: North (approx. 20m) of creekline | | |

| Condition: Excellent | |
|---|---|
| Aspect: N/A | Slope: Flat |
| Geology: Laterite | Rock: 0% |
| Soil Colour: Brown | Soil Type: Sandy Loam |
| Litter (% cover & depth): 95%, average 3cm patches of up to 8cm | Bare Ground (% cover): <2% |
| Hydrology: Good drainage | Topographic position: Riparian Bank (Dam) |

| Layer | Height (m) | Cover | Plant Species (Dominant 3 first) |
|---|---|---|---|
| Tree (T2) | 10-30 | 30-70 | *Corymbia calophylla, Eucalyptus patens, Eucalyptus marginata, Agonis flexuosa* |
| Tree (T3) | < 10 | 10-30 | *Agonis flexuosa, Corymbia calophylla* |
| Shrub (S1) | > 2 | 2-10 | *Xanthorrhoea preissii, Trymalium odoratissimum, Logania vaginalis, Hovea elliptica, Agonis flexuosa* |
| Shrub (S2) | 1-2 | 10-30 | *Xanthorrhoea preissii, Agonis flexuosa, Hovea elliptica, Acacia pulchella, Logania vaginalis* |
| Shrub (S3) | 0-1 | 30-70 | *Chorizema cordatum, Dampiera sp., Hibbertia hypericoides, Scaevola calliptera, Tremandra diffusa, Hakea lissocarpha, Hovea elliptica, Opercularia sp., Xanthorrhoea gracilis, Hibbertia diamesogenos, Conostylis aculeata, Pteridium esculentum,* ***Styphelia sp. sterile, Patersonia occidentalis, Lomandra sp., *Lysiandra calycina, Sowerbaea laxiflora*** |
| Sedge/Rush (VR) | | 10-30 | *Mesomelaena tetragona, Netrostylis sp. Jarrah Forest, Lepidosperma sp.* |
| Herb (H) | | <2 | *Opercularia hispidula, Agrostocrinum hirsutum, *Watsonia sp., *Sonchus sp., Microtis sp.,* ***Thelymitra macrophylla, *Zantedeschia aethiopica, *Asparagus asparagoides, Caladenia attingens, Caladenia brownii*** |
| Grass (G) | | 2-10 | *Tetrarrhena laevis,* ***Austrostipa variabilis****, *Briza maxima,* ****Sterile annual grasses*** |
| Other (climbers) (C) | | <2 | *Billardiera variifolia* |

**Cover Codes:** D >70% M 30-70% S 10-30% V 2-10% VV <2% E <5% Emergent * = Introduced

**Surrounding Plants:** *Darwinia citriodora,* ***Scaevola microphylla, Chorizema rhombeum****, Billardiera heterophylla, Lepidosperma effusum*

| STRUCTURAL VEGETATION, FLORA - Relevé | | SITE_ID: R02 |
|---|---|---|
| **Date:** 08/09/2021 | **GPS:** 115°6'4.832"E 33°38'39.61"S | **Structural comm. type** |
| **Recorder:** KL | **Photo no.:** 3 & 4 | Vegetation Community A |
| **Location:** West edge of site | | |

| **Condition:** Very Good | |
|---|---|
| **Aspect:** South | **Slope:** Gentle |
| **Geology:** Laterite | **Rock:** 0% |
| **Soil Colour:** Grey (orange tinge) | **Soil Type:** Sand |
| **Litter (% cover & depth):** 95%, 2cm | **Bare Ground (% cover):** <2% |
| **Hydrology:** Good drainage | **Topographic position:** Flat |

| Layer | Height (m) | Cover | Plant Species (Dominant 3 first) |
|---|---|---|---|
| Tree (T2) | 10-30 | 10-30 | *Corymbia calophylla, Eucalyptus patens, Agonis flexuosa* |
| Tree (T3) | < 10 | 30-70 | *Agonis flexuosa, Corymbia calophylla, Nuytsia floribunda* |
| Shrub (S1) | > 2 | 10-30 | *Agonis flexuosa, Corymbia calophylla, Xanthorrhoea preissii, Nuytsia floribunda,* ***Acacia saligna*** |
| Shrub (S2) | 1-2 | 10-30 | *Xanthorrhoea preissii, Agonis flexuosa, Hakea lissocarpha, Macrozamia riedlei, Acacia pulchella, Trymalium ledifolium, Acacia extensa* |
| Shrub (S3) | 0-1 | 30-70 | *Xanthorrhoea preissii, Phyllanthus calycinus, Hakea lissocarpha, Dampier linearis, Calothamnus sanguineus, Trymalium ledifolium, Hibbertia hypericoides, Macrozamia riedlei, Chorizema cordatum (DL10)* |
| Sedge/Rush (VR) | | 10-30 | *Netrostylis* sp. Jarrah Forest, *Morelotia octandra, Mesomelaena tetragona, Desmocladus fasciculatus* |
| Herb (H) | | <2 | *Opercularia hispidula, Tripterococcus brunonis, Thelymitra sp., Burchardia congesta, *Zantedeschia aethiopica, Lagenophora huegelii, *Sonchus asper,* ***Drosera erythrorhiza, Pauridia occidentalis, Cyrtostylis sp., Chamaescilla corymbosa, *Romulea rosea, Trifolium sp., *Freesia/Ixia sp., Patersonia umbrosa*** **var.** ***xanthina, Stylidium diversifolium*** |
| Grass (G) | | 2-10 | *Microlaena stipoides,* ***Austrostipa variabilis,*** *Tetrarrhena laevis, *Briza maxima, *Ehrharta calycina* |
| Other (climbers) (C) | | <2 | *Hardenbergia comptoniana,* ***Kennedia coccinea, Drosera pallida*** |

**Cover Codes:** D >70% M 30-70% S 10-30% V 2-10% VV <2% E <5% Emergent * = Introduced

**Surrounding Plants:** ****Asparagus asparagoides, Hovea trisperma, Thysanotus manglesianus***

| STRUCTURAL VEGETATION, FLORA - Relevé | | SITE_ID: R03 |
|---|---|---|
| Date: 08/09/2022 | GPS: 115°6'18.336"E 33°38'31.371"S | Structural comm. type |
| Recorder: KL | Photo no.: 5 & 6 | Vegetation Community A |
| Location: Lot 6 Commonage Road | | |

| Condition: Good | |
|---|---|
| Aspect: N/A | Slope: Flat |
| Geology: Laterite | Rock: 0% |
| Soil Colour: Grey | Soil Type: Sand |
| Litter (% cover & depth): 90% | Bare Ground (% cover): 5% |
| Hydrology: Good drainage | Topographic position: Plain |

| Layer | Height (m) | Cover | Plant Species (Dominant 3 first) |
|---|---|---|---|
| Tree (T2) | 10-30 | 30-70 | *Corymbia calophylla, Eucalyptus marginata* |
| Tree (T3) | < 10 | 10-30 | *Corymbia calophylla, Eucalyptus marginata, Agonis flexuosa, Xylomelum occidentale, Nuytsia floribunda* |
| Shrub (S1) | > 2 | 2-10 | *Corymbia calophylla* |
| Shrub (S2) | 1-2 | 10-30 | *Xanthorrhoea preissii* |
| Shrub (S3) | 0-1 | 30-70 | *Xanthorrhoea preissii, Acacia pulchella, Lomandra sp. (sterile)* |
| Sedge/Rush (VR) | | 10-30 | *Mesomelaena tetragona, Morelotia octandra, Desmocladus fasciculatus, DL04, *Sonchus sp, Netrostylis* sp. Jarrah Forest |
| Herb (H) | | <2 | **Solanum* sp., **Zantedeschia aethiopica, *Sonchus sp., *Orobanche minor,* ***Chamaescilla corymbosa, *Romulea rosea, *Cotula* sp., **Trifolium* sp., **Ursinia anthemoides, Burchardia congesta, Caladenia flava, Pterostylis sp., Solanum nigrum, Thelymitra sp.*** |
| Grass (G) | | 2-10 | *Microlaena stipoides,* ***Austrostipa variabilis,*** **Briza maxima, *Avena sp., *Lagurus ovatus* |
| Other (climbers) (C) | | <2 | **Briza minor* |

**Cover Codes:** D >70% M 30-70% S 10-30% V 2-10% VV <2% E <5% Emergent * = Introduced

**Surrounding Plants:** *Persoonia elliptica*




*Photo 1 - Releve 1*




*Photo 2 - Releve 1*




*Photo 3 - Releve 2*




*Photo 4 - Releve 2*




*Photo 5 - Releve 3*




*Photo 6 - Releve 3*

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# Bushfire Management Plan

## Lot 6 Commonage Road, Dunsborough

29 September 2022

Prepared for:
Urban Quarter
Attn - Jason Wallis



# Limitations Statement

This report has been prepared in accordance with the Agreement between Ecosystem Solutions Pty Ltd and Urban Quarter (**"Client"**). It has been solely prepared for Bushfire Management Plan to support a local scheme rezoning of Lot 6 Commonage Road, Dunsborough (**"Site"**).

## Information

In undertaking this work the authors have made every effort to ensure the accuracy of the information used. Unless otherwise stated in the report, Ecosystem Solutions Pty Ltd has not independently verified such information and cannot guarantee its accuracy or completeness.

## Conclusions

Within the limitations imposed by the scope of work, preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted practices and using a degree of skill and care ordinarily exercised by reputable bushfire consultants under similar circumstances. No other warranty, expressed or implied, is made.

## Reliance

This report is solely for the use of the Client and any reliance on this report by third parties will be at such party's sole risk. This report must only be presented in full and may not be used to support any other purpose than those set out in the report and the Agreement, except where prior written approval with comments are provided by Ecosystem Solutions Pty Ltd. All intellectual property rights in documents created by Ecosystem Solutions Pty Ltd remain the property of Ecosystem Solutions Pty Ltd.

Other parties should not rely on the report or the accuracy or completeness of any conclusions and should make their own enquiries and obtain independent advice in relation to such matters. Ecosystem Solutions Pty Ltd accepts no Liability, or responsibility whatsoever for or in respect of any use or reliance upon this report and its supporting material subsequently used by others. Please note that the contents of this report may not be directly applicable towards another organisation's needs and may not contain sufficient information for purposes of other parties or for other uses.

Ecosystem Solutions Pty Ltd will not be liable to update or revise the report to take into account any events or emergent circumstances or facts occurring or becoming apparent after the date of this report.

## Other limitations

The measures contained in this report cannot guarantee that a structure or building will not be damaged or would survive a bushfire event on every occasion. This is due to the degree of vegetation management,

the unpredictable nature of fire behaviour (knowledge in this field continues to develop) and the unpredictable nature of extreme weather conditions.

The growth, planting or removal of vegetation, poor maintenance of any fire prevention/mitigation measures, addition of structures not included in this report, or other activity can and will change the bushfire threat to all properties detailed in this report. The implementation of fire precautions will depend on the actions of the landowner or occupiers of the land, over which Ecosystem Solutions Pty Ltd has no control. Should changes be made to the Site, a new Bushfire Management Plan is required.

Ecosystem Solutions Pty Ltd accepts no Liability, including Liability for any Loss in connection with:

- a Claim, damage, or injury to property, or persons caused by fire;
- further growth, planting or removal of vegetation on the Site;
- poor maintenance of any fire protection measures;
- additional structures not included in this assessment; or
- any other activity that may change the bushfire threat level.

The Client and owner of the Site each acknowledge that they have been made aware of the exclusions above and that such exclusion of Liability is reasonable in all the circumstances.

This report is valid for a period of two years only from the date of its issue. All BAL ratings identified in this report are indicative and are required to be verified at the time of construction of individual buildings to ensure appropriate setbacks identified in the Site/building have been achieved.

STATEMENT OF CONFORMITY - PLANNING AND DEVELOPMENT ACT 2005



BPAD Bushfire Planning & Design Accredited Practitioner Level 3

**Gary McMahon**
**B.Sc. M. Env Mgmt. PG Dip Bushfire Protection. C.EnvP, BPAD Level 3 (35078)**

The signatory declares that this Bushfire Management Plan meets the requirements of State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas V1.3.

## DISCLAIMER

**All capitalised terms used in the Limitations Statement above that are not defined are defined in the Agreement between Ecosystem Solutions Pty Ltd and the Client.*

*** The limitations above are subject to any relevant rights or remedies that the Client may be entitled to under legislation, including Schedule 2 of the Competition and Consumer Act 2010 (Cth).*

# Document Control

Client - Urban Quarter

Site - Lot 6 Commonage Road, Dunsborough

| Version | Revision | Purpose | Author | Reviewer | Submitted | |
|---|---|---|---|---|---|---|
| | | | | | Form | Date |
| Report | Rev A | Initial Report | DC (BPAD 48409 – Level 1) | GM (BPAD 35078 – Level 3) | Electronic (email) | 15/02/2022 |
| Report | Rev B | Updated Concept Plan | DC (BPAD 48409 – Level 1) | GM (BPAD 35078 – Level 3) | Electronic (email) | 29/09/2022 |

Filename: Z:\PROJECTS\211229 Lot 6 Commonage Road, Dunsborough F&F BMP\Reports\Lot 6 Commoange Road, Dunsborough BMP Rev B.docx

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# 1 Proposal

This Bushfire Management Plan (BMP) has been prepared for Lot 6 Commonage Road, Dunsborough (hereafter referred to as the 'Site') by Ecosystem Solutions Pty Ltd, Dani Cuthbert (Dip BM, Dip TM, BPAD 48409 - Level 1) and Gary McMahon (B.Sc. M. Env Mgmt. PG Dip Bushfire Protection. C.EnvP, BPAD 35078 - Level 3). An assessment of the proposal against the requirements for *State Planning Policy (SPP) 3.7* and *Guidelines for Planning in Bushfire Prone Areas* (WAPC, V 1.4 December 2021) is included.

The Site is located within the City of Busselton. Dunsborough town centre is approximately 2.5km north of the Site. The Site is located within a bushfire prone area, as declared by *State Planning Policy 3.7* (Figure 1) and contains areas of remnant native vegetation and pasture grasses.

The proposal is for a Local Scheme Amendment from Light Industry to Residential (Figure 2).

The Site is located within the City of Busselton, currently classified as Category 1, Rural (Appendix A).

The purpose of this BMP is to detail the fire management methods and requirements that will be implemented within the Site as part of the rezoning of the Site. The aim of the BMP is to reduce the threat to residents and fire fighters in the event of a fire within or near the Site through assessment against the four Bushfire Protection criteria.

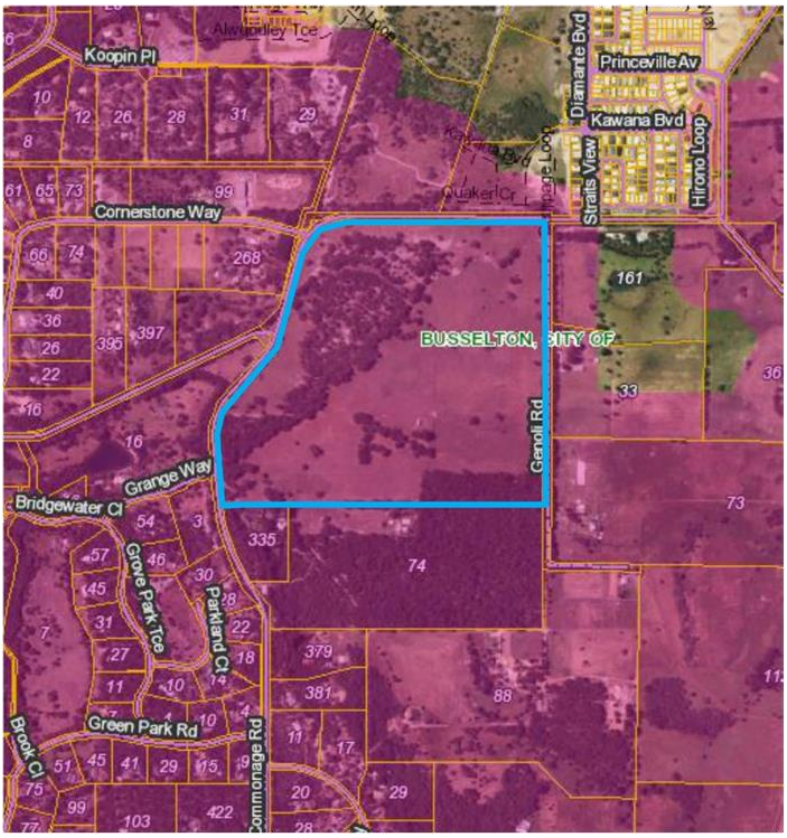



*Figure 1 Extract Map of Bushfire Prone Areas for Lot 6 Commonage Road, Dunsborough, within the blue polygon, accessed 20 December 2021*

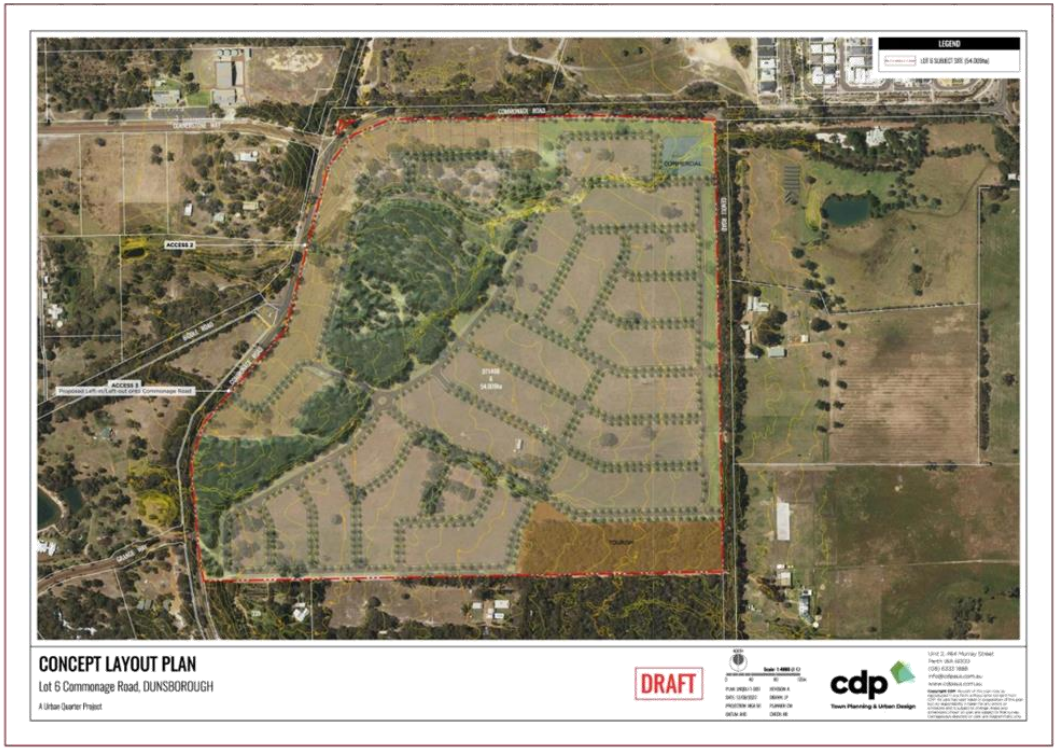



*Figure 2 Concept Layout Plan for Subdivision of Lot 6 Commonage Road, Dunsborough*

# 2 Bushfire Assessment Results

## 2.1 Assessment Inputs

A Site inspection was conducted on 30 March 2021 by Kelly Lamp (B.Env Mgt Hons. BPAD Level 2) and Dani Cuthbert(Dip. TM., Dip. BM, BPAD - Level 1), for the purpose of determining the Bushfire Attack Level in accordance with AS 3959-2018 Simplified Procedure (Method 1).

All vegetation within 150 m of the Site was classified and the slope under the vegetation determined in accordance with AS 3959-2018, shown in the photos below with map provided in Figure 3 for the current vegetation and Figure 4 for post development.

| Plot | 1 | Vegetation Classification or Exclusion Clause | Class A Forest Upslope/Flat |
|---|---|---|---|




Photo ID: 1




Photo ID: 2




Photo ID: 3




Photo ID: 4




Photo ID: 5




Photo ID: 6




Photo ID: 7




Photo ID: 8

| | |
|---|---|
| **Description / Justification for Classification:** | Trees 10 to 30 m high with more than 30% canopy cover including *Corymbia calophylla* and *Agonis flexuosa* over a multi-tiered understorey including *Xanthorrhoea preissii* and introduced grasses. The Vegetation Classification - Post Development mapping is based on the areas of existing vegetation that are identified on the Site Plan as conservation, public open space and tourism. Some vegetation modification is proposed in some areas of this plot, and will be excludable post development, and therefore these areas are excluded in the post development map. |

| Plot | 2 | Vegetation Classification or Exclusion Clause | Class G Grassland Upslope/Flat |
|---|---|---|---|




Photo ID: 9




Photo ID: 10




Photo ID: 11




Photo ID: 12

| Description / Justification for Classification: | Cleared areas within the Site and surrounding lots consisting of introduced grasses and pasture species with scattered trees with less than 20% cover. The Vegetation Classification - Post Development map takes into account the post development firebreak category of the lots, being Residential, which will require grasses maintained under 10cm in height, and therefore these areas are excluded in the post development map. Areas of Public Open Space that's current classification is Grassland, has remained classified as grassland post development. A Landscape Management Plan will be required to be prepared at subdivision stage to ensure that the vegetation classification is correct post development. |
|---|---|

| Plot | 3 | Vegetation Classification or Exclusion Clause | Excluded S 2.2.3.2 (a),(e) or (f) |
|---|---|---|---|




Photo ID: 13




Photo ID: 14




Photo ID: 15

| | |
|---|---|
| **Description / Justification for Classification:** | Areas greater than 100m from the Site are excluded under S 2.2.3.2 (a). Non-vegetated areas including roads and buildings are excluded under S 2.2.3.2 (e). Low threat vegetation including bare earth, orchards, grasses managed at under 10cm in height, managed lawns and gardens and single lines of trees are excluded under S 2.2.3.2 (f).<br>The Vegetation Classification - Post Development Map excludes grassland within future residential lots, as this must be managed under 10cm in height under the Residential category of the City of Busselton's Firebreak and Fuel Hazard Reduction Notice.<br>The developer is responsible for maintaining all grasses at under 10cm in height until individual lots are sold, when this will become the responsibility of the individual landowners. |




*Figure 3 Vegetation Classification - Pre Development*




*Figure 4 Vegetation Classification - Post Development*

## 2.2 Assessment Outputs

The results from the Site assessment are provided in Table 1. The Determined Bushfire Attack Level (highest BAL) for the Site has been determined in accordance with clause 2.5 of AS 3959- 2018 with map provided based on the Post Development Vegetation (Figure 4) in Figure 5 and detailed BAL Contour map provided in Figure 6.

*Table 1 Site Assessment Result*

| Method 1 BAL Determination | | | | | |
|---|---|---|---|---|---|
| Fire Danger Index - 80 (AS 3959-2018 Table 2.1) | | | | | |
| Plot | Vegetation Classification | Maximum effective Slope Under the Classified Vegetation (degrees) | Required Distance Classified (metres) | Separation to the Vegetation | Bushfire Attack Level |
| 1 | Class A Forest | Upslope/Flat | Min 21 m* | | BAL-29 |
| 2 | Class G Grassland | Upslope/Flat | Min 8 m* | | BAL-29 |
| 3 | Excluded S 2.2.3.2 (a), (b), (e) & (f) | N/A | N/A | | BAL-LOW |
| Determined Bushfire Attack Level | | | | | BAL-29** |

* This separation distance must be managed to the standards in the Guidelines for Planning in Bushfire Prone Areas of an Asset Protection Zone.

** A lower BAL rating can be achieved based on an increased separation distance from the classified vegetation, depending on the location of the dwelling within the Lot. This determination is found using the worst case scenario based on the plan. A detailed BAL assessment will be required prior to the construction of any dwelling.




*Figure 5 BAL Contour*

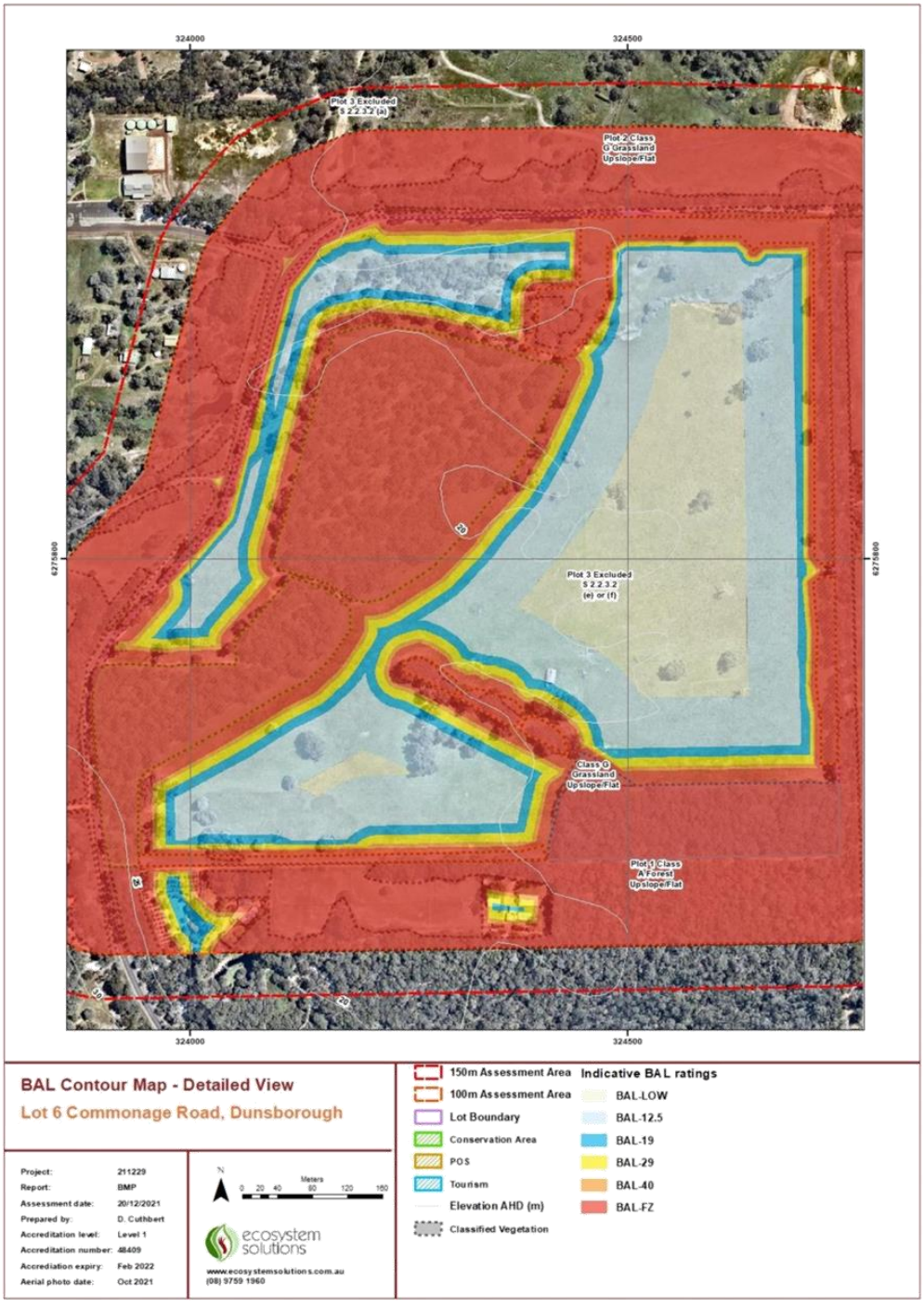



*Figure 6 BAL Contour - Detailed View*

# 3 Environmental Considerations

## 3.1 Native Vegetation – modification and clearing

Lot 6 Commonage Road, Dunsborough contains areas of remnant vegetation. The extent of the vegetation modification will be determined at subdivision stage. Large areas of vegetation will be retained in Public Open Space. Some areas of vegetation modification are proposed, with the condition of this vegetation detailed in the Flora and Fauna Significance Assessment that has been prepared by Ecosystem Solutions (Ecosystem Solutions, 2022) and should be read in conjunction with this BMP.

Establishment of an Asset Protection Zone does not mean the removal of all vegetation within this area, trees can be retained if the trunks at maturity are 6 metres from all elevations from the building, branches at maturity do not touch or overhang the building, lower branches are removed to a height of 2 metres above the ground or surface vegetation and canopy cover is less than 15%, with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy. Shrubs and ground covers can also be retained if they are managed to APZ requirements.

**This bushfire assessment assumes that relevant government approvals for any vegetation modification will be achieved prior to the commencement of any clearing.**

The Site and the surrounding 150m buffer have been assessed for environmental values using a simple desktop review (Table 2). The Protected Matters Search Tool, conducted 21 December 2021, identified that a number of Threatened Ecological Communities, threatened flora and fauna species or species habitat may occur in the area.

*Table 2 Significant environmental values identified within the Site*

| Environmental Value | Yes or No | If Yes - describe |
|---|---|---|
| Conservation Covenants (DPIRD-023) | No | Not applicable |
| Bushfire Forever Sites (DOP-071) | No | Not applicable |
| Conservation Category Wetlands and Buffer (DBCA-010, DBCA-017, DBCA-019 or DBCA-043) | No | Not applicable |

| Environmental Value | Yes or No | If Yes - describe |
|---|---|---|
| Threatened Ecological Communities (TECs) (DBCA-038) | Yes | The following TECS may occur in the area:<br>• Banksia Woodlands of the Swan Coastal Plain ecological community (Endangered); and<br>• Tuart (Eucalyptus gomphocephala) Woodlands and Forests of the Swan Coastal Plain ecological community (Critically Endangered).<br>• Clay Pans of the Swan Coastal Plain ecological community. |
| Declared Rare Flora (DRF) (DBCA-036) | Yes | A number of DRF species or species habitat are known to occur in the area. |
| Threatened Fauna (DBCA-037) | Yes | A number of threatened fauna species or species habitat are known to occur in the area including:<br>• Black Cockatoo species (Calyptorhynchus banksii naso - Vulnerable, Calyptorhynchus baudinii - Endangered & Calyptorhynchus latirostris - Endangered); and<br>• Western Ringtail Possum (*Pseudocheirus occidentalis* - Critically Endangered).<br>• Dunsborough Burrowing Crayfish (*Engaewa reducta* - Critically Endangered) |
| Environmentally Sensitive Area (DWER-046) | No | Nil |
| Significant through Local Planning or Biodiversity Strategy | No | Not applicable |

## 3.2 Re-vegetation / Landscape Plans

A Landscape Management Plan will be prepared and incorporated into the Bushfire Management Plan at subdivision stage to ensure that the vegetation within the areas of Public Open Space and Drainage Reserves are maintained to appropriate level in perpetuity as to not increase the BAL rating of the proposed lots.

# 4 Assessment Against the Bushfire Protection Criteria

## 4.1 Compliance with the Acceptable Solutions for each Element

| Bushfire Protection Criteria – Element 1 - Location | |
|---|---|
| **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. | |
| **Acceptable Solution** | **Assessment Statements** |
| **A1.1 Development location**<br>*The strategic planning proposal, subdivision and development application is located in an area that is or will, on completion, be subject to either a moderate or low bushfire hazard level, or BAL-29 or below.* | **Compliance with this element is achieved.**<br>The BAL Contour for the Site (Figure 5) shows the areas on the Lot were a BAL-29 or lower rating can be achieved.<br>The entire Site will be maintained by the developer, with grasses maintained under 10cm in height as per the City of Busselton's Firebreak and Fuel Hazard Reduction Notice (*which may be subject to review from time to time)* until they are sold, when this maintenance will become the responsibility of the individual landowners. |

| Bushfire Protection Criteria – Element 2 – Siting and Design | |
|---|---|
| **Intent:** To ensure that the siting and design of development minimises the level of bushfire impact. | |
| **Acceptable Solution** | **Assessment Statements** |
| ***A2.1 Asset Protection Zone (APZ)***<br>*Every habitable building is surrounded by, and every proposed lot can achieve, an APZ depicted on submitted plans, which meets the following requirements:*<br>• *Width: Measured from any external wall or supporting post or column of the proposed building, and of sufficient size to ensure the potential radiant heat impact of a bushfire does not exceed 29kW/m² (BAL-29) in all circumstances.*<br>• *Location: 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.*<br>• *Management: the APZ is managed in accordance with the requirements of 'Standards for Asset Protection Zones'. (Figure 7).* | **Compliance with this element is achieved.**<br>To achieve an Asset Protection Zone (APZ) of sufficient size of 21 m from the Class A Forest Upslope/Flat and 8 m from the Class G Grassland Upslope/Flat is required.<br>Depending on the final lot layout, some APZ's may overlap lot boundaries. To ensure any dwelling constructed with the Site can achieve a BAL-29 or lower rating, all grasses must be maintained under 10cm in height by the developer. As individual lots are sold, management for each lot will become the responsibility of the individual landowner.<br>Establishment and management of the Public Open Spaces and drainage reserves in accordance with a landscape management plan for a period of two years is the responsibility of the developer. After this period, the land will be ceded to the Crown and vested to the City of Busselton, with ongoing management in perpetuity the responsibility of the City of Busselton.<br>In addition to the requirements of the Guidelines, the City of Busselton's Firebreak and Fuel Hazard Reduction Notice *(which may be subject to review from time to time)* must be complied with, including maintaining grasses at under 10cm in height. |

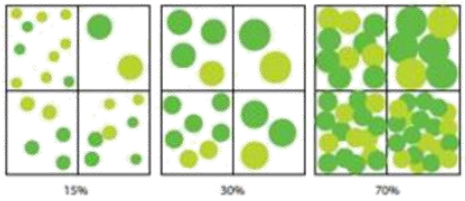
| OBJECT | REQUIREMENT |
|---|---|
| Fences within the APZ | • Should be constructed from non-combustible materials (for example, iron, brick, limestone, metal post and wire, or bushfire-resisting timber referenced in Appendix F of AS 3959). |
| Fine fuel load (Combustible, dead vegetation matter <6 millimetres in thickness) | • Should be managed and removed on a regular basis to maintain a low threat state.<br>• Should be maintained at <2 tonnes per hectare (on average).<br>• Mulches should be non-combustible such as stone, gravel or crushed mineral earth or wood mulch >6 millimetres in thickness. |
| Trees* (>6 metres in height) | • Trunks at maturity should be a minimum distance of six metres from all elevations of the building.<br>• Branches at maturity should not touch or overhang a building or powerline.<br>• Lower branches and loose bark should be removed to a height of two metres above the ground and/or surface vegetation.<br>• Canopy cover within the APZ should be <15 per cent of the total APZ area.<br>• Tree canopies at maturity should be at least five metres apart to avoid forming a continuous canopy. Stands of existing mature trees with interlocking canopies may be treated as an individual canopy provided that the total canopy cover within the APZ will not exceed 15 per cent and are not connected to the tree canopy outside the APZ.<br>**Figure 19:** Tree canopy cover – ranging from 15 to 70 per cent at maturity<br>  <br> |
| Shrub* and scrub* (0.5 metres to six metres in height). Shrub and scrub >6 metres in height are to be treated as trees. | • Should not be located under trees or within three metres of buildings.<br>• Should not be planted in clumps >5 square metres in area.<br>• Clumps should be separated from each other and any exposed window or door by at least 10 metres. |
| Ground covers* (<0.5 metres in height. Ground covers >0.5 metres in height are to be treated as shrubs) | • Can be planted under trees but must be maintained to remove dead plant material, as prescribed in 'Fine fuel load' above.<br>• Can be located within two metres of a structure, but three metres from windows or doors if >100 millimetres in height. |
| Grass | • Grass should be maintained at a height of 100 millimetres or less, at all times.<br>• Wherever possible, perennial grasses should be used and well-hydrated with regular application of wetting agents and efficient irrigation. |
| Defendable space | • Within three metres of each wall or supporting post of a habitable building, the area is kept free from vegetation, but can include ground covers, grass and non-combustible mulches as prescribed above. |
| LP Gas Cylinders | • Should be located on the side of a building furthest from the likely direction of a bushfire or on the side of a building where surrounding classified vegetation is upslope, at least one metre from vulnerable parts of a building.<br>• The pressure relief valve should point away from the house.<br>• No flammable material within six metres from the front of the valve.<br>• Must sit on a firm, level and non-combustible base and be secured to a solid structure. |

*Figure 7 Schedule 1: Standards for Asset Protection Zones (Guidelines for Planning in Bushfire Prone Areas Appendices.*

| Bushfire Protection Criteria – Element 3 – Vehicular Access | |
|---|---|
| **Intent:** To ensure that the vehicular access serving a subdivision/development is available and safe during a bushfire event. | |
| **Acceptable Solution** | **Assessment Statements** |
| **A3.1 Public Roads**<br>*Public roads are to meet the minimum technical requirements in Table 6, Column 1 (Figure 8).*<br>*The trafficable (carriageway/ pavement) width is to be in accordance with the relevant class of road in the Local Government Guidelines for Subdivisional Development (IPWEA Subdivision Guidelines), Liveable Neighbourhoods, Austroad standards and/or any applicable standards for the local government.* | **Compliance with this element is achieved.**<br>Public roads will be constructed by the developer to meet the requirements of the relevance class of road in the Local Government Guidelines for Subdivisional Developments, Liveable Neighbourhoods, Austroads standards and/or applicable standards for the local government.<br>Existing public roads in proximity to the Site are in good condition. |
| **A3.2a Multiple access routes**<br>*Public road access is to be provided in two different directions to at least two different suitable destinations with an all-weather surface (two-way access).*<br>*If the public road access to the subject site is via a no-through road which cannot be avoided due to demonstrated site constraints, the road access is to be a maximum of 200 metres from the subject lot(s) boundary to an intersection where two-way access is provided.*<br>*The no-through road may exceed 200 metres if it is demonstrated that an alternative access, including an emergency access way, cannot be provided due to site constraints and the following requirements are met:*<br>• *The no-through road travels towards a suitable destination; and*<br>• *The balance of the no-through road, that is greater than 200 metres from the subject site, is wholly within BAL-LOW, or is within a residential built-out area.* | **Compliance with this element is achieved.**<br>All proposed lots will have two access/egress routes from the lot boundary.<br>The internal road network will allow two-way access for all lots onto Commonage Road which connects to both the Dunsborough and Busselton townships.<br>Alternatively, the public road network can be used to access an alternative location in the event of a bushfire.<br>No no-through roads are proposed as part of this development. |

| Bushfire Protection Criteria – Element 3 – Vehicular Access | |
|---|---|
| **A3.2a Emergency Access Way** | **Not applicable to this Site.**<br>No Emergency access ways are proposed or required as part of this development. |
| **A3.3 Through-roads**<br>*All public roads should be through roads. No-through roads should be avoided and should only be considered as an acceptable solution where:*<br>• *It is demonstrated that no alternative road layout exists due to site constraints; and*<br>• *The no-through road is a maximum length of 200 metres to an intersection providing two-way access, unless it satisfies the exemption provisions in A3.2a of this table.*<br>*A no-through road is to meet all the following requirements:*<br>• *Requirements of a public road (Table 6, Column 1)(Figure 8); and*<br>• *Turn-around area as shown* in Figure 24 (Figure 8) | **Compliance with this element is achieved.**<br>All proposed roads are through roads, providing all lots with two access and egress routes as detailed in A3.2a above. |

| Bushfire Protection Criteria – Element 3 – Vehicular Access | |
|---|---|
| **A3.4a Perimeter roads**<br><br>*A perimeter road is a public road and should be provided for greenfield or infill development where 10 or more lots are being proposed (including as part of a staged subdivision) with the aim of:*<br>• *Separating areas of classified vegetation under AS3959, which adjoin the subject site, from the proposed lot(s); and*<br>• *Removing the need to battle-axe lots that back onto areas of classified vegetation.*<br><br>*A perimeter road is to meet the requirements contained in Table 6, Column 1 (Figure 8).*<br><br>*A perimeter road may not be required where;*<br>• *The adjoining classified vegetation is Class G Grassland;*<br>• *Lots are zoned for rural living or equivalent;*<br>• *It is demonstrated that it cannot be provided due to site constraints; or*<br>• *All lots have frontage to an existing public road.* | **Compliance with this element is achieved.**<br><br>Perimeter roads will be considered within the Subdivision Plan.<br><br>The concept layout plan has all residential lots surrounded by a perimeter road, which separates the lots from any classified vegetation.<br><br>The perimeter road does not surround areas of the larger 1000m$^2$ lots. These larger lots protect the rural character of the subdivision and having a perimeter road in these areas will have a negative impact on the visual amenities and environmental values of the Site.<br><br>Lots that have frontage to Commonage Road are not required to have a perimeter road.<br><br>The perimeter road will be constructed to the standards of a Public Road, as per Table 6, Column 1 (Figure 8). |
| **A3.4b Fire Service Access Route** | Not applicable to this Site. |

Table 6: Vehicular access technical requirements

| TECHNICAL REQUIREMENTS | 1 Public roads | 2 Emergency access way[1] | 3 Fire service access route[1] | 4 Battle-axe and private driveways[2] |
|---|---|---|---|---|
| Minimum trafficable surface (metres) | In accordance with A3.1 | 6 | 6 | 4 |
| Minimum horizontal clearance (metres) | N/A | 6 | 6 | 6 |
| Minimum vertical clearance (metres) | 4.5 | | | |
| Minimum weight capacity (tonnes) | 15 | | | |
| Maximum grade unsealed road[3] | As outlined in the IPWEA Subdivision Guidelines | 1:10 (10%) | | |
| Maximum grade sealed road[3] | | 1:7 (14.3%) | | |
| Maximum average grade sealed road | | 1:10 (10%) | | |
| Minimum inner radius of road curves (metres) | | 8.5 | | |

Notes:
[1] To have crossfalls between 3 and 6%.
[2] Where driveways and battle-axe legs are not required to comply with the widths in A3.5 or A3.6, they are to comply with the Residential Design Codes and Development Control Policy 2.2 Residential Subdivision.
[3] Dips must have no more than a 1 in 8 (12.5% -7.1 degree) entry and exit angle.

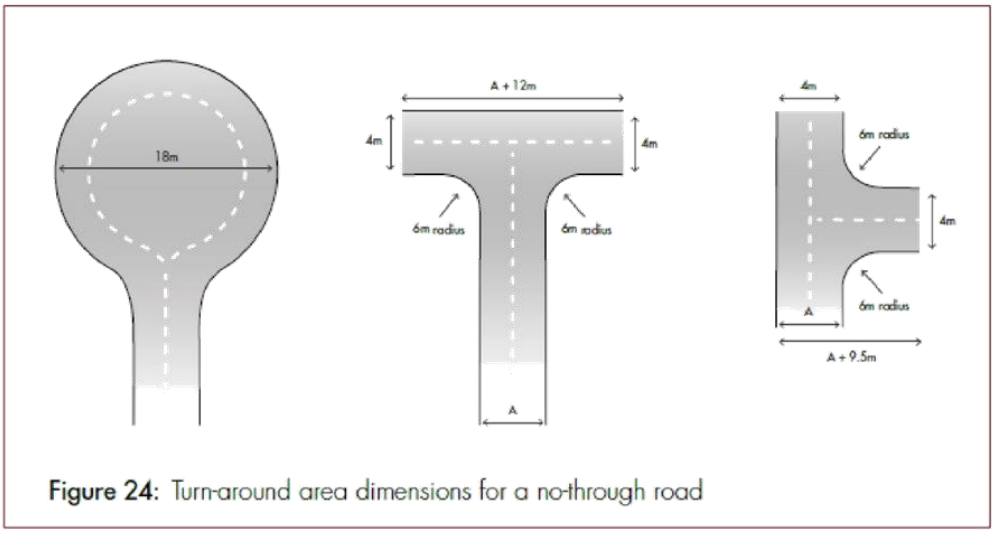



Figure 24: Turn-around area dimensions for a no-through road

*Figure 8 Vehicular access technical requirements (Guidelines for Planning in Bushfire Prone Areas Appendices Table 6 & Figure 24)*

| Bushfire Protection Criteria – Element 4 - Water | |
|---|---|
| **Intent:** To ensure that water is available to the subdivision, development or land use to enable people, property and infrastructure to be defended from bushfire. | |
| Acceptable Solution | Assessment Statements |
| **A4.1 Identification of future water supply**<br>*Evidence that a reticulated or non-reticulated water supply for bushfire fighting can be provided at the subdivision and/or development application stage, in accordance with the specifications of the relevant water supply authority or the requirements of Schedule 2.* | **Compliance with this element is achieved.**<br>The Site will be reticulated. Reticulated water will b supplied in accordance with the Water Corporation's No. 63 Water Reticulation Standards by the Developer.<br>Fire Hydrants will be supplied in accordance with Water Corporations Requirements by the Developer. |

## 4.2 Performance Based Solutions

The Site assessment was conducted in accordance with AS 3959-2018 Simplified Procedure (Method 1). The Proposal meets all the compliance requirements for the four Bushfire Protection Criteria Elements. There are no performance-based solutions proposed.

## 4.3 Summary of the Assessment Outcomes

This plan provides acceptable solutions and responses to the performance criteria outlined in the *Guidelines for Planning in Bushfire Prone Areas* (WAPC, Dec 2017).

The layout and design of the development is such that no structure will be required to be exposed to a radiant heat flux in excess of 29kW/m$^2$ (BAL-29) provided the management as outlined in this Plan is adopted.

Any class 1, 2, 3 or associated 10a structure that are to be constructed, or additions planned to existing dwellings shall be designed and built to conform with Australian Standards AS 3959-2018:

- BAL-29: sections 3 & 7;
- BAL-19 sections 3 & 6; and
- BAL 12.5 sections 3 & 5.

A summary of the Bushfire Management Strategies to be implemented is provided in Figure 9. An individual BAL assessment may achieve a lower BAL rating, based on the exact location of a dwelling within a lot and classified vegetation.

## Spatial representation of the proposed risk management measures




The Lot layout will be designed to ensure any dwelling eventuating within a lot can achieve a BAL-29 or lower rating. A separation distance of 21m from the Class A Forest Upslope/Flat and 8 m to the Class G Grassland Upslope/Flat is required to acheive BAL-29, with the BAL-29 setback line illustrated in this map.

Establishment and management of the Public Open Spaces and drainage reserves in accordance with a landscape management plan for a period of two years is the responsibility of the developer. After this period, the land will be ceded to the Crown and vested to the City of Busselton, with ongoing management in perpetuity the responsibility of the City of Busselton.

The developer will maintain all lots in a low fuel state until lots are sold, where it is the responsibility of the Landowner.

Public Roads will be constructed according to the Guidelines.

Reticulated water and fire hydrants will be provided in accordance with the Water Corporations No.63 Water Reticulation Standard.

All lots are to maintain compliance with the City of Busselton's Firebreak and Fuel Hazard Rediction Notice.

Establishment of the site in a low fuel state and the design of the lot layout, water supply and public roads are the responsibility of the developer.

**LEGEND**

- Lot Boundary
- Elevation AHD (m)
- Conservation Area
- POS
- Tourism
- BAL- 29 Setback
- Distance

**PROPERTY / ASSESSMENT DETAILS**

Property Address: Lot 6 Commonage Road, Quindalup
Project No: 211229
Prepared by: D Cuthbert
Accreditation Level: Level 1
Accreditation Number: 48409
Accreditation Expiry Date: 02/22

N
0 25 50 100 150 200
Meters
ecosystem solutions
www.ecosystemsolutions.com.au
(08) 9759 1960

*Figure 9 Map of Bushfire Management Strategies*

# 5 Responsibilities for Implementation and Management of the Required Bushfire Measures

The responsibilities for the Developer and Local Government are outlined in Table 3 and Table 4, respectively.

*Table 3 Developer Responsibilities*

| Number | Action | Due | Completed |
|---|---|---|---|
| 1 | Design the lot layout to ensure any dwellings eventuating within the Site can achieve a BAL-29 or lower rating. | At Subdivision application stage | ☐ |
| 2 | Design the road layout to ensure each lot is provided two access and egress routes | At Subdivision application stage | ☐ |
| 3 | Design all roads to the standards of Element 3 in accordance with the relevant class of road in the Local Government Guidelines for Subdivisional Development, Liveable Neighbourhoods, Austroad standards and/or any applicable standards for the local government area/ | At Subdivision application stage | |
| 4 | Design the reticulated water and fire hydrants in accordance with the Water Corporation's No. 63 Water Reticulation Standards. | At Subdivision application stage | ☐ |
| 5 | Provide a copy and obtain endorsement of this Bushfire Management Plan by those with responsibility under this plan including Builders, Landowners/Occupiers and City of Busselton. | Post planning approval and prior to lot sale | ☐ |
| 6 | Place a notice on the Certificate of Title, advising of the existence of this Bushfire Management Plan and associated maintenance obligations. | Creation of titles and deposited plan | ☐ |

*Table 4 City of Busselton Responsibilities*

| Number | Action | Due |
|---|---|---|
| 1 | Monitor landowner compliance with the annual firebreak notice. | Ongoing |

# 6 Glossary

**All weather surface:** Compacted gravel surface to the standard prescribed in the Austroads Guide to Pavement Technology as a minimum. An all-weather surface does not need to be sealed.

**AS 3959:** Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas.

**Asset Protection Zone (APZ):** A low fuel area immediately surrounding a building.

**BAL:** Bushfire Attack Level (BAL) as set out in the Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas (AS 3959), as referenced in the Building Code of Australia (as amended).

**BAL Assessment:** An assessment prepared in a manner and form set out in AS 3959 to determine a BAL. It is strongly recommended that BAL assessments are prepared by accredited Level 1 BAL Assessors, unless otherwise exempted in these Guidelines.

**BAL Contour Map:** A BAL Contour Map is a scale map of the subject lot/s illustrating the potential radiant heat impact and associated indicative BAL ratings in reference to any classified vegetation remaining within 100 metres of the assessment area after the development is complete. The intent of the BAL contour map is to identify land suitable for development based on the indicative BAL rating. It is strongly recommended that BAL Contour Maps are prepared by an accredited Bushfire Planning Practitioner.

**Bushfire:** An unplanned fire burning in vegetation. A generic term which includes grass fires, forest fires and scrub fires both with and without a suppression objective.

**Bushfire hazard:** The potential or existing flammability of vegetation that, in association with topography and slope, when ignited may cause harm to people and/or damage property and/or infrastructure.

**Bushfire Hazard Level (BHL) assessment:** A BHL assessment provides a measure of the likely intensity of a bushfire and the likely level of a bushfire attack on a Site determined by categorising and mapping land as having a low, moderate or extreme Bushfire Hazard Level in accordance with the methodology set out in the Guidelines. It is strongly recommended that Bushfire Hazard Level assessments are prepared by an accredited Bushfire Planning Practitioner.

**Bushfire Management Plan (BMP):** A document that sets out short, medium and long term risk management strategies for the life of the development. It is strongly recommended that Bushfire Management Plans are prepared by accredited Bushfire Planning Practitioners in accordance with the requirements set out in the Guidelines on behalf of the landowner/proponent with the assistance of the responsible authority for emergency services where required.

**Bushfire Planning Practitioner:** A person who holds Level Two or Level Three accreditation under the

Western Australian Bushfire Association Framework.

**Bushfire prone area:** An area that has been designated by the Fire and Emergency Services Commissioner under s. 18P of the Fire and Emergency Services Act 1998 as an area that is subject, or likely to be subject, to bushfires. Such areas are identified on the Map of Bush Fire Prone Areas and can be found on the Department of Fire and Emergency Services website.

**Bushfire Protection Criteria:** A performance based system of assessing bushfire risk management measures contained in the Guidelines and applied to all strategic planning proposals, subdivisions and development applications.

**Bushfire risk:** The chance of a bushfire igniting, spreading and causing damage to people, property and infrastructure.

**Bushfire risk management:** Means the application of the bushfire protection criteria contained in the Guidelines.

**Carriageway:** Means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and, where a road has 2 or more of those portions divided by a medium strip, the expression means each of those portions, separately.

**Development application:** An application for approval to carry out development or change a land use under either a local planning scheme or region planning scheme. This includes local development plans but excludes application for single houses and ancillary dwellings on a lot or lots less than 1,100m$^2$.

**Decision-maker:** The Minister for Planning, State Administrative Tribunal, Western Australian Planning Commission, Development Assessment Panel, any other State decision-making authorise, and/or the relevant local government and their delegates that make decisions regarding the application of these Guidelines.

**Defendable Space:** A three-metre-wide area adjacent to a building that is kept free from vegetation (excluding groundcovers and grasses) and provides a relatively safe space from which firefighters and appropriately prepared homeowners may defend the property.

**Guidelines:** Refers to the Guidelines for Planning in Bushfire Prone Areas (WAPC 2015), as amended.

**IPWEA Subdivision Guidelines:** Refers to the Local Government Guidelines for Subdivisional Development (Institute of Public Works Engineering Australasia, WAPC, 2017).

**Site:** The entirety of the land subject to the planning proposal. This includes lot(s) affected by the proposal.

**Trafficable:** Can be travelled upon by vehicles at the posted speed limit.

**Traversable:** Means can be moved over safely by a vehicle.

**Two-way access:** Vehicular access from a site in two different directions to at least two different destinations.

**WAPC:** Western Australian Planning Commission.

**Weight Capacity:** Applied to the trafficable surface construction, including all bridges or culvers on the site and access routes.

# Appendix A City of Busselton Firebreak and Fuel Hazard Reduction Notice

## PERMITS TO BURN

**Permits to Burn** are required for the whole of the Restricted Burning Times and can only be obtained from the Fire Control Officer for your area

A list of Fire Control Officers is available on the City's website on the Fire and Emergency Services Information page

Most of our Fire Control Officers are volunteers, make sure you plan ahead if you intend to apply for a permit

A permit must be obtained before any burning takes place and the permit holder must be in possession of the permit throughout the duration of the burn.

The Fire Control Officer will require the following information prior to issuing a permit:

- ☐ The address of the property where it is proposed to conduct the burn
- ☐ Details of three able bodied persons who will be in attendance at the fire at all times whilst it is alight, including a contact phone number
- ☐ What fire-fighting equipment will be on-hand during the burn and confirmation it is in good working order
- ☐ Are there firebreaks installed at the property and can a fire appliance get access to the site of the burn
- ☐ What are the materials to be burned, are they dry, and what is the size of the proposed burn

The permit holder shall ensure all conditions of the permit, as shown on the permit, are fully complied with

Failure to obtain a permit or failure to fully comply with the conditions of a permit may result in a fine or prosecution

*The hardest aspect of fire prevention is explaining to your family why you didn't undertake any!*



*Actions speak louder than words and actions save lives*

## GENERAL INFORMATION

**Burning of Garden Refuse:** pursuant to Section 24G(2) of the *Bush Fires Act 1954*, the burning of garden refuse is prohibited throughout the District during Prohibited Burning Times, and prohibited in Urban areas of the District during Restricted Burning Times

During Restricted Burning Times, a Permit to Burn is required for the burning of garden refuse in Rural Residential or Rural areas

**Camping and/or Cooking Fires:** pursuant to Section 25(1a) of the *Bush Fires Act 1954*, the lighting of fires in the open for the purpose of camping and/or cooking is prohibited throughout the District during Prohibited Burning Times

Pursuant to Section 25(1)(a) of the *Bush Fires Act 1954*, the lighting of fires in the open for the purpose of camping and/or cooking is prohibited when the Fire Danger Rating for the District is Very High or above without the written approval of the City

**Fire Pits, Chimineas, and/or Braziers:** pursuant to Section 25 of the *Bush Fires Act 1954*, the lighting of fire pits, Chimineas and/or braziers is prohibited during Prohibited Burning Times, and otherwise prohibited if the Fire Danger Rating for the District is Very High or above

**Conditions for the Lighting and Extinguishing of Fires in the Open:** when burning garden refuse; or lighting camping and/or cooking fires; or when lighting fire pits, Chimineas and/or braziers the space of ground around the site of the fire, having a radius of at least 3 metres from the site at the centre, is clear of all vegetation and other flammable materials

The person who lit the fire, or a person left in attendance at the fire as the case may be, shall completely extinguish the fire by the application of water and/or earth before that person leaves the site unattended

**Further Information:** for further fire safety information and resources, including current Fire Danger Ratings visit the Department of Fire and Emergency Services website www.dfes.wa.gov.au

## KEY DATES

Dates may change due to seasonal fire conditions in which case details will be published in local newspapers and on the City's website

**PROHIBITED BURNING TIME**

1 December 2021 to 28 February 2022
(BURNING IN THE OPEN PROHIBITED)

**RESTRICTED BURNING TIMES**

15 October 2021 to 30 November 2021
and 1 March 2022 to 30 April 2022
(BURNING PERMITS REQUIRED)
(Burning on Public Holidays Prohibited)

**COMPLIANCE DATES**

**Rural Residential / Urban / Industrial Land**
Compliance with this Notice must be achieved no later than 15 November 2021 and maintained until 30 April 2022

**Rural Land**
Compliance with this Notice must be achieved no later than 15 December 2021 and maintained until 30 April 2022

**FIREBREAK INSPECTIONS AND RIGHT OF ENTRY**

The City will commence its annual firebreak inspection program on 15 November 2021

Rangers are appointed as Bush Fire Control Officers under the provisions of the *Bush Fires Act 1954* (the Act) and carry out annual inspections.

Under the provisions of the Act, Bush Fire Control Officers may in the performance of their duties, enter any land or building including private property

**FIREBREAK VARIATIONS**

Where there are valid environmental and/or on-ground considerations which prevent full compliance with this Notice, landowners may apply to the City for a variation. A variation must be lodged in writing on a Firebreak and Fuel Hazard Reduction Variation Form which is available on the City's website. Applications for a variation must be submitted by 31 October 2021

City of Busselton
Geographe Bay

# FIREBREAK AND FUEL HAZARD REDUCTION NOTICE

**2021/2022 BUSH FIRE SEASON**

**FIRST AND FINAL NOTICE**

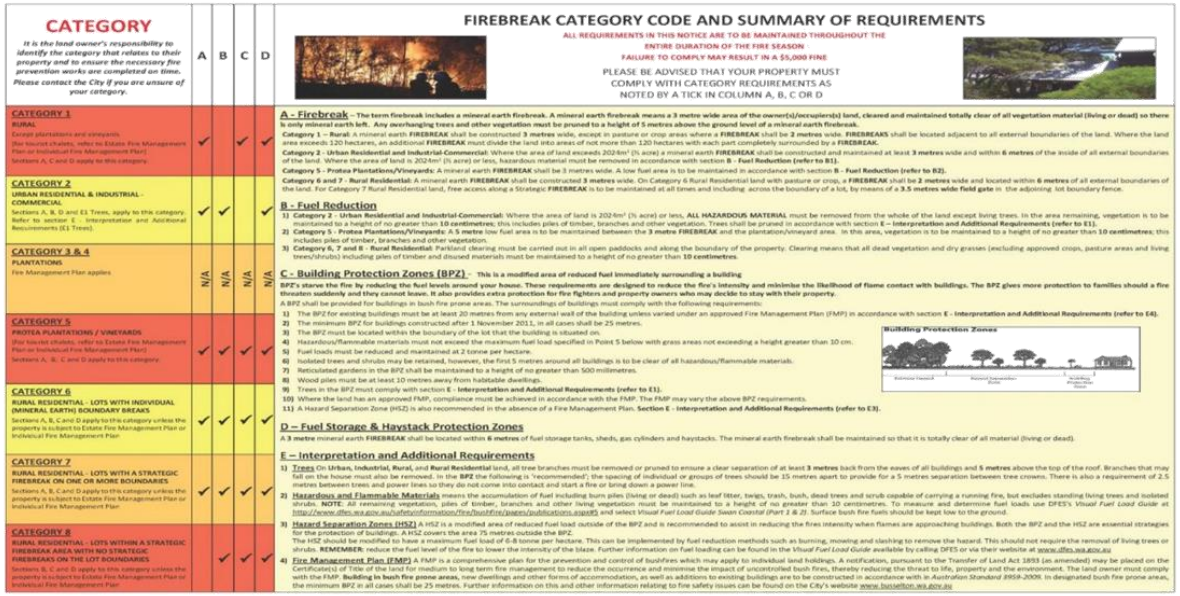
***Bush Fires Act 1954***

Take notice that pursuant to Part 3 Division 6 Section 33 of the *Bush Fires Act 1954*, landowner(s) or occupier(s) of land shall construct firebreaks and carry out fire prevention work in accordance with this Notice

Failure to comply with this Notice may result in a fine of up to

**$5,000**

**Should you require assistance or clarification of the requirements of this Notice, please contact the City's Ranger and Emergency Services on 9781 0444**



**CATEGORY**

*It is the land owner's responsibility to identify the category that relates to their property and to ensure the necessary fire prevention works are completed on time. Please contact the City if you are unsure of your category.*

## FIREBREAK CATEGORY CODE AND SUMMARY OF REQUIREMENTS

ALL REQUIREMENTS IN THIS NOTICE ARE TO BE MAINTAINED THROUGHOUT THE ENTIRE DURATION OF THE FIRE SEASON
FAILURE TO COMPLY MAY RESULT IN A $5,000 FINE

PLEASE BE ADVISED THAT YOUR PROPERTY MUST COMPLY WITH CATEGORY REQUIREMENTS AS NOTED BY A TICK IN COLUMN A, B, C OR D

| | A | B | C | D |
|---|---|---|---|---|
| **CATEGORY 1** RURAL Except plantations and vineyards. (for tourist chalets, refer to Estate Fire Management Plan or Individual Fire Management Plan) Sections A, C and D apply to this category. | ✓ | | ✓ | ✓ |
| **CATEGORY 2** URBAN RESIDENTIAL & INDUSTRIAL - COMMERCIAL Sections A, B, D and E1 Trees, apply to this category. Refer to section E - Interpretation and Additional Requirements (E1 Trees). | ✓ | ✓ | | ✓ |
| **CATEGORY 3 & 4** PLANTATIONS Fire Management Plan applies | N/A | N/A | N/A | N/A |
| **CATEGORY 5** PROTEA PLANTATIONS / VINEYARDS (For tourist chalets, refer to Estate Fire Management Plan or Individual Fire Management Plan) Sections A, B, C and D apply to this category. | ✓ | ✓ | ✓ | ✓ |
| **CATEGORY 6** RURAL RESIDENTIAL - LOTS WITH INDIVIDUAL (MINERAL EARTH) BOUNDARY BREAKS Sections A, B, C and D apply to this category unless the property is subject to Estate Fire Management Plan or Individual Fire Management Plan | ✓ | ✓ | ✓ | ✓ |
| **CATEGORY 7** RURAL RESIDENTIAL - LOTS WITH A STRATEGIC FIREBREAK ON ONE OR MORE BOUNDARIES Sections A, B, C and D apply to this category unless the property is subject to Estate Fire Management Plan or Individual Fire Management Plan | ✓ | ✓ | ✓ | ✓ |
| **CATEGORY 8** RURAL RESIDENTIAL - LOTS WITHIN A STRATEGIC FIREBREAK AREA WITH NO STRATEGIC FIREBREAKS ON THE LOT BOUNDARIES Sections B, C and D apply to this category unless the property is subject to Estate Fire Management Plan or Individual Fire Management Plan | | ✓ | ✓ | ✓ |

**A - Firebreak** – The term firebreak includes a mineral earth firebreak. A mineral earth firebreak means a 3 metre wide area of the owner(s)/occupiers(s) land, cleared and maintained totally clear of all vegetation material (living or dead) so there is only mineral earth left. Any overhanging trees and other vegetation must be pruned to a height of 5 metres above the ground level of a mineral earth firebreak.

**Category 1 – Rural:** A mineral earth **FIREBREAK** shall be constructed **3 metres** wide, except in pasture or crop areas where a **FIREBREAK** shall be **2 metres** wide. **FIREBREAKS** shall be located adjacent to all external boundaries of the land. Where the land area exceeds 120 hectares, an additional **FIREBREAK** must divide the land into areas of not more than 120 hectares with each part completely surrounded by a **FIREBREAK.**

**Category 2 - Urban Residential and Industrial-Commercial:** Where the area of land exceeds 202.6m² (½ acre) a mineral earth **FIREBREAK** shall be constructed and maintained at least **3 metres** wide and within **6 metres** of the inside of all external boundaries of the land. Where the area of land is 202m² (½ acre) or less, hazardous material must be removed in accordance with section **B - Fuel Reduction (refer to B1).**

**Category 5 - Protea Plantations/Vineyards:** A mineral earth **FIREBREAK** shall be 3 metres wide. A low fuel area is to be maintained in accordance with section **B - Fuel Reduction (refer to B2).**

**Category 6 and 7 - Rural Residential:** A mineral earth **FIREBREAK** shall be constructed **3 metres** wide. On Category 6 Rural Residential land with pasture or crop, a **FIREBREAK** shall be **2 metres** wide and located within **6 metres** of all external boundaries of the land. For Category 7 Rural Residential land, free access along a Strategic **FIREBREAK** is to be maintained at all times and including across the boundary of a lot, by means of a **3.5 metres wide field gate** in the adjoining lot boundary fence.

**B - Fuel Reduction**

1) **Category 2 - Urban Residential and Industrial-Commercial:** Where the area of land is 202.6m² (½ acre) or less, **ALL HAZARDOUS MATERIAL** must be removed from the whole of the land except living trees. In the area remaining, vegetation is to be maintained to a height of no greater than **10 centimetres**; this includes piles of timber, branches and other vegetation. Trees shall be pruned in accordance with section **E – Interpretation and Additional Requirements (refer to E1).**
2) **Category 5 - Protea Plantations/Vineyards:** A 5 **metre** low fuel area is to be maintained between the **3 metre FIREBREAK** and the plantation/vineyard area. In this area, vegetation is to be maintained to a height of no greater than **10 centimetres**; this includes piles of timber, branches and other vegetation.
3) **Category 6, 7 and 8 - Rural Residential:** Parkland clearing must be carried out in all open paddocks and along the boundary of the property. Clearing means that all dead vegetation and dry grasses (excluding approved crops, pasture areas and living trees/shrubs) including piles of timber and disused materials must be maintained to a height of no greater than **10 centimetres**.

**C - Building Protection Zones (BPZ)** - **This is a modified area of reduced fuel immediately surrounding a building**

**BPZ's starve the fire by reducing the fuel levels around your house. These requirements are designed to reduce the fire's intensity and minimise the likelihood of flame contact with buildings. The BPZ gives more protection to families should a fire threaten suddenly and they cannot leave. It also provides extra protection for fire fighters and property owners who may decide to stay with their property.**

A BPZ shall be provided for buildings in bush fire prone areas. The surroundings of buildings must comply with the following requirements:

1) The BPZ for existing buildings must be at least 20 metres from any external wall of the building unless varied under an approved Fire Management Plan (FMP) in accordance with section **E - Interpretation and Additional Requirements (refer to E4).**
2) The minimum BPZ for buildings constructed after 1 November 2011, in all cases shall be 25 metres.
3) The BPZ must be located within the boundary of the lot that the building is situated on.
4) Hazardous/flammable materials must not exceed the maximum fuel load specified in Point 5 below with grass areas not exceeding a height greater than 10 cm.
5) Fuel loads must be reduced and maintained at 2 tonne per hectare.
6) Isolated trees and shrubs may be retained, however, the first 5 metres around all buildings is to be clear of all hazardous/flammable materials.
7) Reticulated gardens in the BPZ shall be maintained to a height of no greater than 500 millimetres.
8) Wood piles must be at least 10 metres away from habitable dwellings.
9) Trees in the BPZ must comply with section **E - Interpretation and Additional Requirements (refer to E1).**
10) Where the land has an approved FMP, compliance must be achieved in accordance with the FMP. The FMP may vary the above BPZ requirements.
11) A Hazard Separation Zone (HSZ) is also recommended in the absence of a Fire Management Plan. **Section E - Interpretation and Additional Requirements (refer to E3).**




**D – Fuel Storage & Haystack Protection Zones**

A **3 metre** mineral earth **FIREBREAK** shall be located within **6 metres** of fuel storage tanks, sheds, gas cylinders and haystacks. The mineral earth firebreak shall be maintained so that it is totally clear of all material (living or dead).

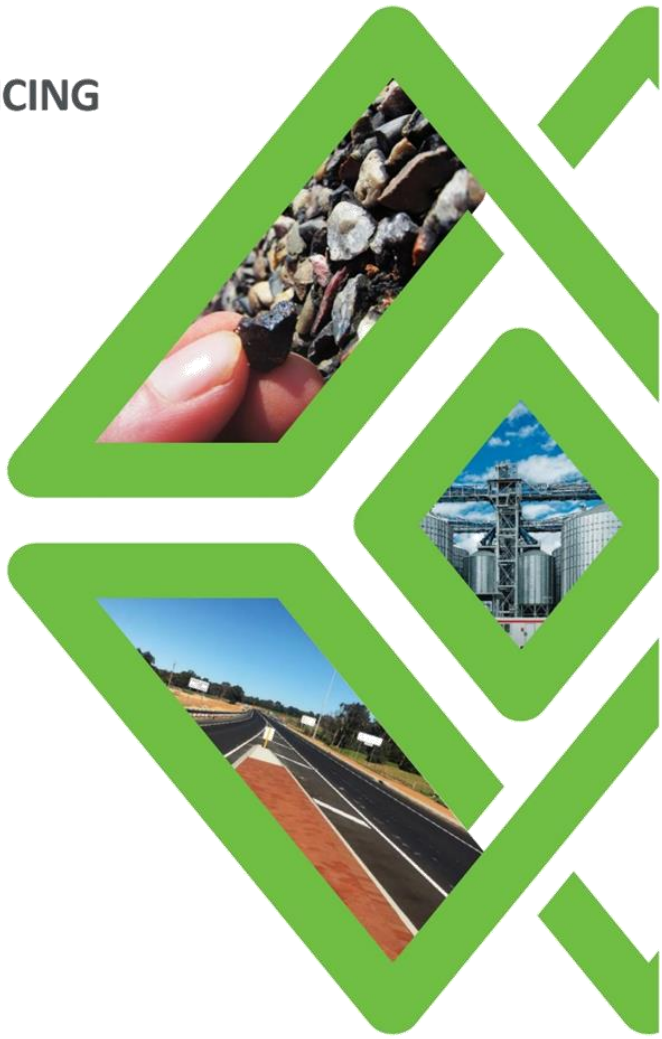
**E – Interpretation and Additional Requirements**

1) **Trees** On **Urban, Industrial, Rural,** and **Rural Residential** land, all tree branches must be removed or pruned to ensure a clear separation of at least **3 metres** back from the eaves of all buildings and **5 metres** above the top of the roof. Branches that may fall on the house must also be removed. In the **BPZ** the following is 'recommended'; the spacing of individual or groups of trees should be 15 metres apart to provide for a 5 metres separation between tree crowns. There is also a requirement of 2.5 metres between trees and power lines so they do not come into contact and start a fire or bring down a power line.
2) **Hazardous and Flammable Materials** means the accumulation of fuel including burn piles (living or dead) such as leaf litter, twigs, trash, bush, dead trees and scrub capable of carrying a running fire, but excludes standing living trees and isolated shrubs. **NOTE**: All remaining vegetation, piles of timber, branches and other living vegetation must be maintained to a height of no greater than 10 centimetres. To measure and determine fuel loads use DFES's *Visual Fuel Load Guide* at http://www.dfes.wa.gov.au/safetyinformation/fire/bushfire/pages/publications.aspx#5 and select *Visual Fuel Load Guide Swan Coastal (Part 1 & 2)*. Surface bush fire fuels should be kept low to the ground.
3) **Hazard Separation Zones (HSZ)** A HSZ is a modified area of reduced fuel load outside of the BPZ and is recommended to assist in reducing the fires intensity when flames are approaching buildings. Both the BPZ and the HSZ are essential strategies for the protection of buildings. A HSZ covers the area 75 metres outside the BPZ.
The HSZ should be modified to have a maximum fuel load of 6-8 tonne per hectare. This can be implemented by fuel reduction methods such as burning, mowing and slashing to remove the hazard. This should not require the removal of living trees or shrubs. **REMEMBER:** reduce the fuel level of the fire to lower the intensity of the blaze. Further information on fuel loading can be found in the *Visual Fuel Load Guide* available by calling DFES or via their website at www.dfes.wa.gov.au
4) **Fire Management Plan (FMP)** A FMP is a comprehensive plan for the prevention and control of bushfires which may apply to individual land holdings. A notification, pursuant to the Transfer of Land Act 1893 (as amended) may be placed on the Certificate(s) of Title of the land for medium to long term fire management to reduce the occurrence and minimise the impact of uncontrolled bush fires, thereby reducing the threat to life, property and the environment. The land owner must comply with the FMP. **Building in bush fire prone areas,** new dwellings and other forms of accommodation, as well as additions to existing buildings are to be constructed in accordance with in *Australian Standard 3959-2009*. In designated bush fire prone areas, the minimum BPZ in all cases shall be 25 metres. Further information on this and other information relating to fire safety issues can be found on the City's website www.bushfire.wa.gov.au

LUKE ATKINS C/- URBAN QUARTER

# LOT 6 COMMONAGE ROAD REZONING

## ENGINEERING SERVICING REPORT



AUGUST 2022

WML
Consulting Engineers

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| | |
|---|---|
| Prepared by: | Luke Rusconi |
| Signed: | |
| Date: | 04/04/2022 |
| WML Name: | 10146-C-Engineering Service Report |
| WML Project No: | 10146 |

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## 1. EXECUTIVE SUMMARY

This report summarises the availability of services to the planned Lot 6 Commonage Road Estate as well as commenting on required service upgrades, road network and drainage management concepts.

The site is well placed in regard to service availability with sewer, power, water and comms services readily. At a conceptual level there are workable solutions for all servicing and infrastructure needs for the estate. Solutions for all civil infrastructure components can be achieved by standard industry required methodologies.

## 2. PROJECT SUMMARY

WML have been engaged to undertake preliminary engineering investigations into the serviceability of the Lot 6 Commonage Road development area shown below. The site is located within the City of Busselton and is bound by Commonage Road to the north and west, Genoli Road to the east a private land holding to the south.




Figure 1: Lot 6 Estate Concept Plan

## 3. SITE DESCRIPTION

The development site is a largely cleared paddock. It has a significant drainage line running southwest to the northeast through the site and is bounded by a corridor of native vegetation. This drainage line discharges through existing culverts underneath Genoli Road. The site has a consistent fall in the same direction as the drainage line as shown by the contours in Figure 1

## 4. GEOTECHNICAL AND HYDROLOGY

### 4.1 EXISTING SITE SUMMARY

The soil conditions across the site were variable, with a combination of sand, clayey sand, sandy clay and clay present across at variable depths. The site consists of two consistent zones :

Zone A (a northern and southwest portion of the site) comprise Bassendean Sand over Guilford Formation. Sand is loose to very dense, and the thickness varies from 0.2 m >2 m.

Zone B: (middle-east section of the site). Comprise generally a thin layer of dense to very dense Clayey SAND, over interbedded layers of SAND, Clayey SAND and Sandy CLAY. At TP 12, Sandy SILT was identified at a depth of between0.15 m and 0.75 m.

The Site has a classification of "S" except for one small are a around TP 12 which was "M". This area can be improved to "S" with the removal of the silty material

### 4.2 ACID SULPHATE SOILS

Acid Sulphate Soils were detected at the site. A detailed acid sulphate soil study and management plan will be required.

## 5. STORMWATER MANAGEMENT

The existing Drainage Line flows will be maintained. The downstream section of the drain will be modified to suit the proposed subdivision layout, this will have no impact on existing vegetation or the functionality of the drain. The drain will be utilised as an outlet for the development drainage with flows detained to pre – development flow rates. The 1 in 1 year storm event will be treated using WSUD principles within detention basins and bio-retention gardens positioned throughout the development.

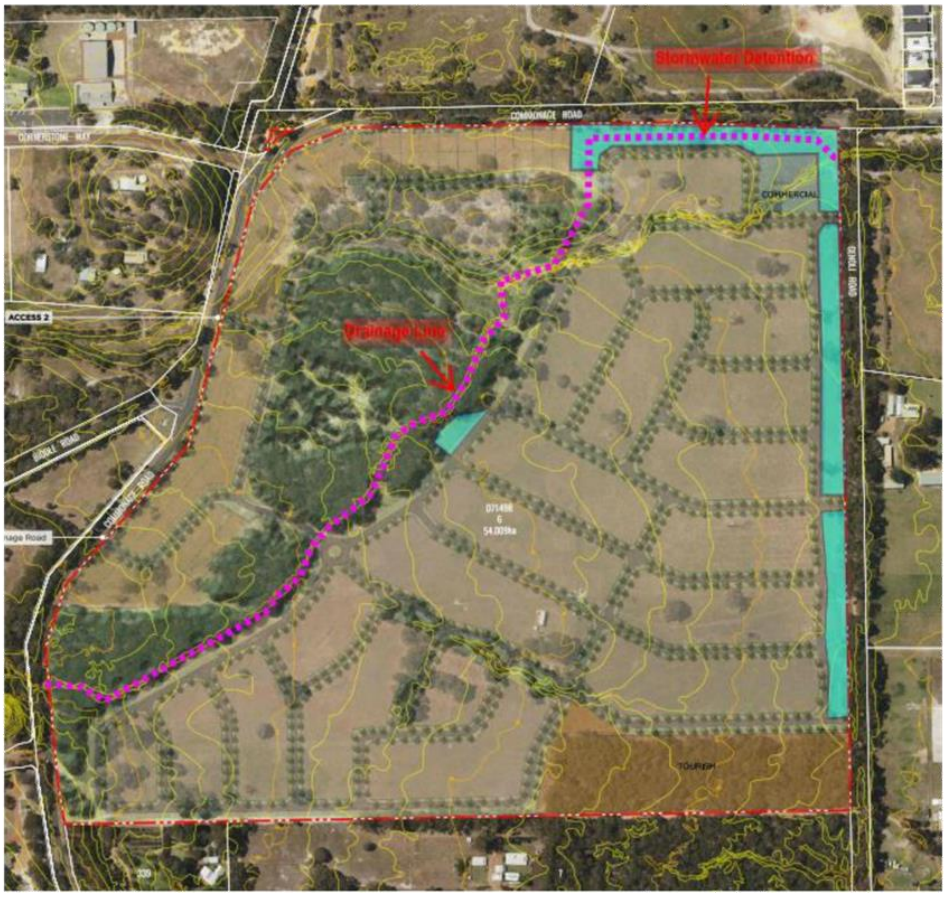


Figure 2: Concept Drainage Plan

## 6. SERVICES

The below outlines existing services within the immediate area along with likely service requirements for the development.

### 7.1 SEWER

The site is included in the current Water Corporation planning as shown by the planning extract below. It falls within the Clubhouse Dr SPS catchment which currently has high pump hours between 8-12 hours/day. This is due for upgrade with a PPC in 2027. The sewer is currently constructed through the adjoining Dunsborough Lakes development to Commonage Road, a short sewer extension to the property will be required.

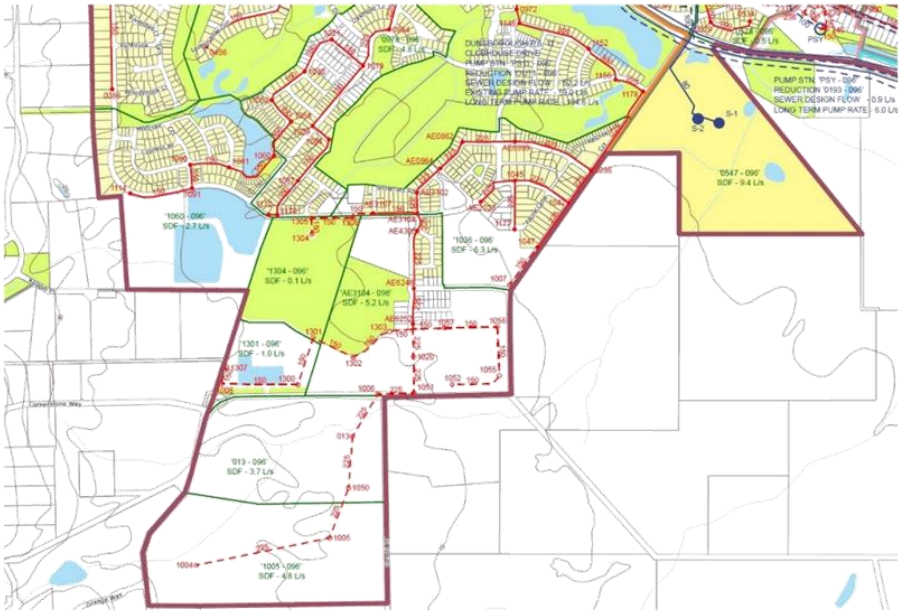

Figure 2: Concept Sewer Plan

### 7.2 WATER

According to Water Corporation's Esinet system there is an existing 250 P-12 main in Diamante Boulevard to the Northeast of the site. This will need to be extended and constructed through the development in stages to meet the developments supply requirements. Smaller distribution mains will branch off this main line throughout the development.

### 7.3 POWER

Based on the Western Power (WP) UDS manual requirements the lots are to be served at 5kVA per lot, as Special Rural Lot subdivision Plus 4.7 kVA for residential lots. Therefore the load calculated for the subdivision area as follows:

| Load Type | Number | Required kVA | Total kVA | Comments |
|---|---|---|---|---|
| Development area yield | Special Rural Lots 43 | 5kVA per lot | 215 | Estimated |
| | Residential Lots 405 | 4.7 kVA per lot | 1904 kVA | |
| **Total** | | | **2119 kVA** | |

Western Power's Network Capacity Mapping tool indicates that the area has sufficient power available to meet the development's needs, from the Busselton Zone Substation.
The mapping indicates that there is 15-20 MVA available in this area as of 2026.

HV network exists north and west of the subdivision. It runs underground from where it turns south near Cornerstone Way, and as far as the junction with Biddle Road and then continues down Biddle Road. Single phase underground cable continues down Commonage Road.
Genoli Road to the east has a single phase aerial line.
Should the pace of the development exceed the rate of which Western Power is required to carry out the network upgrades Western Power may request the Developer to fund the associated network upgrades.
In country areas there is generally capacity in the Zone Substations. However, some of the 22kV Distribution lines are of age and the line conductors may be at capacity, thus any additional load could trigger a line conductor upgrade. This can only be determined through a request to Western Power to model the existing Distribution network with the new development load on the network. The study could also model potential natural load growth on the network to determine if the network would need upgrading.

### 7.4 TELECOMMUNICATIONS

Given that NBN fixed line technology exists in Dunsborough Lakes it is likely that this will be extended to serve the development. Given the close proximity, no back haul charges are expected.

### 7.5 Gas Reticulation

There is no gas reticulation available in Dunsborough

## 8. SUMMARY

The structure plan area identified in this report is capable of being serviced by the essential infrastructure required for residential development. Some very minor headworks extensions will be required for water, power, sewer and communications. No service constraints have been identified and as such the site can be serviced with the required services.



# Transport Impact Assessment

LOT 6 COMMONAGE ROAD, QUINDALUP

CONCEPT PLAN

| | | | | |
|---|---|---|---|---|
| **PROJECT** | **Lot 6 Commonage Road, Quindalup Concept Plan – Transport Impact Assessment** | | | |
| **File** | **81113-714-FLYT-TIA-0003 Rev1** | | | |
| **Revision** | **Description** | **Originator** | **Review** | **Date** |
| 0 | Working Draft | MDR | CAS | 23/05/2022 |
| 1 | Final Report | MDR | CAS | 28/08/2022 |

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# 1. INTRODUCTION

## 1.1 Background

This Transport Impact Assessment (TIA) has been prepared by Flyt in support of the concept planning for Lot 6 Commonage Road, Quindalup – located 4km to the south of Dunsborough town centre.

In April 2022 Flyt were commissioned by Urban Quarter to prepare a Transport Impact Assessment (TIA) report to support the preparation of a concept plan and scheme amendment submission for Lot 6 Commonage Road, Quindalup (the site).

The site is bound by Commonage Road to the north and west, Genoli Road to the east and Lots 7 / 339 Commonage Road to the south – as shown in Figure 1.




*Figure 1 Lot 6 Commonage Road site (aerial source: MetroMap)*

The high-level concept plan for the site comprises the following land uses:

- Residential dwellings
  - Approximately 405 residential lots are planned (average lot size of 520m²).
  - Approximately 43 rural residential lots are planned (average lot size of 1,000m²).
- Tourism short stay accommodation
  - Potential for approximately 20 short stay accommodation units ranging from 2-4 bedrooms (average of 3 bedrooms and 6 people per unit).
- Tourism based activities
  - Potential for additional tourism related activities in the southwest corner of the site.
  - Including wildlife based activities and park walks.
- Commercial development site
  - Potential for a commercial lot of up to approximately 4,000m² in the northeast corner of the site.
  - The commercial lot could be developed for a tourism related activity and possible large food and beverage premises, such as a restaurant or brewery.

This document forms the high-level analysis of the movement network in relation to the sites planned development, taking into consideration the interface with surrounding road network and destinations of activity.

## 1.2 Development Site Context

The development site is currently zoned 'Light Industry' under the City of Busselton Local Planning Scheme No.21. Land to the north of the site is zoned 'Residential', land to the west of the site is zoned 'Rural Residential' and land to the east/south of the site is zoned 'Rural' – as shown in Figure 2.

A portion of land adjacent to the northeast corner of the site is zoned 'Rural' but with a supplementary 'Special Use' zoning permitting additional uses of the site, which is currently occupied by Simmos Ice Creamery. In addition, a portion of land to the west of the site also zoned 'Rural Residential' but with a supplementary 'Special Use' zoning permitting additional uses of the site, which is currently occupied by a rural residential property.

Table 1 provides details of the 'Special Use' zoning of both parcels of land and the arrange of additional land uses permitted on each of the land parcels.

Table 2 provides details of the existing 'Light Industry' zoning of the Lot 6 Commonage Road site – which is subject to the concept planning considered in this TIA report – which seeks to rezone the site for residential and tourism uses.




*Figure 2 Lot 6 Commonage Road site land use zoning under Local Planning Scheme No. 21 (source: City of Busselton)*

*Table 1 – City of Busselton Local Planning Scheme No.21 – Schedule 2 Additional Uses*

| No. | Particulars of Land | Land Use Permitted / Specified | Conditions |
|---|---|---|---|
| A2 | Lot 11 Corner of Commonage Road and Genoli Road, Quindalup | Land Use<br>1. The only Land Uses permitted shall be:<br>A. Kiosk, souvenir shop, information centre and associated tearooms wherein the maximum floor area of the building to accommodate these activities shall be 160m².<br>B. Passive recreation activities.<br>C. Rural pursuits and associated farm buildings.<br>D. Caretaker's Dwelling.<br>2. The development of an Arts, Craft and local product showroom and sales use may be permitted subject to local government development approval. | None |
| A38 | Portion Location 4107 Corner of Biddle Road and Commonage Road, Quindalup | Art & Craft Workshop & Sales; Rural Holiday Resort; Recreation - Private; Restaurant/Café (Amendment No. 35 GG 2.2.18). | The additional uses specified shall be deemed to be "D" uses for the purpose of Part 4 of the Scheme. |

*Table 2 – City of Busselton Local Planning Scheme No.21 – Schedule 3 Special Provision Areas*

| No. | Particulars of Land | Zone | Special Provisions |
|---|---|---|---|
| SP31 | Lot 6, Commonage Road, Quindalup | Light industry | 1. The intent of the Dunsborough Industrial Park is to establish an innovative, industrial estate which caters for a wide range of service and industrial activities together with other urban-based, service commercial and industrial activities which are required to cater for the existing and future industrial and service needs of the Dunsborough and surrounding districts.<br>2.<br>a) Prior to approving the subdivision or development of land within the Dunsborough Industrial Park, the local government shall require the preparation and adoption, under the provisions of Part 4 of the Deemed Provisions, of a Structure Plan for the land;<br>b) The Structure Plan must obtain the endorsement of the Western Australian Planning Commission prior to coming into effect.<br>c) Where the local government rejects the Structure Plan, or attaches conditions or requires modification which the applicant considers unreasonable, the applicant shall have the right of review pursuant to Part 14 of the Act.<br>d) Prior to exercising any right of review pursuant to Part 14 of the Act, against a decision of the local government the proponent shall submit the Structure Plan and the local government's resolution to the Western Australian Planning Commission and request the Western Australian Planning Commission to make a determination.<br>e) Where the Commission or the local government attaches conditions or requires modification which the applicant considers unreasonable, the applicant shall have the right of review pursuant to Part 14 of the Act.<br>3. The local government shall require the Structure Plan to have regard for adjacent lands and such Plan shall show how the land is to be subdivided and developed, including –<br>a) The proposed size and distribution of lots;<br>b) The proposed allocation of land uses, where appropriate;<br>c) The proposed provision and treatment of buffer areas required by the local government to protect the amenity of surrounding land uses;<br>d) The proposed provision and treatment of buffer areas to the sewerage treatment plant situated to the north of the land, in the event that the plant is not relocated;<br>e) The proposed provision and treatment of buffer areas required to protect important watercourses traversing the site;<br>f) The provision to be made for the control and management of stormwaters and the management of nutrients;<br>g) The proposed road system, including road reserve and carriageway widths; |

| No. | Particulars of Land | Zone | Special Provisions |
|---|---|---|---|
| | | | h) The proposed provision of community and public utilities and services;<br>i) Any special provisions applying to the subdivision and development of the land where not otherwise provided for by the Scheme; and<br>j) Such other information as, in the circumstances of the case, the local government considers appropriate. |
| | | | 4.<br>a) All necessary buffers to all adjoining lots required as a result of industries located on the Estate shall be provided on Lot 6 of Sussex Location 362 & 802;<br>b) The Plan shall make provision for buffer areas to the eastern and southern boundaries of the site so as to maintain the amenity of adjoining residences. |

## 1.3 Dunsborough Lakes Structure Plan

Dunsborough Lakes Estate is one of the principal urban growth areas for Dunsborough – the Estate includes extensive public open space areas, an 18 hole golf course, primary school site, playing fields, future District Open Space, a variety of residential housing densities, restricted business land (i.e. Enterprise Park) and a future tourist development area.

The original Structure Plan for the Dunsborough Lakes Estate was approved in May 2009 and has been subject to a number of amendments through the WAPC review and approvals process over the past 13 years.

Over the past 13 years development has progressed across the Dunsborough Lakes Estate has seen the completion of the majority of planned residential dwellings between Caves Road and Dunsborough Lakes Drive – as well as completion of the 18 hole golf course and Enterprise Park.

The remaining areas of the Estate to be completed are the residential dwellings to the south of Dunsborough Lakes Drive, west of Diamante Boulevard and to the north of Commonage Road. In addition, the future primary school at the corner of Dunsborough Lakes Drive and Diamante Boulevard and the future district playing fields are still to be delivered.

In July 2021 the Dunsborough Lakes Structure Plan was subject to Amendment No.6 covering Lots 41 and 9071 Commonage Road. These Lots are on the northern side of Commonage Road opposite the subject site of Lot 6 Commonage Road on the southern side of the Commonage Road corridor.

Amendment No. 6 modified the Dunsborough Lakes Structure Plan to provide a more functional road layout and to provide greater housing diversity, choice and affordability, while maintaining consistency with the existing Dunsborough Lakes development.

The overall Dunsborough Lakes Structure Plan is shown in Figure 3 and the Amendment No. 6 modifications are shown in Figure 4.




*Figure 3 Dunsborough Lakes Structure Plan – Overall with Amendment No. 6 (source: RPS, July 2021)*

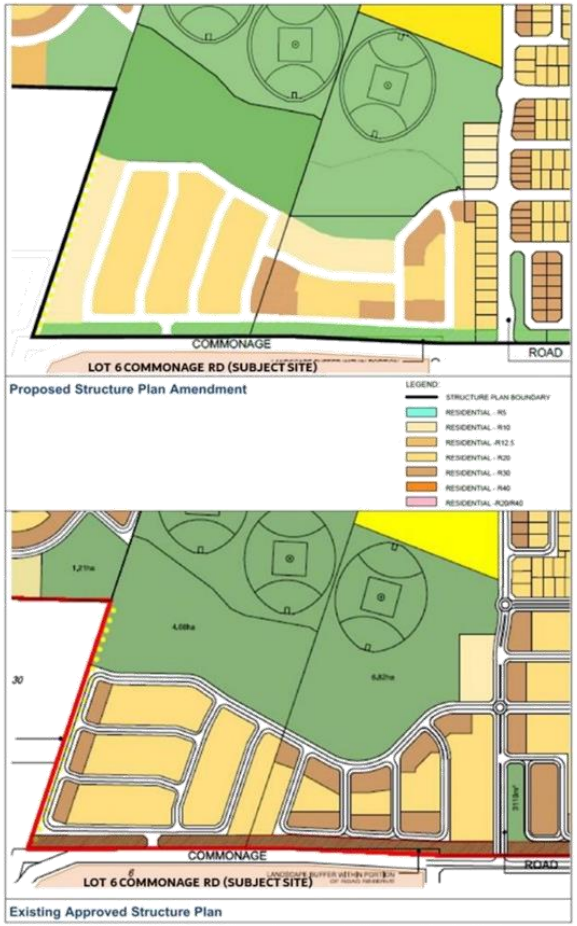



*Figure 4 Dunsborough Lakes Structure Plan – Amendment No. 6 to Lots 41 and 9071 Commonage Road (source: RPS, July 2021)*

## 1.4 Scope of Work

The scope of work in relation to the movement network analysis for the concept planning process for the site, is based on the assessment provisions of a Structure Plan level assessment set out in Volume 2 of the WA Planning Commission's (WAPC) Transport Impact Assessment Guidelines (2016).

This TIA report provides a high-level impact assessment based on the concept plan potential land uses provided to Flyt by the project team in April/May 2022 and finalied in August 2022. It is expected that the information contained within this report would form the basis of more detailed assessments in the future at Structure Plan refinement and/or Development Application (DA) stage for discrete stages of development across the subject site.

# 2. CONCEPT PLAN PROPOSALS

## 2.1 Site Location

Lot 6 Commonage Road, Quindalup is located 4km to the south of Dunsborough town centre. As shown in Figure 5 the subject site does not contain any existing development, the site is a combination of vacant open pastureland and sections of wooded areas.

The subject site is located to the south of Commonage Road with the Dunsborough Lakes Structure Plan area opposite the subject site on the northern side of Commonage Road.

The southernmost part of the Dunsborough Lakes Structure Plan area is yet to be delivered and once completed will be opposite the subject site and include residential dwellings to the south of Dunsborough Lakes Drive, west of Diamante Boulevard and to the north of Commonage Road – as well as a future primary school at the corner of Dunsborough Lakes Drive and Diamante Boulevard and future district playing fields adjacent to the planned school.

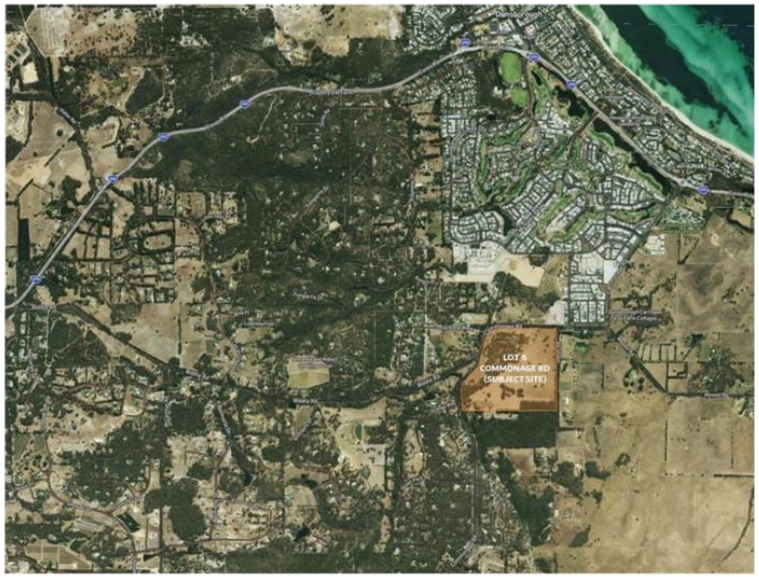



*Figure 5 Lot 6 Commonage Road site location plan (aerial source: MetroMap)*

## 2.2 Potential Land Uses

The Lot 6 Commonage Road concept plan comprises the following potential land uses:

- Residential dwellings
  - Approximately 405 residential lots are planned (average lot size of 520m$^2$).
  - Approximately 43 rural residential lots are planned (average lot size of 1,000m$^2$).
- Tourism short stay accommodation
  - Potential for approximately 20 short stay accommodation units ranging from 2-4 bedrooms (average of 3 bedrooms and 6 people per unit).
- Tourism based activities
  - Potential for additional tourism related activities in the southwest corner of the site.
  - Including wildlife based activities and park walks.
- Commercial development site
  - Potential for a commercial lot of up to approximately 4,000m$^2$ in the northeast corner of the site.
  - The commercial lot is expected to be developed for a tourism related activity and possible large food and beverage premises, such as a restaurant or brewery.

## 2.3 Access Arrangements

The Lot 6 Commonage Road concept plan comprises five (5) access roads into the subject site area:

- Two (2) access roads off Commonage Road
  - Site access road and Commonage Road intersection (all movements) – between Cornerstone Way and Biddle Road.
  - Site access road and Commonage Road intersection (left-in/left-out movements only) – between Biddle Road and Grange Way.
- Three (3) access roads off Genoli Road
  - Site access road and Genoli Road intersection – northern site access
  - Site access road and Genoli Road intersection – central site access
  - Site access road and Genoli Road intersection – southern site access

Commonage Road adjacent to the concept plan area is a sealed single carriageway road with a posted speed limit of 80km/h – whilst Genoli Road adjacent to the concept plan area is an unsealed single carriageway gravel road with no posted speed limit.

The concept plan proposals include appropriate intersection treatments for the Commonage Road intersections with Genoli Road and the two proposed site access roads off Commonage Road. In addition, the concept plan proposals include sealing Genoli Roads for the full length of the road adjacent to the concept plan area. Figure 6 shows the proposed concept layout plan and access arrangements for the Lot 6 Commonage Road site.




*Figure 6 Proposed concept layout plan and access arrangements for the Lot 6 Commonage Road site (source: CDP Town Planning & Urban Design, 2022)*

# 3. EXISTING SITUATION

## 3.1 Regional Context

The Lot 6 Commonage Road site is located approximately 25km to the west of Busselton, 45km north of Margaret River townsite, 10km east of Yallingup Beach and 4km south of Dunsborough town centre. The site is located opposite the Dunsborough Lakes Structure Plan area and adjacent to the Simmos Ice Creamery site.

Access to the Lot 6 Commonage Road site is reliant upon private vehicle access via the Commonage Road corridor – which provides a connection between Caves Road (Dunsborough) and Wildwood Road (Quindalup). There are no existing footpaths or bicycle paths providing connection to the subject site – although the Dunsborough Lakes Structure Plan to the north includes a path network, which is expected to be extended as the Dunsborough Lakes Structure Plan area develops land opposite the Lot 6 Commonage Road site.

## 3.2 Local Context

The Lot 6 Commonage Road site would form the southernmost development on approach to Dunsborough from the south via the Commonage Road corridor.

However, the layout of the concept plan for the site proposes development setbacks from the Commonage Road corridor – with only public open space (POS), large rural residential lots (1,000m$^2$ lots) and potential tourism short stay accommodation land uses with a boundary to the Commonage Road corridor.

The Lot 6 Commonage Road site is located to the south of Commonage Road with the Dunsborough Lakes Structure Plan area opposite the subject site on the northern side of Commonage Road.

The southernmost part of the Dunsborough Lakes Structure Plan area is yet to be delivered and once completed will be opposite the subject site and include residential dwellings to the south of Dunsborough Lakes Drive, west of Diamante Boulevard and to the north of Commonage Road – as well as a future primary school at the corner of Dunsborough Lakes Drive and Diamante Boulevard and future district playing fields adjacent to the planned school.

A portion of land adjacent to the northeast corner of the Lot 6 Commonage Road site is currently occupied by Simmos Ice Creamery – whilst land to the west of the site is currently occupied by a rural residential property.

## 3.3 Pedestrian Connections

The Lot 6 Commonage Road site does not contain any existing development, the site is a combination of vacant open pastureland and sections of wooded areas. As such, there is no formal pedestrian network connecting the subject site to surrounding land uses or development areas.

The Walk Score walkability assessment tool considered the Lot 6 Commonage Road site to be "car-dependent" where almost all errands require a car, with a walk score of 14 out of 100. The 45-minute, 30-minute and 15-minute walkable catchments from the subject site are shown in Figure 7, Figure 8 and Figure 9.

The walkable catchments are based on pedestrians walking along the shoulders of rural roads where formal sealed paths are not provided. The walkable destinations include:

- 45-minute walk catchment
  - Dunsborough town centre
  - Centennial Park
  - All of the Dunsborough Lakes Estate
  - Biddle Road/Balmoral Drive (Yallingup Woodfire Bakery)
  - Commonage Road/O'Byrne Road (Happs Wines & Commonage Pottery)
- 30-minute walk catchment
  - Eastern half of the Dunsborough Lakes Estate (up to Commonage Road/Caves Road)
  - Biddle Road/Vintners Drive (Vintners Ridge Estate)
  - Commonage Road/Green Park Road
- 15-minute walk catchment
  - Southernmost parts of the Dunsborough Lakes Estate (areas south of Dunsborough Lakes Drive)
  - Commonage Road/Grange Way

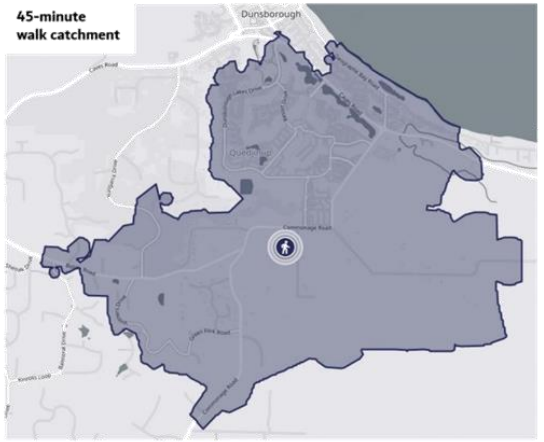



*Figure 7 45-minute walking catchment from the Lot 6 Commonage Road site (source: TravelTime)*

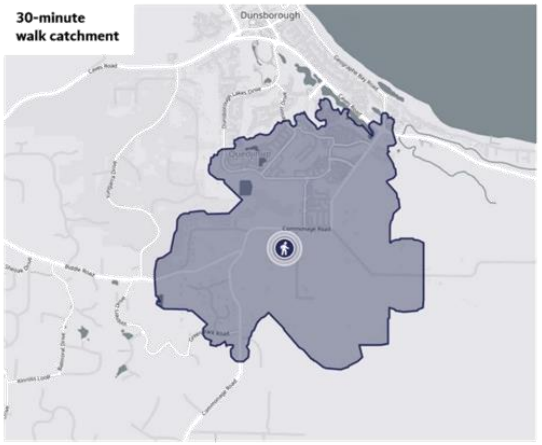



*Figure 8 30-minute walking catchment from the Lot 6 Commonage Road site (source: TravelTime)*

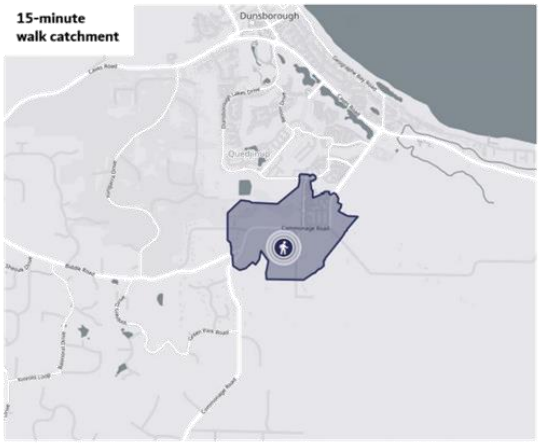



*Figure 9 15-minute walking catchment from the Lot 6 Commonage Road site (source: TravelTime)*

The Dunsborough Lakes Estate to the north of Commonage Road includes a network of paths – with a path on one side of each constructed road corridor across the Estate. Figure 10 shows the footpath network along the constructed sections of road network in the Estate and the alignment of proposed road in the Estate opposite the Lot 6 Commonage Road site – it is assumed that the proposed roads will also include a path on one side of the road corridor.




*Figure 10 Dunsborough Lakes Estate path network (top image: City of Busselton IntraMaps / bottom image: MetroMap)*

## 3.4 Bicycle Routes

The Lot 6 Commonage Road site does not contain any existing development, the site is a combination of vacant open pastureland and sections of wooded areas. As such, there are no bicycle routes connecting the subject site to surrounding land uses or development areas.

A key action of the Western Australia Bicycle Network (WABN) Plan 2014-2031 is to improve planning for cycling in the regions. The Department of Transport have responded to this action and between 2018-2021 have worked with regional local governments and partners to develop a series of long term regional cycling strategies.

The Regional 2050 Cycling Strategies developed seek to identify central themes and opportunities for enabling bike riding across the region and produce strategic and operational cycle network plans for identified regional centres and surrounding areas.

The Department of Transport aim is for the Regional 2050 Cycling Strategies to be aspirational and ensures that each document is produced in partnership with local government. Positioned as long-term strategies out to 2050, each document is accompanied by a short-term implementation program to prioritise the delivery of strategic infrastructure, capacity building activities, and travel behaviour change initiatives.

The Department of Transport partnered with the Shire of Augusta-Margaret River and the City of Busselton to produce the Leeuwin-Naturaliste 2050 Cycling Strategy. The strategy seeks to create a blueprint for connecting and extending cycling infrastructure in the region to enhance recreational cycling experiences for residents and showcase some of the area's best natural assets to visitors and tourists.

The final Leeuwin-Naturaliste 2050 Cycling Strategy was endorsed by both councils (elected members) in late 2018 following a public comment period on the draft document.

The routes proposed for Dunsborough and surrounds 2050 cycling network are shown in Figure 11 and include:

- New primary routes extending west to Yallingup (via Caves Road), east to Toby Inlet footbridge (via Caves Road) and north to Cape Naturaliste (via Cape Naturaliste Road).
- Several secondary routes along key urban roads around Old Dunsborough including Naturaliste Terrace, Gifford Road and Dunn Bay Road.
- Local routes linking residential areas to higher-order cycling facilities.

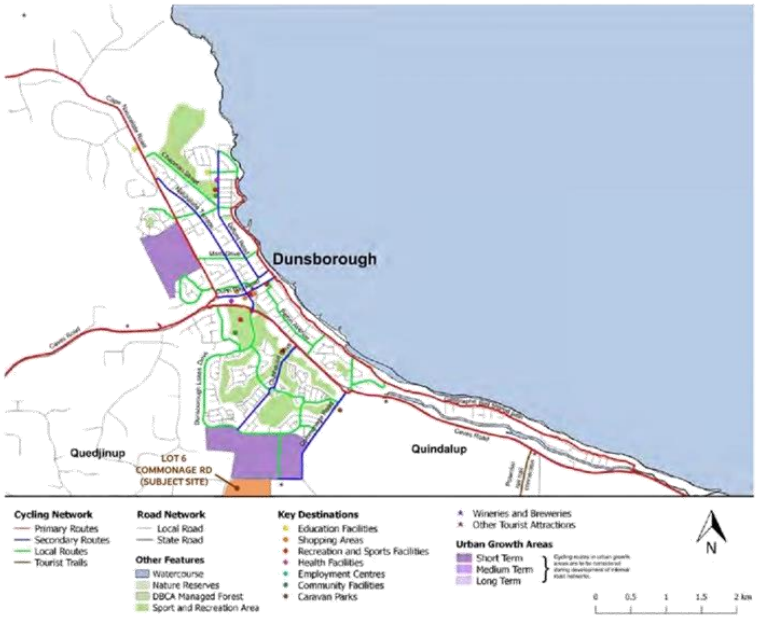



*Figure 11 Proposed 2050 cycling network (source: Department of Transport – Leeuwin-Naturaliste 2050 Cycling Strategy)*

The Department of Transport note that the bicycle networks identified in the regional strategies are not intended to be static and will be reviewed over time – and LGAs can request modifications to identified routes as local circumstances change.

It is expected that as Dunsborough Lakes Estate continues to develop adjacent to Commonage Road that the bicycle network will be extended and provide an opportunity for the Lot 6 Commonage Road site to provide a pedestrian and cycle connection across Commonage Road to connect the two development areas.

Figure 12 to Figure 14 show the planned progression of the cycling network between 2022 and 2050 – with the increase in cycling routes in vicinity of the Lot 6 Commonage Road site.

- Existing bicycle routes – Figure 12 shows the existing cycling network that is considered to meet current and future needs.
- Existing bicycle routes that need improvements – Figure 13 shows the existing cycling network that is considered to require improvements and upgrades to meet the future needs.
- Proposed future bicycle routes – Figure 14 shows the planned extension of the cycling network to meet the future needs. It is possible that the identified future cycling network will be extended across the southernmost part of the Dunsborough Lakes Estate site and across Commonage Road to the Lot 6 Commonage Road site.




*Figure 12 Existing bicycle routes (source: Department of Transport)*




*Figure 13 Existing bicycle routes and existing routes that need improvements (source: Department of Transport)*

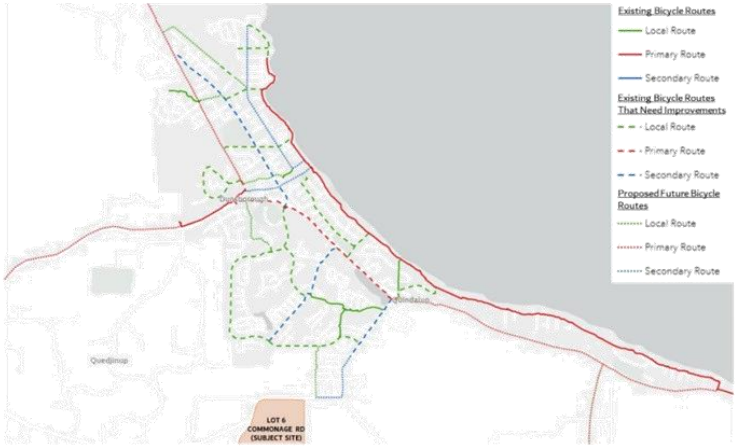



*Figure 14 Existing bicycle routes, existing routes that need improvements and proposed routes (source: Department of Transport)*

## 3.5 Public Transport Access

The Lot 6 Commonage Road site is not conveniently located to access existing by public transport services, which is not unusual for an edge of town location in the South West.

A single TransBusselton bus route operates between Dunsborough and Busselton as outlined below:

- Bus route 815 operates along Caves Road between Busselton and Dunsborough and then via Elmore Road-Geographe Bay Road-Dunn Bay Road-Seymour Boulevard-Caves Road-Dunn Bay Road-Naturaliste Terrace-Greenacre Road-Gifford Road through to Old Dunsborough Boat Ramp.
- Bus Route 815 operates 9 times per day Monday-Friday between 8am-5pm and 5 times per day on Saturdays and Public Holidays – there is no service on Sundays.

Figure 15 shows the location of the Lot 6 Commonage Road site in relation to the alignment of bus route 815. The nearest bus stops to the site are located 2.5km away – along Elmore Road to the north of the Caves Road/ Commonage Road roundabout.




*Figure 15 Public transport network in vicinity of the Lot 6 Commonage Road site (source: Transperth)*

## 3.6 Local Road Network

All roads in Western Australia are designed a road hierarchy category by Main Roads WA – the category assigned to a road indicates the function of the road and indicates which roads form part of higher order corridors – a description of the road hierarchy categories is provided below:

- **Primary Distributors:** Provide for major regional and inter-regional traffic movement and carry large volumes of generally fast moving traffic. Some are strategic freight routes, and all are State Roads. They are managed by Main Roads WA.
- **District Distributor A:** Urban area roads (not applicable to the Lot 6 Commonage Road site).
- **District Distributor B:** Urban area roads (not applicable to the Lot 6 Commonage Road site).
- **Regional Distributor:** Rural – Roads that are not Primary Distributors but which link significant destinations and are designed for efficient movement of people and goods within and beyond regional areas. They typically have traffic volumes above 100 vehicles per day. They are managed by Local Government.
- **Local Distributor:** Rural – Connect to other Rural Distributors and to Rural Access Roads. Not Regional Distributors, but which are designed for efficient movement of people and goods within regional areas. They typically have traffic volumes up to 6,000 vehicles per day in built up areas and only up to 100 vehicles per day in non-built up areas They are managed by Local Government.
- **Access Roads:** Provide access to abutting properties with amenity, safety and aesthetic aspects having priority over the vehicle movement function. These roads are bicycle and pedestrian friendly. They typically have traffic volumes up to 3,000 vehicles per day in built up areas and only up to 75 vehicles per day in non-built up areas. They are managed by Local Government.

Figure 16 shows the local road hierarchy within proximity of the Lot 6 Commonage Road site – these can be summarised as:

- Caves Road is categorised as a **Primary Distributor** under the control of Main Roads WA and should carry the highest volume of traffic in the road network in vicinity of the Lot 6 Commonage Road site.
- Cape Naturaliste Road and Yallingup Beach Road are categorised as a **Regional Distributor** under the control of the City of Busselton.
- Commonage Road, Biddle Road and a number of roads in Dunsborough Lakes Estate (Dunsborough Lakes Drive, St Michaels Parkway, Clubhouse Drive and Resort Drive) are categorised as a **Local Distributor A** road under the control of the City of Busselton.
- All other roads in vicinity of the site are categorised as **Access Road** under the control of the City of Busselton.

Figure 17 shows the posted speed limits on the roads surrounding the Lot 6 Commonage Road site – these can be summarised as:

- Caves Road between Busselton and Commonage Road and Caves Road between Yallingup Beach and Dunsborough operates with a 90km/h posted speed limit – reflecting the corridors higher order movement function. Caves Road to the south of Yallingup Beach transitions to a 80km/h posted speed limit.
- Caves Road and Cape Naturaliste Road through Dunsborough operate with a 70km/h posted speed limit – reflecting the corridors movement function through the built up areas of Dunsborough.
- Commonage Road between Caves Road and Genoli Road operates with a 70km/h posted speed limit – reflecting the corridors movement function through built up areas past Enterprise Park and Dunsborough Lakes Estate. Commonage Road to the west/south of Genoli Road transitions to an 80km/h posted speed limit – reflecting the corridors transition to a rural context.
- Biddle Road between Commonage Road and Caves Road operates with an 80km/h posted speed limit.
- All other rural road roads between Commonage Road and Caves Road operate with 70km/h posted speed limits.
- All other roads within the Dunsborough townsite and Dunsborough Lakes Estate operate with a default 50km/h posted speed limit for urban areas. A small area of Dunsborough town centre operates with a 40km/h posted speed limit – reflecting the town centres slow speed environment and pedestrian and cycling activity.




*Figure 16 Local road hierarchy in vicinity of the Lot 6 Commonage Road site (source: Main Roads WA)*

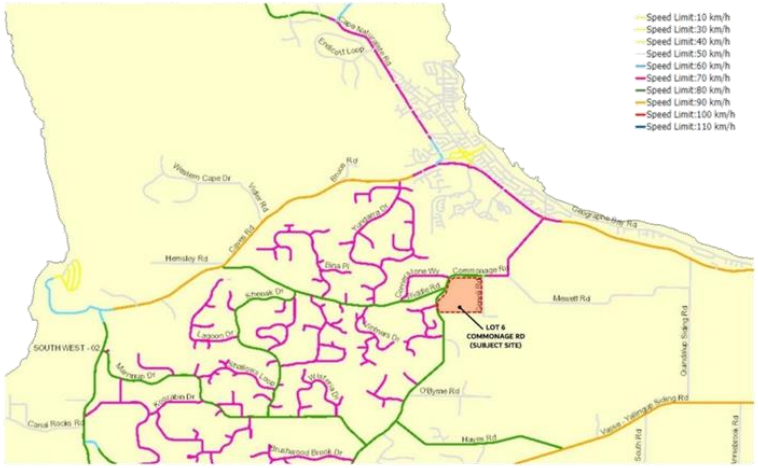



*Figure 17 Posted speed limits in vicinity of the Lot 6 Commonage Road site (source: Main Roads WA)*

To gain a clear understanding of the existing traffic movements on the road network in proximity of the Lot 6 Commonage Road site, Automatic Traffic Counters (ATCs) were installed at five (5) locations for a 9-day period (30 April to 8 May 2022) to capture link volume traffic data.

The locations where the five (5) ATCs were installed to collect link volume traffic data are shown in Figure 18.

1. Commonage Road between Genoli Road and Diamante Boulevard.
2. Genoli Road to the south of Commonage Road.
3. Cornerstone Way to the west of Commonage Road.
4. Biddle Road to the west of Commonage Road.
5. Commonage Road between Biddle Road and Grange Way.




*Figure 18 Locations of the five (5) ATCs installed to collect link volume traffic data (aerial source: MetroMap)*

Table 3 shows the average weekday traffic volumes over the 9-day survey period for each of the five (5) ATC locations.

The data shows that Commonage Road at the intersection with Genoli Road (adjacent to the northeast corner of the site) has approximately 3,250 vehicles per weekday with an even split of eastbound and westbound traffic movements.

Biddle Road to the west of Commonage Road has approximately 1,150 vehicles per weekday and again an even eastbound and westbound split.

Commonage Road between Biddle Road and Grange Way (adjacent to the southwest corner of the site) has approximately 2,150 vehicles per weekday with an even split between northbound and southbound traffic movements.

Genoli Road to the south of Commonage Road has only 150 vehicles per weekday due to the limited properties currently accessed from Genoli Road and Cornerstone Way to the west of Commonage Road has only 250 vehicle per weekday – primarily school traffic related.

*Table 3 – Traffic volume data (30 April to 8 May 2022) for the road network in proximity of the Lot 6 Commonage Road site*

| ATC Ref | Road Section | Average Weekday Traffic Volumes (over survey period) | | | | | Vehicle Classification | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Northbound | Southbound | Eastbound | Westbound | Both Directions | Vehicle Class 1-2 | Vehicle Class 3-5 | Vehicle Class 6-12 |
| 1 | Commonage Rd east of Genoli Rd | | | 1,623 | 1,604 | **3,227** | 89.2% | 7.8% | 3.0% |
| 2 | Genoli Rd south of Commonage Rd | 77 | 79 | | | **156** | 85.7% | 13.6% | 0.7% |
| 3 | Cornerstone west of Commonage Rd | | | 118 | 117 | **235** | 90.8% | 7.5% | 1.7% |
| 4 | Biddle west of Commonage Rd | | | 580 | 574 | **1,154** | 86.8% | 11.9% | 1.3% |
| 5 | Commonage Rd south of Biddle Rd | 1,074 | 1,054 | | | **2,128** | 87.6% | 11.2% | 1.2% |

The 9-day traffic volumes survey period included one (1) week during school term time and two (2) weekends. The weekday traffic data shows that the network peak hours for the road network surrounding the Lot 6 Commonage Road site are:

- AM peak hour 8am-9am (0800-0900)
- PM peak hour 3pm-4pm (1500-1600)

Utilising the link volume traffic data collected at the five (5) ATC locations – Flyt have been able to estimate the existing peak hour turning movements across the road network in proximity of the Lot 6 Commonage Road site. The existing AM peak hour turning movements are shown in Figure 19 and the existing PM peak hour turning movements are shown in Figure 20.

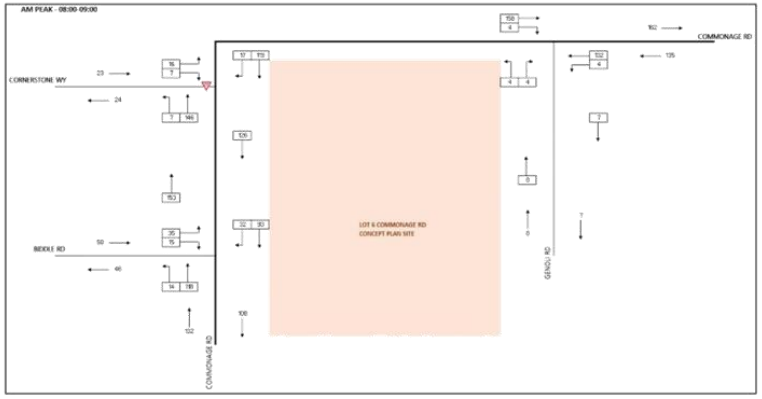



*Figure 19 Existing – AM peak traffic counts – 0800-0900 (source: Flyt)*

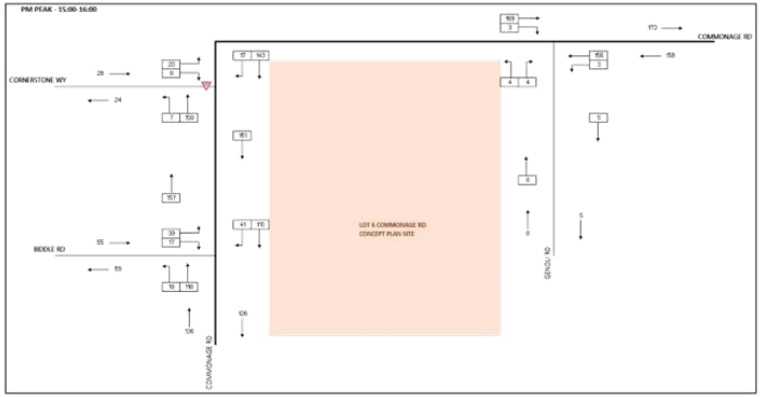



*Figure 20 Existing – PM peak traffic counts – 1500-1600 (source: Flyt)*

## 3.7 Frontage Roads

The Lot 6 Commonage Road site has a boundary with Genoli Road along the site eastern boundary and Commonage Road along the sites northern and western boundaries.

**Genoli Road**

Genoli Road extends along the full extent of the eastern boundary of the Lot 6 Commonage Road site – and is shown in Figure 21. The characteristics of the Genoli Road corridor are summarised below:

- Genoli Road is sealed for a length of approximately 50m from the intersection with Commonage Road – the remaining length of Genoli Road is an unsealed gravel road.
- Genoli Road permits two-way traffic movements.
- Genoli Road is approximately 5.0m wide.
- Passing vehicle are required to utilise the wide verge on either side of the road to permit two-way traffic.



*Figure 21 Genoli Road adjacent to the Lot 6 Commonage Road site – view southbound along Genoli Road (source: Flyt)*

**Commonage Road / Genoli Road Intersection**

Commonage Road at the intersection of Genoli Road is shown in Figure 22 and Figure 23 – the roads characteristics in this location are summarised below:

- Commonage Road is a sealed road with an unsealed shoulder/verge on both sides of the road.
- Commonage Road permits two-way traffic movements – with broken white line markings.
- No left turn pocket into Genoli Road is provided.
- Commonage Road is approximately 6.4m wide at the intersection with Genoli Road – this width does not provide for eastbound vehicles passing stationary right turning vehicles.



*Figure 22 Commonage Road / Genoli Road intersection – view eastbound along Commonage Road (source: Flyt)*



*Figure 23 Commonage Road / Genoli Road intersection – view westbound along Commonage Road (source: Flyt)*

**Commonage Road / Cornerstone Way Intersection**

Commonage Road at the intersection of Cornerstone Road is shown in Figure 24 and Figure 25 – the roads characteristics in this location are summarised below:

- Commonage Road is a sealed road with an unsealed shoulder/verge on both side of the road.
- Commonage Road permits two-way traffic movements – with solid white line markings to restrict overtaking.
- A left turn pocket into Cornerstone Way is provided (approximately 35.0m long and 3.0m wide).
- Commonage Road is approximately 10.8m wide at the intersection with Cornerstone Way – to provide for southbound vehicles slowing to safely pass stationary right turning vehicles.



*Figure 24 Commonage Road / Cornerstone Way intersection – view northbound/eastbound along Commonage Road (source: Flyt)*



*Figure 25 Commonage Road / Cornerstone Way intersection – view southbound along Commonage Road (source: Flyt)*

**Commonage Road / Biddle Road Intersection**

Commonage Road at the intersection of Biddle Road is shown in Figure 26 and Figure 27 – the roads characteristics in this location are summarised below:

- Commonage Road is a sealed road with an unsealed shoulder/verge on both sides of the road.
- Commonage Road permits two-way traffic movements – with solid white line markings to restrict overtaking.
- No left turn pocket into Biddle Road is provided.
- Commonage Road is approximately 10.0m wide at the intersection with Biddle Road – to provide for southbound vehicles safely slowing to pass stationary right turning vehicles.



*Figure 26 Commonage Road / Biddle Road intersection – view northbound along Commonage Road (source: Flyt)*



*Figure 27 Commonage Road / Biddle Road intersection – view southbound along Commonage Road (source: Flyt)*

**Commonage Road / Grange Way Intersection**

Commonage Road at the intersection of Biddle Road is shown in Figure 28 and Figure 29 – the roads characteristics in this location are summarised below:

- Commonage Road is a sealed road with an unsealed shoulder/verge on both sides of the road.
- Commonage Road permits two-way traffic movements – with solid white line markings to restrict overtaking.
- No left turn pocket into Grange Way is provided.
- Commonage Road is approximately 8.0m wide at the intersection with Grange Way – this width does not provide for southbound vehicles passing stationary right turning vehicles.



*Figure 28 Commonage Road / Grange Way intersection – view northbound along Commonage Road (source: Flyt)*



*Figure 29 Commonage Road / Grange Way intersection – view southbound along Commonage Road (source: Flyt)*

## 3.8 Existing Vehicle Access

The Lot 6 Commonage Road site does not contain any existing development, the site is a combination of vacant open pastureland and sections of wooded areas. As such, there are no existing vehicle accesses to the site located off Commonage Road.

Genoli Road is a gravel road and provides existing gated access to the site for vehicles – primarily agricultural vehicles. Figure 30 and Figure 31 show northbound and southbound views along Genoli Road. Genoli Road is sealed at the approach to Commonage Road – with the remaining section of Genoli Road adjacent to the Lot 6 Commonage Road site an unsealed gravel road.



*Figure 30 Genoli Road approach to Commonage Road – view northbound along Genoli Road (source: Flyt)*




*Figure 31 Genoli Road adjacent to the Lot 6 Commonage Road site – view southbound along Genoli Road (source: Flyt)*

# 4. INTERNAL TRANSPORT NETWORKS

## 4.1 Road Network

The internal road network within the Lot 6 Commonage Road site has been aligned to support the proposed development sites primary traffic access via the Genoli Road corridor – and limit the traffic expected to access the site directly from the Commonage Road access road.

Whilst all roads within the proposed development would be categorised as Access Roads under Main Roads WA road hierarchy – key road corridors have been identified across the subject site as being 'primary access roads'. These corridors are shown in Figure 32 and they provide the primary road connection to the site and routes through the site.

The 'primary access roads' include the route from Commonage Road via Genoli Road to access the site and routes through the site to access key non-residential land uses – including the potential sites for commercial development, tourism short stay accommodation and tourism based activities (wildlife based activities).




*Figure 32 Proposed concept plan road network and 'primary access roads' (source: CDP Town Planning & Urban Design, 2022)*

## 4.2 Path Network

A path network is proposed across the subject site to connect residents across the site to public open space and to key land uses across the site, as well as to provide a connection to the path network in the Dunsborough Lakes Estate and areas beyond towards Dunsborough Town Centre – the proposed path network is shown in Figure 33.

It is expected that the path network provided would have a minimum width of 2.0m and the routing of the path network has been proposed to provide residential connectivity, whilst limiting the number of residential crossovers and side roads that path users would have to cross when walking or cycling along the path network.

The proposed path network provides a 2.5-3.0km recreational loop route that requires the crossing of a limited number of roads (5 roads) and runs adjacent to public open space and areas of vegetation for most of the route.

It is noted that the crossing of Commonage Road to connect the proposed path network in the Lot 6 Commonage Road site with the path network in the Dunsborough Lakes Estate – would require a median island treatment in Commonage Road to provide a safe two-stage crossing of Commonage Road for path users.




1) Indicative path connection to Dunsborough Lakes Estate path network – pedestrian island required to permit safe two-stage crossing of Commonage Road.

*Figure 33 Proposed concept plan path network (source: CDP Town Planning & Urban Design, 2022)*

## 4.3 Vehicular Access

The internal road network within the Lot 6 Commonage Road site has been aligned to support the proposed development sites primary traffic access via the Genoli Road corridor – and limit the traffic expected to access the site directly from the Commonage Road access road. The public open space bushland running from the northeast to southwest portions of the subject site provide a natural split between the proposed built form development across the site – as shown in Figure 34.

1. Primary Site Access

To the east of the public open space bushland is the bulk of the development proposed across the site, this includes potential for approximately 386 residential dwellings, 20 short stay accommodation units, the potential commercial development site (possible food and beverage premises) and the site for potential tourism based activities (wildlife based activities).

It is anticipated that these land uses would be accessed via the three proposed site accesses off the Genoli Road corridor – and the Commonage Road/Genoli Road intersection (primary site access). These land uses would account for approximately 87% of daily traffic movements generated by the site.

2. Secondary Site Access

To the west of the public open space bushland is a smaller area of development, this includes potential for approximately 43 rural residential dwellings and 19 standard residential dwellings.

It is anticipated that these land uses would be accessed via the direct access road with Commonage Road (secondary site access). These land uses would account for approximately 13% of daily traffic movements generated by the site.

3. Proposed Left-In/Left-Out Only Site Access

To meet site access requirements for Department of Fire and Emergency Services (DFES) vehicles – it is proposed to provide an access road to the site from Commonage Road between Biddle Road and Grange Way.

It is proposed that this access road would be restricted to left-in/left-out movements only due to the restricted sight distances along Commonage Road when exiting the site in this location – see Section 5.3 for details of high-level Safe Intersection Sight Distance (SISD) calculations completed to support this assessment.

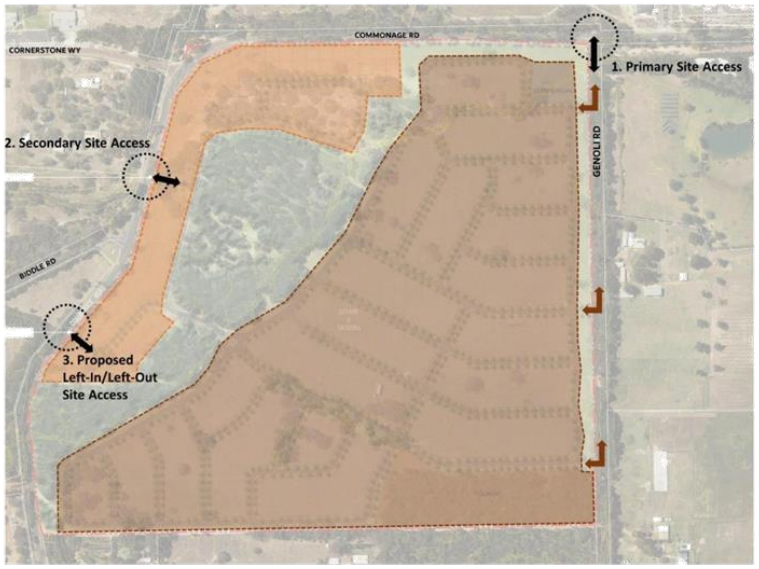



*Figure 34 Proposed concept plan vehicle access arrangements (source: CDP Town Planning & Urban Design, 2022)*

# 5. EXTERNAL TRANSPORT NETWORKS

## 5.1 Commonage Road Posted Speed Limit

The existing posted speed limit along Commonage Road is 70km/h to the east of Genoli Road (between the Genoli Road and Diamante Boulevard intersections) and 80km/h to the west of this location – as shown in Figure 35.

The traffic data collected at the two ATC locations on Commonage Road, show that the 85th percentile vehicle speed between Genoli Road and Diamante Boulevard (the location where the posted speed limit changes from 70km/h to 80km/h) is 72km/h between 6am-8pm. The 85th percentile vehicle speed on Commonage Road between Biddle Road and Grange Way is 80km/h between 6am-8pm – the same as the posted speed limit.

The 85th percentile vehicle speed is best described as the speed at or below which 85 percent of all vehicles are observed to travel past a monitored point – this is considered to be the speed adopted by reasonable people, according to the road environment. As such, if the 85th percentile vehicle speed is above the roads posted speed limit, it suggests that for reasonable people that particular road environment does not fit with the posted speed limit.

At both monitored points along Commonage Road, the 85th percentile vehicle speed is at or very close to the posted speed limit – this suggests that the Commonage Road environment closely matches the posted speed limit.

Given the additional development that is due to occur adjacent to the Commonage Road corridor within the Dunsborough Lakes Estate (including an additional access road into the estate from Commonage Road between Cornerstone Way and Genoli Road) – the development of the Lot 6 Commonage Road site would change the environment along the Commonage Road corridor and it would be reasonable to assume that the 70km/h speed zone could in the future be extended 1.2km to the west to a location to the south of Biddle Road – as shown in Figure 36.

## 5.2 Intersection Approach Sight Distance

Main Roads WA requirements for intersection Approach Sight Distance (ASD) for a minor road approaching a major road are:

- 50km/h road corridor
  - Absolute minimum 55m for a 2.0 second reaction time.
  - Desirable minimum 62m for a 2.5 second reaction time.

It is assumed that Genoli Road and all internal roads within the subject site will operate with a standard default 50km/h speed limit.

1. Primary Site Access – for the Genoli Road approach to Commonage Road there appear to be no issues with meeting the ASD requirements.

2. Secondary Site Access – for the proposed access road shown from the site directly onto Commonage Road, it appears that the access road can be designed to meet the desirable minimum of 62m ASD on approach to Commonage Road. This issue would be addressed through the detailed planning for the site and this section of approach roadway to Commonage Road would be designed to meet the desirable minimum (62m for a 50km/h speed road) OR if the short section of roadway does fall below the 62m desirable minimum, then appropriate signage would be used to warn drivers that they are approaching a major road where they are required to yield.

3. Proposed Left-In/Left-Out Only Site Access – see number 2 above. This site access has the same potential issue with the ASD as outlined in number 2 above – and the same approach would be taken to resolve the issue as detailed planning progresses for the site.

## 5.3 Safe Intersection Sight Distance

The Main Roads WA requirements for Safe Intersection Sight Distance (SISD) are:

- 70km/h road
  - Absolute minimum 151m for a 2.0 second reaction time.
  - Desirable minimum 161m for a 2.5 second reaction time.
- 80km/h road
  - Absolute minimum 181m for a 2.0 second reaction time.
  - Desirable minimum 192m for a 2.5 second reaction time.

Commonage Road has a posted speed limit of 70km/h immediately to the east of the Commonage Road/Genoli Road intersection – the 70km/h speed limit operates through to Caves Road in Dunsborough. Commonage Road has a posted speed limit of 80km/h to the west of Genoli Road past the Lot 6 Commonage Road site.

1. Primary Site Access – for the Genoli Road intersection with Commonage Road there are clear sightlines and there appear to be no issues with meeting the SISD requirements.

2. Secondary Site Access – for the site access road onto Commonage Road between Cornerstone Way and Biddle Road – there is only an approximate 151 sight distance to the north, below the 181m absolute minimum required for an 80km/h road.
   - It should be noted that an additional access road on Commonage Road between Genoli Road and Cornerstone Way is proposed in the future to access the Dunsborough Lakes Estate – it would seem logical as part of the process to complete the Dunsborough Lakes Estate development and access arrangements, that the 70km/h speed limit zone is extended along Commonage Way to beyond the Cornerstone Way intersection as a minimum.
   - With a new access road into the Lot 6 Commonage Road site and its potential proximity to the Cornerstone Way and Biddle Road intersections – it would be logical to extend the 70km/h speed limit zone to the south of Biddle Road – this would be an extension of the 70km/h zoning of approximately 1.2km from its current starting location between Genoli Road and Diamante Boulevard.
   - With an extension of the 70km/h speed limit zone to cover the section of Commonage Road either side of the Secondary Site Access, it appears possible to provide the minimum 151m SISD both northbound and southbound along Commonage Road.

3. Proposed Left-In/Left-Out Only Site Access – For the southernmost site access road onto Commonage Road (the site access between Biddle Road and Grange Way), there is only an approximate 75m sight distance to the south – below the 181m absolute minimum required for an 80km/h road.
   - It does not appear possible to locate a site access road onto Commonage Road between Biddle Road and Grange Way in a suitable location that would meet the minimum SISD requirements.
   - If two access roads are required from the site onto Commonage Road to meet DFES vehicle access requirements – consideration should be given to the southernmost access being restricted to left-in/left-out movements only.
   - A suitable median island treatment along Commonage Road adjacent to the Proposed Left-In/Left-Out Only Site Access, would be required to ensure no vehicle accessed or egressed the site tuning right.
   - With access restricted to left-in/left-out only and with an extension of the 70km/h speed limit zone to cover the section of Commonage Road either side of the Proposed Left-In/Left-Out Only Site Access, it appears possible to provide a 160m SISD for southbound traffic along Commonage Road (above the minimum 151m SISD required). The left-in/left-out only restriction and median island treatment would ensure that there is no requirement to meet SISD for northbound traffic along Commonage Road.

Figure 35 and Figure 36 illustrate the impacts of an extension of the 70km/h speed limit zoning and the resultant SISD calculations.

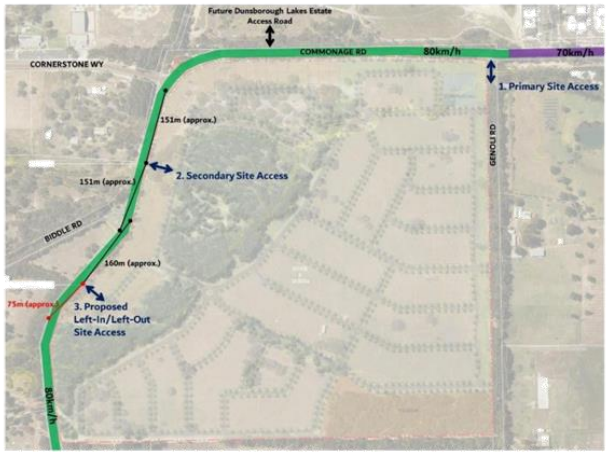



*Figure 35 Safe Intersection Sight Distance with existing posted speed limits (source: CDP Town Planning & Urban Design, 2022)*

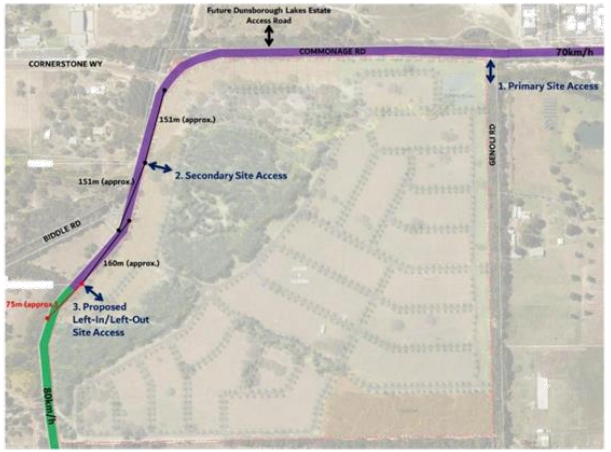



*Figure 36 Safe Intersection Sight Distance with amended posted speed limits (source: CDP Town Planning & Urban Design, 2022)*

# 6. ANALYSIS OF TRANSPORT NETWORKS

## 6.1 Concept Plan Potential Land Uses

The potential land uses for the Lot 6 Commonage Road site are outlined in Table 4.

*Table 4 – Lot 6 Commonage Road concept plan potential development yield*

| Land Use | Potential Development | Notes |
|---|---|---|
| Residential | 405 dwellings | Average lot size of 520m² |
| Rural Residential | 43 dwellings | Average lot size of 1,000m² |
| Short Stay Accommodation | 20 units | Average 3 bedroom units / 6 people per unit |
| Commercial Development | 1,200m² | Assumed tourism related food & beverage / Estimated GFA 480m² |

## 6.2 Trip Generation

The WAPC's Transport Impact Assessment Guidelines – Volume 5 Technical Guidance (2016) provides peak hour trip rates as shown in Table 5. The trip rates are based on the Perth and Regions Travel Surveys (PARTS) data averaged over the range of dwelling types/commercial land uses across the survey area.

*Table 5 – Typical vehicle trip rates (source: WAPC Transport Impact Assessment Guidelines – Volume 5 Technical Guidance, 2016)*

| Land Use | Unit | AM Peak Hour Trip Rate | | | PM Peak Hour Trip Rate | | | Effective Daily Rate |
|---|---|---|---|---|---|---|---|---|
| | | IN | OUT | TOTAL | IN | OUT | TOTAL | TOTAL |
| Residential | Dwellings | 0.2 | 0.6 | 0.8 | 0.5 | 0.3 | 0.8 | 8.0 |
| Retail (Food) | 100m² GFA | 2.0 | 0.5 | 2.5 | 5.0 | 5.0 | 10.0 | 50.0 |

The WAPC trip rates represent an average of the entire Perth and Peel Region survey area. These trip rates reflect sites with high levels of walk trips, cycling trips and public transport trips – as well as sites with high levels of private vehicle trips and limited access to public transport services or destinations within a walking/cycling catchment.

To determine if the WAPC residential trip rates are appropriate to be applied to the Lot 6 Commonage Road site, Flyt have reviewed traffic volumes available on the Main Roads WA Traffic Maps website for locations across the South West. The townsite of Gracetown has approximately 150 properties and is accessed via a single road connection – Cowaramup Bay Road from Caves Road.

The Traffic Maps website includes two traffic count sites along the access road to the Gracetown townsite, with traffic data available from 2017-18 – which is pre-COVID-19 pandemic impacts on travel movements and travel behaviour. The annualised traffic data for the two count locations indicates that the properties in the Gracetown townsite have a daily vehicle trip rate of between 7.3-8.0 vehicle trips per dwelling. This vehicle trip rate is consistent with the WAPC daily vehicle trip rate of 8.0 vehicle trips per dwelling.

Whilst the 448 residential lots and 20 short stay accommodation units that could be provided on the subject site are of a range of sizes – it is assumed for the purposes of this assessment that properties developed across the site would each generate a similar number of daily vehicle trips and therefore a uniform trip rate has been applied. For the purposes of this high-level assessment an effective residential dwelling and short stay accommodation daily vehicle trip rate of 8 trips per lot/unit has been assumed for the site – this is in-line with the 8 vehicle trips per dwelling assumed in the WAPC Guidance and reflective of the Gracetown townsite's vehicle trip rate of between 7-8 vehicle trips per dwelling.

The commercial development proposed in the northeast corner of the site is approximately 1,200m² in total – for the purposes of this assessment it is assumed that the GFA of the commercial development would be approximately 480m². It is assumed that the commercial development will be a tourism related food and beverage premises – as such the WAPC peak hour trip rates for 'Retail (Food)' have been applied for this assessment – with an estimate that the effective daily trip rate would be 50 vehicle trips per 100m² GFA.

As outlined in Section 4.3 it is assumed that the public open space bushland will split the site and development site will either access via either Genoli Road or direct from Commonage Road. Table 6 shows the estimated traffic generated by the proposed land uses expected to access the site via Genoli Road and Table 7 show the traffic expected to access the site direct from Commonage Road.

*Table 6 – Estimated traffic accessing the site via the Commonage Road and Genoli Road intersection – via 1. Primary Site Access*

| Land Use | Potential Development | AM Peak Hour Traffic | | | PM Peak Hour Traffic | | | Effective Daily Traffic |
|---|---|---|---|---|---|---|---|---|
| | | IN | OUT | TOTAL | IN | OUT | TOTAL | TOTAL |
| Residential | 386 dwellings | 77 | 232 | 309 | 193 | 116 | 309 | 3,088 |
| Rural Residential | - | - | - | - | - | - | - | - |
| Short Stay Accommodation | 20 units | 4 | 12 | 16 | 10 | 6 | 16 | 160 |
| Tourism Related F&B | 480m² GFA | 10 | 2 | 12 | 24 | 24 | 48 | 240 |
| **TOTAL** | | **91** | **246** | **337** | **227** | **146** | **373** | **3,488** |

*Table 7 – Estimated traffic accessing the site via the Commonage Road access road – via 2. Secondary Site Access*

| Land Use | Potential Development | AM Peak Hour Traffic | | | PM Peak Hour Traffic | | | Effective Daily Traffic |
|---|---|---|---|---|---|---|---|---|
| | | IN | OUT | TOTAL | IN | OUT | TOTAL | TOTAL |
| Residential | 19 dwellings | 4 | 11 | 15 | 10 | 6 | 15 | 152 |
| Rural Residential | 43 dwellings | 9 | 26 | 34 | 22 | 13 | 34 | 344 |
| Short Stay Accommodation | - | - | - | - | - | - | - | - |
| Tourism Related F&B | - | - | - | - | - | - | - | - |
| **TOTAL** | | **12** | **37** | **50** | **31** | **19** | **50** | **496** |

## 6.3 Trip Distribution

For the purposes of this high-level assessment of the concept plan for the site, it has been assumed that all traffic to/from the subject site would use either the Commonage Road / Genoli Road intersection (primary site access) or the Commonage Road / Site Access Road intersection (secondary site access).

Also, for the purposes of this high-level assessment of the concept plan for the site, the assessment has not formally considered traffic using the left-in/left-out only site access road from Commonage Road. Due to the restricted movements permitted from this form of intersection, it is not clear how much traffic would seek to access or egress the site in this location. As such, this high-level assessment considers how well the subject site can be accessed via two points of vehicle access (the primary site access and secondary site access).

Lot 6 Commonage Road site vehicle trip distribution across the road network in proximity of the site is based upon proportioning development related vehicle trips to the existing turning movement proportions through each intersection in turn across the modelled area and manual assumptions based on trip attractors.

1. Primary Site Access – Commonage Road / Genoli Road intersection
   - 60% of traffic to/from the east towards Dunsborough townsite/Caves Road.
   - 40% of traffic to/from the west towards Cornerstone Way/Bidddle Road/Wildwood Road.
     - 4% of traffic to/from Cornerstone Way.
     - 4% of traffic to/from Biddle Road.
     - 32% of traffic to/from Wildwood Road.

2. Secondary Site Access – Commonage Road / Site Access Road intersection
   - 60% of traffic to/from the north towards Cornerstone Way/Dunsborough townsite/Caves Road.
     - 6% of traffic to/from Cornerstone Way.
     - 54% of traffic to/from Dunsborough townsite/Caves Road.
   - 40% of traffic to/from the south towards Bidddle Road/Wildwood Road.
     - 4% of traffic to/from Biddle Road.
     - 36% of traffic to/from Wildwood Road.

Figure 37 and Figure 38 show the turning movement diagram for the existing 2022 PLUS subject site development traffic, with the upgraded road network arrangement for the Commonage Road / Genoli Road intersection and Commonage Road / Site Access Road intersection as outlined in Section 6.4.

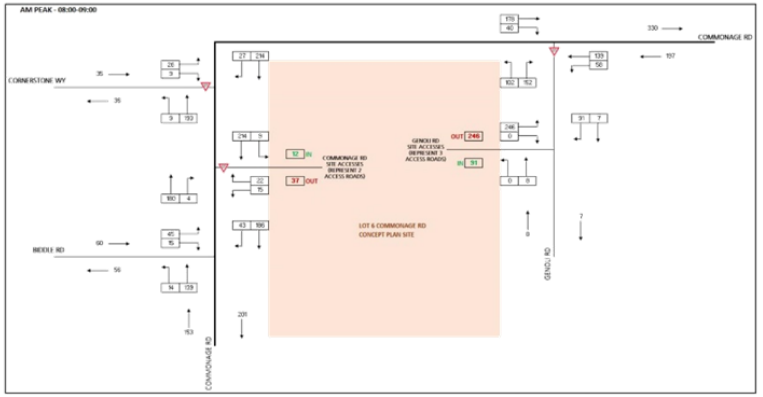



*Figure 37 Existing PLUS Site Concept Plan Development – AM peak traffic – 0800-0900 (source: Flyt)*

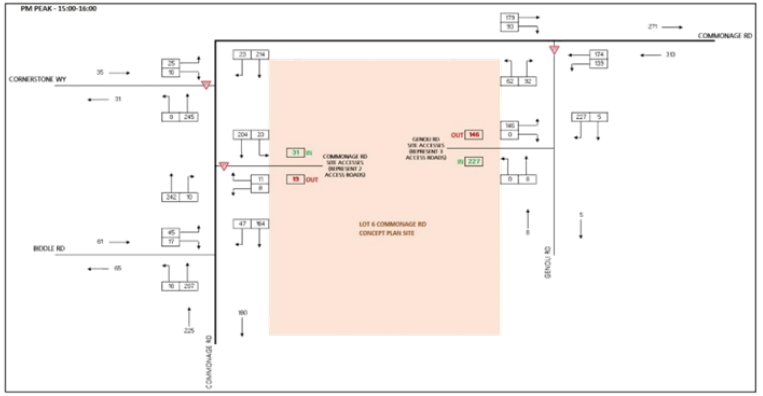



*Figure 38 Existing PLUS Site Concept Plan Development – PM peak traffic – 1500-1600 (source: Flyt)*

## 6.4 Road Network Upgrades

To accommodate the peak hour traffic expected to be generated by the proposed development across the Lot 6 Commonage Road site – upgrades to the Commonage Road / Genoli Road intersection will be required as well as the establishment on a new site access road intersection on Commonage Road (between Cornerstone Way and Biddle Road). The following intersection upgrades are proposed:

1. Primary Site Access – Commonage Road / Genoli Road intersection
   - Left turn slip lane provided on Commonage Road westbound approach to Genoli Road.
   - Right tun pocket provided on Commonage Road eastbound approach to Genoli Road.
   - Median island treatment provided at the tail and/or head of the right turn pocket – median island to provide a pedestrian refuge facility to permit a two stage crossing of Commonage Road – median island to be located to create a connection between the Lot 6 Commonage Road site path network and the Dunsborough Lakes Estate path network.
   - Genoli Road to widen on approach to Commonage Road to enable both left turn and right turn vehicles to yield at the hold line together before turning when safe to do so.

2. Secondary Site Access – Commonage Road / Site Access Road intersection
   - Left turn slip lane provided on Commonage Road southbound approach to Site Access Road.
   - Commonage Road northbound approach to Site Access Road to widen to enable through vehicles to slowly pass-by stationary right turn vehicles.
   - Site Access Road to widen on approach to Commonage Road to enable both left turn and right turn vehicles to yield at the hold line together before turning when safe to do so.

3. Proposed Left-In/Left-Out Only Site Access – Commonage Road / Site Access Road intersection
   - A suitable median island treatment along Commonage Road adjacent to the Proposed Left-In/Left-Out Only Site Access, would be required to ensure no vehicle accessed or egressed the site tuning right.

In addition to the intersection upgrades outlined above, Genoli Road would be upgraded from an unsealed gravel road to a sealed single carriageway road with one travel lane in each direction – with localised lane widening at intersections as required (such as on approach to Commonage Road).

Figure 39 and Figure 40 show the modelled intersection layouts for the Commonage Road / Genoli Road intersection and Commonage Road / Site Access Road intersection – with traffic modelling outlined in Section 6.5.

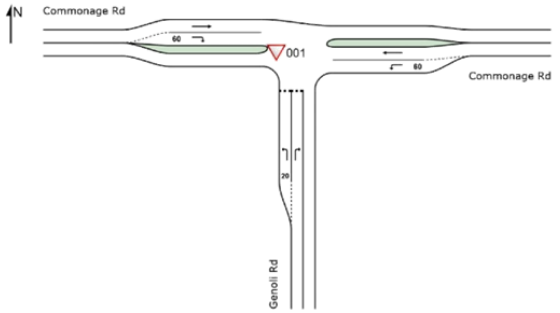



*Figure 39 Modelled Commonage Road / Genoli Road intersection layout to accommodate development traffic (source: Flyt)*

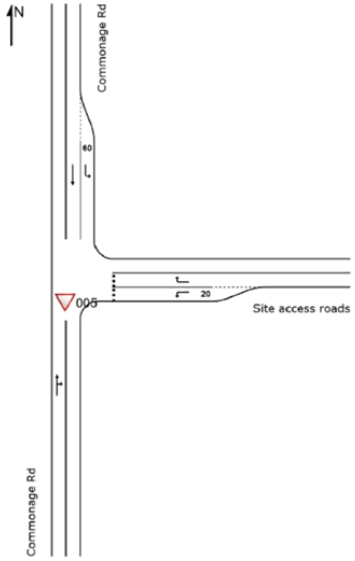



*Figure 40 Modelled Commonage Road / Site Access Road intersection layout to accommodate development traffic (source: Flyt)*

## 6.5 Transport Network Assessment

The high-level analysis of the transport network has been focused on the following intersections:

- Commonage Road / Genoli Road intersection - Give way controlled intersection
- Commonage Road / Site Access Road intersection - Give way controlled intersection

To enable the impacts of the proposed Lot 6 Commonage Road site development to be adequately assessed or compared a baseline is required. Traffic data collection was undertaken in April/May 2022 to support this assessment – this data was used as the basis for the base model development.

Base 2022 Sidra models were developed for the Commonage Road corridor – the modelled network covers Commonage Road from east of the Genoli Road intersection to south of the Biddle Road intersection. AM and PM peak hour models have been constructed to represent the network peak hours (0800-0900 and 1500-1600). Summary Sidra outputs are presented in the following figures. These show the overall intersection Level of Service (LoS) and the degree of saturation. Level of Service provides an indication of performance and is based on ranges of delays for vehicles.

The Highway Capacity Manual sets out the following ranges for unsignalised intersections included in Table 8. Sidra model outputs are included in Appendix A.

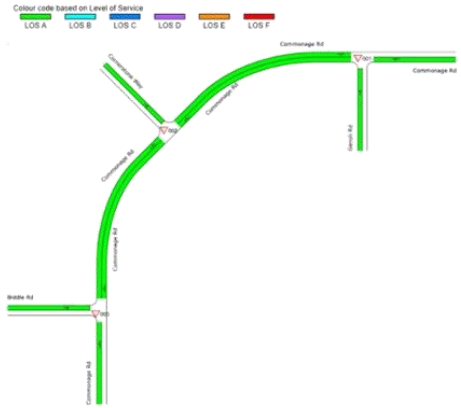
*Table 8 - Level of Service Ranges for Unsignalised Intersections*

| LoS | Delay (Seconds) | |
|---|---|---|
| A | 0 | 10 |
| B | 10 | 15 |
| C | 15 | 25 |
| D | 25 | 35 |
| E | 35 | 50 |
| F | 50 | Infinity |

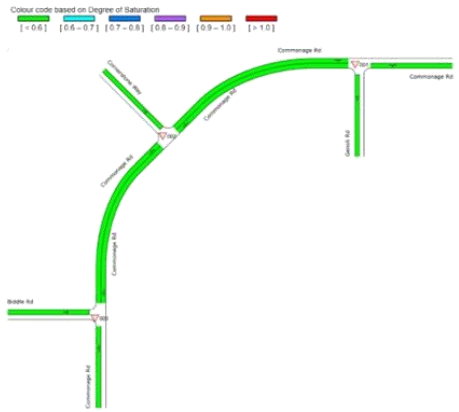
### 6.5.1 Existing Traffic

**Existing – AM Peak (0800-0900)**

**Level of Service**

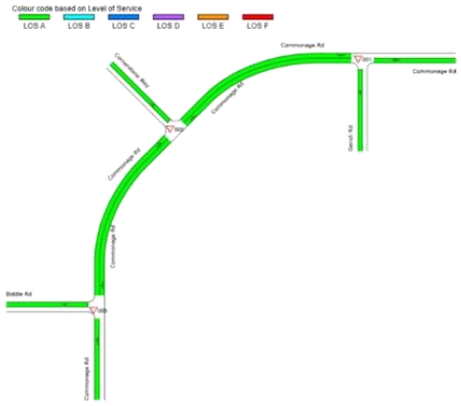



**Degree of Saturation**

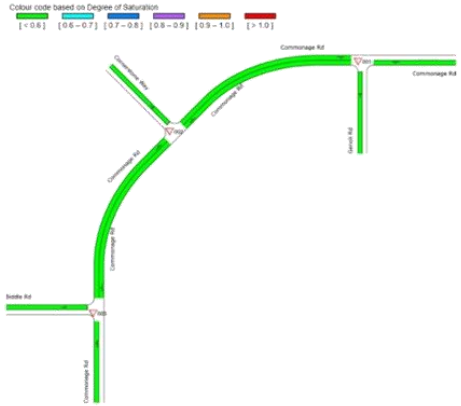



**Existing – PM Peak (1500-1600)**

**Level of Service**




**Degree of Saturation**



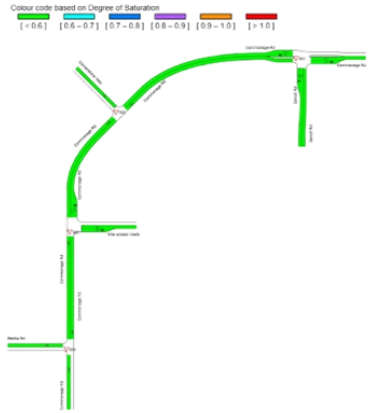
### 6.5.2 Existing PLUS Concept Plan Site Traffic

**Existing PLUS Concept Plan Site – AM Peak (0800-0900)**

**Level of Service**




**Degree of Saturation**

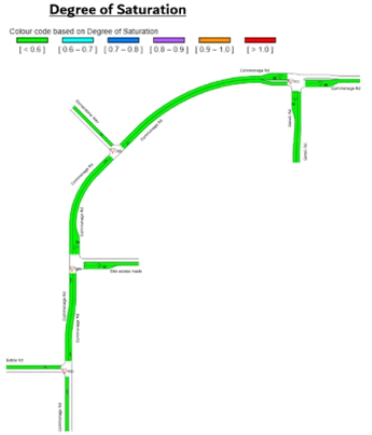



**Existing PLUS Concept Plan Site – PM Peak (1500-1600)**

**Level of Service**




**Degree of Saturation**



### 6.5.3 Assessment of Traffic Impacts

The Sidra models suggests that for the existing 2022 modelled network, all links are operating with a LoS A in both the AM peak hour and PM peak hour.

Similarly, the Sidra models suggests that for the existing 2022 PLUS Concept Plan site traffic modelled network, all links are operating with a LoS A, other than the Commonage Road Site Access Road (the Secondary Site Access). The Site Access Road left turn lane is predicted to operate with a LoS B during the AM peak hour and the right turn lane operate with a LoS F during the AM peak hour. During the PM peak hour the right turn lane is predicted to operate with a LoS E, whilst the left turn lane is predicted to operate with a LoS A.

The Sidra modelling suggests that the increase in AM and PM peak hour traffic along Commonage Road past the Site Access Road intersection (with the increase a result of the left turning traffic from the subject site exiting the Genoli Road intersection) – will result in an average delay for right turning vehicles from the Site Access Road of 59.6 seconds in the AM peak hour and 42.1 seconds in the PM peak hour.

The Sidra modelling suggests that the Commonage Road / Genoli Road intersection would continue to operate with a LoS A – even after the introduction of the subject site traffic through the intersection.

In order to provide additional context as to the performance of the Commonage Road / Genoli Road intersection (Table 9 and Table 10) and the Commonage Road / Site Access Road intersection (Table 11 and Table 12) during the peak periods, the tables show the average back of queue length (distance in metres) across the two modelled scenarios.

The results for the Commonage Road / Genoli Road intersection show that even with the subject site traffic, the Genoli Road approach to Commonage Road would only have an average queue of 1-2 right turning vehicles during the AM peak hour and an average queue of only 1 right turning vehicle during the PM peak hour.

The results for the Commonage Road / Site Access Road intersection show that with the subject site traffic, the Site Access Road approach to Commonage Road would have an average queue of 5 right turning vehicles during the AM peak hour and an average queue of 2 right turning vehicles during the PM peak hour.

1. Primary Site Access – Commonage Road / Genoli Road Intersection

*Table 9 – Commonage Road and Genoli Road intersection – AM peak average back of queue length comparison (distance in metres)*

| AM Peak Hour 0800-0900 | Commonage Road (east) | | Genoli Road | | Commonage Road (west) | |
|---|---|---|---|---|---|---|
| | Left | Through | Left | Right | Through | Right |
| Existing Traffic | 0.0 | 0.0 | 0.2 | 0.2 | 0.2 | 0.2 |
| Existing PLUS Site Concept Plan Traffic | 0.0 | 0.0 | 2.3 | 6.9 | 0.0 | 0.9 |

*Table 10 – Commonage Road and Genoli Road intersection – PM peak average back of queue length comparison (distance in metres)*

| PM Peak Hour 1500-1600 | Commonage Road (east) | | Genoli Road | | Commonage Road (west) | |
|---|---|---|---|---|---|---|
| | Left | Through | Left | Right | Through | Right |
| Existing Traffic | 0.0 | 0.0 | 0.3 | 0.3 | 0.2 | 0.2 |
| Existing PLUS Site Concept Plan Traffic | 0.0 | 0.0 | 1.4 | 4.7 | 0.0 | 2.5 |

2. Secondary Site Access – Commonage Road / Genoli Road Intersection

*Table 11 – Commonage Road and Site Access Road intersection – AM peak average back of queue length (distance in metres)*

| AM Peak Hour 0800-0900 | Commonage Road (north) | | Site Access Road | | Commonage Road (south) | |
|---|---|---|---|---|---|---|
| | Left | Through | Left | Right | Through | Right |
| Existing Traffic | - | - | - | - | - | - |
| Existing PLUS Site Concept Plan Traffic | 0.0 | 0.0 | 5.4 | 27.7 | 3.8 | 3.8 |

*Table 12 – Commonage Road and Site Access Road intersection – PM peak average back of queue length (distance in metres)*

| PM Peak Hour 1500-1600 | Commonage Road (north) | | Site Access Road | | Commonage Road (south) | |
|---|---|---|---|---|---|---|
| | Left | Through | Left | Right | Through | Right |
| Existing Traffic | - | - | - | - | - | - |
| Existing PLUS Site Concept Plan Traffic | 0.0 | 0.0 | 2.0 | 10.5 | 6.0 | 6.0 |

# 7. SUMMARY

## 7.1 Site Location, Potential Land Uses and Access Arrangements

Lot 6 Commonage Road, Quindalup is located 4km to the south of Dunsborough town centre. The subject site does not contain any existing development, the site is a combination of vacant open pastureland and sections of wooded areas.

The subject site is located to the south of Commonage Road with the Dunsborough Lakes Structure Plan area opposite the subject site on the northern side of Commonage Road.

The Lot 6 Commonage Road concept plan comprises the following potential land uses:

- Residential dwellings
  - Approximately 405 residential lots are planned (average lot size of 520m$^2$).
  - Approximately 43 rural residential lots are planned (average lot size of 1,000m$^2$).
- Tourism short stay accommodation
  - Potential for approximately 20 short stay accommodation units ranging from 2-4 bedrooms (average of 3 bedrooms and 6 people per unit).
- Tourism based activities
  - Potential for additional tourism related activities in the southwest corner of the site.
  - Including wildlife based activities and park walks.
- Commercial development site
  - Potential for a commercial lot of up to approximately 4,000m$^2$ in the northeast corner of the site.
  - The commercial lot is expected to be developed for a tourism related activity and possible large food and beverage premises, such as a restaurant or brewery.

The Lot 6 Commonage Road concept plan comprises five (5) access roads into the subject site area:

- Two (2) access roads off Commonage Road
  - Site access road and Commonage Road intersection (all movements) – between Cornerstone Way and Biddle Road.
  - Site access road and Commonage Road intersection (left-in/left-out movements only) – between Biddle Road and Grange Way.
- Three (3) access roads off Genoli Road
  - Site access road and Genoli Road intersection – northern site access
  - Site access road and Genoli Road intersection – central site access
  - Site access road and Genoli Road intersection – southern site access

## 7.2 Internal Transport Networks

**Road Network**

The internal road network within the Lot 6 Commonage Road site has been aligned to support the proposed development sites primary traffic access via the Genoli Road corridor – and limit the traffic expected to access the site directly from the Commonage Road access road.

Whilst all roads within the proposed development would be categorised as Access Roads under Main Roads WA road hierarchy – key road corridors have been identified across the subject site as being 'primary access roads'. These corridors provide the primary road connection to the site and routes through the site.

**Path Network**

A path network is proposed across the subject site to connect residents across the site to public open space and to key land uses across the site, as well as to provide a connection to the path network in the Dunsborough Lakes Estate and areas beyond towards Dunsborough Town Centre.

It is expected that the path network provided would have a minimum width of 2.0m and the routing of the path network has been proposed to provide residential connectivity, whilst limiting the number of residential crossovers and side roads that path users would have to cross when walking or cycling along the path network.

The proposed path network provides a 2.5-3.0km recreational loop route that requires the crossing of a limited number of roads (5 roads) and runs adjacent to public open space and areas of vegetation for most of the route.

**Vehicle Network**

The internal road network within the Lot 6 Commonage Road site has been aligned to support the proposed development sites primary traffic access via the Genoli Road corridor – and limit the traffic expected to access the site directly from the Commonage Road access road. The public open space bushland running from the northeast to southwest portions of the subject site provide a natural split between the proposed built form development across the site.

1. Primary Site Access

To the east of the public open space bushland is the bulk of the development proposed across the site, this includes potential for approximately 386 residential dwellings, 20 short stay accommodation units, the potential commercial development site (possible food and beverage premises) and the site for potential tourism based activities (wildlife based activities).

It is anticipated that these land uses would be accessed via the three proposed site accesses off the Genoli Road corridor – and the Commonage Road/Genoli Road intersection (primary site access). These land uses would account for approximately 87% of daily traffic movements generated by the site.

2. Secondary Site Access

To the west of the public open space bushland is a smaller area of development, this includes potential for approximately 43 rural residential dwellings and 19 standard residential dwellings.

It is anticipated that these land uses would be accessed via the direct access road with Commonage Road (secondary site access). These land uses would account for approximately 13% of daily traffic movements generated by the site.

3. Proposed Left-In/Left-Out Only Site Access

To meet site access requirements for Department of Fire and Emergency Services (DFES) vehicles – it is proposed to provide an access road to the site from Commonage Road between Biddle Road and Grange Way.

It is proposed that this access road would be restricted to left-in/left-out movements only due to the restricted sight distances along Commonage Road when exiting the site in this location.

## 7.3 Analysis of Transport Networks

**Road Network Upgrades**

To accommodate the peak hour traffic expected to be generated by the proposed development across the Lot 6 Commonage Road site – upgrades to the Commonage Road / Genoli Road intersection will be required as well as the establishment on a new site access road intersection on Commonage Road (between Cornerstone Way and Biddle Road). The following intersection upgrades are proposed:

1. Primary Site Access – Commonage Road / Genoli Road intersection
   - Left turn slip lane provided on Commonage Road westbound approach to Genoli Road.
   - Right tun pocket provided on Commonage Road eastbound approach to Genoli Road.
   - Median island treatment provided at the tail and/or head of the right turn pocket – median island to provide a pedestrian refuge facility to permit a two stage crossing of Commonage Road – median island to be located to create a connection between the Lot 6 Commonage Road site path network and the Dunsborough Lakes Estate path network.
   - Genoli Road to widen on approach to Commonage Road to enable both left turn and right turn vehicles to yield at the hold line together before turning when safe to do so.

2. Secondary Site Access – Commonage Road / Site Access Road intersection
   - Left turn slip lane provided on Commonage Road southbound approach to Site Access Road.
   - Commonage Road northbound approach to Site Access Road to widen to enable through vehicles to slowly pass-by stationary right turn vehicles.
   - Site Access Road to widen on approach to Commonage Road to enable both left turn and right turn vehicles to yield at the hold line together before turning when safe to do so.

3. Proposed Left-In/Left-Out Only Site Access – Commonage Road / Site Access Road intersection
   - A suitable median island treatment along Commonage Road adjacent to the Proposed Left-In/Left-Out Only Site Access, would be required to ensure no vehicle accessed or egressed the site tuning right.

In addition to the intersection upgrades outlined above, Genoli Road would be upgraded from an unsealed gravel road to a sealed single carriageway road with one travel lane in each direction – with localised lane widening at intersections as required (such as on approach to Commonage Road).

**Assessment of Traffic Impacts**

Intersection modeeling suggests that for the existing 2022 modelled network, all links are operating with a LoS A in both the AM peak hour and PM peak hour.

Similarly, the intersection models suggests that for the existing 2022 PLUS Concept Plan site traffic modelled network, all links are operating with a LoS A, other than the Commonage Road Site Access Road (the Secondary Site Access). The Site Access Road left turn lane is predicted to operate with a LoS B during the AM peak hour and the right turn lane operate with a LoS F during the AM peak hour. During the PM peak hour the right turn lane is predicted to operate with a LoS E, whilst the left turn lane is predicted to operate with a LoS A.

The intersection modelling suggests that the increase in AM and PM peak hour traffic along Commonage Road past the Site Access Road intersection (with the increase a result of the left turning traffic from the subject site exiting the Genoli Road intersection) – will result in an average delay for right turning vehicles from the Site Access Road of 59.6 seconds in the AM peak hour and 42.1 seconds in the PM peak hour.

The intersection modelling suggests that the Commonage Road / Genoli Road intersection would continue to operate with a LoS A – even after the introduction of the subject site traffic through the intersection.

The results for the Commonage Road / Genoli Road intersection show that even with the subject site traffic, the Genoli Road approach to Commonage Road would only have an average queue of 1-2 right turning vehicles during the AM peak hour and an average queue of only 1 right turning vehicle during the PM peak hour.

The results for the Commonage Road / Site Access Road intersection show that with the subject site traffic, the Site Access Road approach to Commonage Road would have an average queue of 5 right turning vehicles during the AM peak hour and an average queue of 2 right turning vehicles during the PM peak hour.

## 8. APPENDIX A – SIDRA MODEL OUTPUTS

## 8.1 Existing Traffic – AM Peak (0800-0900)

### MOVEMENT SUMMARY

Site: 001 [Commonage Genoli 2022 AM (Site Folder: General)]
Network: N101 [AM Peak Base (Network Folder: General)]

Commonage Rd / Genoli Rd
Give Way
2022 AM Peak
Site Category: Existing Design
Give-Way (Two-Way)

Vehicle Movement Performance

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ Total HV ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ Total HV ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| South: Genoli Rd | | | | | | | | | | | | | | |
| 1 | L2 | 4 | 25.0 | 4 | 25.0 | 0.008 | 5.4 | LOS A | 0.0 | 0.2 | 0.27 | 0.53 | 0.27 | 46.1 |
| 3 | R2 | 4 | 25.0 | 4 | 25.0 | 0.008 | 6.4 | LOS A | 0.0 | 0.2 | 0.27 | 0.53 | 0.27 | 44.4 |
| Approach | | 8 | 25.0 | 8 | 25.0 | 0.008 | 5.9 | LOS A | 0.0 | 0.2 | 0.27 | 0.53 | 0.27 | 45.2 |
| East: Commonage Rd | | | | | | | | | | | | | | |
| 4 | L2 | 4 | 25.0 | 4 | 25.0 | 0.082 | 6.1 | LOS A | 0.0 | 0.0 | 0.00 | 0.02 | 0.00 | 51.0 |
| 5 | T1 | 132 | 14.4 | 132 | 14.4 | 0.082 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.02 | 0.00 | 68.2 |
| Approach | | 136 | 14.7 | 136 | 14.7 | 0.082 | 0.2 | NA | 0.0 | 0.0 | 0.00 | 0.02 | 0.00 | 63.8 |
| West: Commonage Rd | | | | | | | | | | | | | | |
| 11 | T1 | 158 | 15.2 | 158 | 15.2 | 0.099 | 1.1 | LOS A | 0.0 | 0.2 | 0.01 | 0.18 | 0.01 | 75.8 |
| 12 | R2 | 4 | 25.0 | 4 | 25.0 | 0.099 | 7.7 | LOS A | 0.0 | 0.2 | 0.01 | 0.18 | 0.01 | 56.4 |
| Approach | | 162 | 15.4 | 162 | 15.4 | 0.099 | 1.2 | NA | 0.0 | 0.2 | 0.01 | 0.18 | 0.01 | 74.6 |
| All Vehicles | | 306 | 15.4 | 306 | 15.4 | 0.099 | 0.9 | NA | 0.0 | 0.2 | 0.01 | 0.11 | 0.01 | 70.7 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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### MOVEMENT SUMMARY

Site: 002 [Commonage Cornerstone 2022 AM (Site Folder: General)]
Network: N101 [AM Peak Base (Network Folder: General)]

Commonage Rd / Cornerstone Way
Give Way
2022 AM Peak
Site Category: Existing Design
Give-Way (Two-Way)

Vehicle Movement Performance

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ Total HV ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ Total HV ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| NorthEast: Commonage Rd | | | | | | | | | | | | | | |
| 25 | T1 | 119 | 14.3 | 119 | 14.3 | 0.082 | 0.1 | LOS A | 0.1 | 1.0 | 0.08 | 0.08 | 0.06 | 76.7 |
| 26 | R2 | 17 | 5.9 | 17 | 5.9 | 0.082 | 7.3 | LOS A | 0.1 | 1.0 | 0.08 | 0.08 | 0.06 | 67.7 |
| Approach | | 136 | 13.2 | 136 | 13.2 | 0.082 | 1.0 | NA | 0.1 | 1.0 | 0.08 | 0.08 | 0.08 | 75.1 |
| NorthWest: Cornerstone Way | | | | | | | | | | | | | | |
| 27 | L2 | 16 | 12.5 | 16 | 12.5 | 0.020 | 7.1 | LOS A | 0.1 | 0.6 | 0.26 | 0.59 | 0.26 | 44.2 |
| 29 | R2 | 7 | 14.3 | 7 | 14.3 | 0.020 | 7.7 | LOS A | 0.1 | 0.6 | 0.26 | 0.59 | 0.26 | 44.2 |
| Approach | | 23 | 13.0 | 23 | 13.0 | 0.020 | 7.3 | LOS A | 0.1 | 0.6 | 0.26 | 0.59 | 0.26 | 44.2 |
| SouthWest: Commonage Rd | | | | | | | | | | | | | | |
| 30 | L2 | 7 | 0.0 | 7 | 0.0 | 0.093 | 7.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.03 | 0.00 | 69.0 |
| 31 | T1 | 146 | 15.8 | 146 | 15.8 | 0.093 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.03 | 0.00 | 77.6 |
| Approach | | 153 | 15.0 | 153 | 15.0 | 0.093 | 0.3 | NA | 0.0 | 0.0 | 0.00 | 0.03 | 0.00 | 76.9 |
| All Vehicles | | 312 | 14.1 | 312 | 14.1 | 0.093 | 1.1 | NA | 0.1 | 1.0 | 0.05 | 0.09 | 0.05 | 73.6 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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### MOVEMENT SUMMARY

Site: 003 [Commonage Biddle 2022 AM (Site Folder: General)]
Network: N101 [AM Peak Base (Network Folder: General)]

Commonage Rd / Biddle Rd
Give Way
2022 AM Peak
Site Category: Existing Design
Give-Way (Two-Way)

Vehicle Movement Performance

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ Total HV ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ Total HV ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| South: Commonage Rd | | | | | | | | | | | | | | |
| 1 | L2 | 14 | 14.3 | 14 | 14.3 | 0.080 | 7.3 | LOS A | 0.0 | 0.0 | 0.30 | 0.07 | 0.00 | 64.4 |
| 2 | T1 | 118 | 16.9 | 118 | 16.9 | 0.080 | 0.0 | LOS A | 0.0 | 0.0 | 0.30 | 0.07 | 0.00 | 76.9 |
| Approach | | 132 | 16.7 | 132 | 16.7 | 0.080 | 0.8 | NA | 0.0 | 0.0 | 0.30 | 0.07 | 0.00 | 74.1 |
| North: Commonage Rd | | | | | | | | | | | | | | |
| 8 | T1 | 93 | 15.1 | 93 | 15.1 | 0.078 | 0.2 | LOS A | 0.2 | 1.8 | 0.14 | 0.16 | 0.14 | 74.4 |
| 9 | R2 | 32 | 15.6 | 32 | 15.6 | 0.078 | 7.5 | LOS A | 0.2 | 1.8 | 0.14 | 0.16 | 0.14 | 55.1 |
| Approach | | 125 | 15.2 | 125 | 15.2 | 0.078 | 2.1 | NA | 0.2 | 1.8 | 0.14 | 0.16 | 0.14 | 68.2 |
| West: Biddle Rd | | | | | | | | | | | | | | |
| 10 | L2 | 35 | 20.0 | 35 | 20.0 | 0.044 | 7.2 | LOS A | 0.2 | 1.4 | 0.24 | 0.59 | 0.24 | 52.9 |
| 12 | R2 | 15 | 20.0 | 15 | 20.0 | 0.044 | 7.7 | LOS A | 0.2 | 1.4 | 0.24 | 0.59 | 0.24 | 51.4 |
| Approach | | 50 | 20.0 | 50 | 20.0 | 0.044 | 7.4 | LOS A | 0.2 | 1.4 | 0.24 | 0.59 | 0.24 | 52.2 |
| All Vehicles | | 307 | 16.6 | 307 | 16.6 | 0.080 | 2.4 | NA | 0.2 | 1.8 | 0.10 | 0.19 | 0.10 | 66.8 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## 8.2 Existing Traffic – PM Peak (1500-1600)

### MOVEMENT SUMMARY

Site: 001 [Commonage Genoli 2022 PM (Site Folder: General)]

Network: N101 [PM Peak Base (Network Folder: General)]

Commonage Rd / Genoli Rd
Give Way
2022 PM Peak
Site Category: Existing Design
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ Total HV ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ Total HV ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **South: Genoli Rd** | | | | | | | | | | | | | | |
| 1 | L2 | 4 | 25.0 | 4 | 25.0 | 0.008 | 5.5 | LOS A | 0.0 | 0.3 | 0.30 | 0.54 | 0.30 | 46.0 |
| 3 | R2 | 4 | 25.0 | 4 | 25.0 | 0.008 | 6.6 | LOS A | 0.0 | 0.3 | 0.30 | 0.54 | 0.30 | 44.3 |
| Approach | | 8 | 25.0 | 8 | 25.0 | 0.008 | 6.0 | LOS A | 0.0 | 0.3 | 0.30 | 0.54 | 0.30 | 45.1 |
| **East: Commonage Rd** | | | | | | | | | | | | | | |
| 4 | L2 | 3 | 33.3 | 3 | 33.3 | 0.095 | 6.1 | LOS A | 0.0 | 0.0 | 0.00 | 0.01 | 0.00 | 47.3 |
| 5 | T1 | 156 | 14.1 | 156 | 14.1 | 0.095 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.01 | 0.00 | 68.9 |
| Approach | | 159 | 14.5 | 159 | 14.5 | 0.095 | 0.1 | NA | 0.0 | 0.0 | 0.00 | 0.01 | 0.00 | 64.8 |
| **West: Commonage Rd** | | | | | | | | | | | | | | |
| 11 | T1 | 169 | 15.4 | 169 | 15.4 | 0.105 | 1.1 | LOS A | 0.0 | 0.2 | 0.01 | 0.17 | 0.01 | 76.0 |
| 12 | R2 | 3 | 33.3 | 3 | 33.3 | 0.105 | 8.0 | LOS A | 0.0 | 0.2 | 0.01 | 0.17 | 0.01 | 56.0 |
| Approach | | 172 | 15.7 | 172 | 15.7 | 0.105 | 1.2 | NA | 0.0 | 0.2 | 0.01 | 0.17 | 0.01 | 75.0 |
| All Vehicles | | 339 | 15.3 | 339 | 15.3 | 0.105 | 0.8 | NA | 0.0 | 0.3 | 0.01 | 0.11 | 0.01 | 71.3 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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### MOVEMENT SUMMARY

Site: 002 [Commonage Cornerstone 2022 PM (Site Folder: General)]

Network: N101 [PM Peak Base (Network Folder: General)]

Commonage Rd / Cornerstone Way
Give Way
2022 PM Peak
Site Category: Existing Design
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ Total HV ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ Total HV ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **NorthEast: Commonage Rd** | | | | | | | | | | | | | | |
| 25 | T1 | 143 | 14.0 | 143 | 14.0 | 0.097 | 0.1 | LOS A | 0.1 | 1.0 | 0.07 | 0.07 | 0.07 | 77.1 |
| 26 | R2 | 17 | 5.9 | 17 | 5.9 | 0.097 | 7.3 | LOS A | 0.1 | 1.0 | 0.07 | 0.07 | 0.07 | 68.0 |
| Approach | | 160 | 13.1 | 160 | 13.1 | 0.097 | 0.9 | NA | 0.1 | 1.0 | 0.07 | 0.07 | 0.07 | 75.7 |
| **NorthWest: Cornerstone Way** | | | | | | | | | | | | | | |
| 27 | L2 | 20 | 15.0 | 20 | 15.0 | 0.024 | 7.2 | LOS A | 0.1 | 0.7 | 0.27 | 0.59 | 0.27 | 44.2 |
| 29 | R2 | 8 | 12.5 | 8 | 12.5 | 0.024 | 7.8 | LOS A | 0.1 | 0.7 | 0.27 | 0.59 | 0.27 | 44.2 |
| Approach | | 28 | 14.3 | 28 | 14.3 | 0.024 | 7.4 | LOS A | 0.1 | 0.7 | 0.27 | 0.59 | 0.27 | 44.2 |
| **SouthWest: Commonage Rd** | | | | | | | | | | | | | | |
| 30 | L2 | 7 | 0.0 | 7 | 0.0 | 0.095 | 7.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.03 | 0.00 | 69.1 |
| 31 | T1 | 150 | 15.3 | 150 | 15.3 | 0.095 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.03 | 0.00 | 77.7 |
| Approach | | 157 | 14.6 | 157 | 14.6 | 0.095 | 0.3 | NA | 0.0 | 0.0 | 0.00 | 0.03 | 0.00 | 77.0 |
| All Vehicles | | 345 | 13.9 | 345 | 13.9 | 0.097 | 1.1 | NA | 0.1 | 1.0 | 0.05 | 0.09 | 0.05 | 73.8 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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### MOVEMENT SUMMARY

Site: 003 [Commonage Biddle 2022 PM (Site Folder: General)]

Network: N101 [PM Peak Base (Network Folder: General)]

Commonage Rd / Biddle Rd
Give Way
2022 PM Peak
Site Category: Existing Design
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ Total HV ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ Total HV ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **South: Commonage Rd** | | | | | | | | | | | | | | |
| 1 | L2 | 18 | 16.7 | 18 | 16.7 | 0.083 | 7.4 | LOS A | 0.0 | 0.0 | 0.00 | 0.09 | 0.00 | 63.1 |
| 2 | T1 | 118 | 16.9 | 118 | 16.9 | 0.083 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.09 | 0.00 | 76.2 |
| Approach | | 136 | 16.9 | 136 | 16.9 | 0.083 | 1.0 | NA | 0.0 | 0.0 | 0.00 | 0.09 | 0.00 | 72.7 |
| **North: Commonage Rd** | | | | | | | | | | | | | | |
| 8 | T1 | 110 | 14.5 | 110 | 14.5 | 0.096 | 0.2 | LOS A | 0.3 | 2.4 | 0.16 | 0.17 | 0.16 | 74.1 |
| 9 | R2 | 41 | 17.1 | 41 | 17.1 | 0.096 | 7.6 | LOS A | 0.3 | 2.4 | 0.16 | 0.17 | 0.16 | 54.3 |
| Approach | | 151 | 15.2 | 151 | 15.2 | 0.096 | 2.2 | NA | 0.3 | 2.4 | 0.16 | 0.17 | 0.16 | 67.4 |
| **West: Biddle Rd** | | | | | | | | | | | | | | |
| 10 | L2 | 39 | 20.5 | 39 | 20.5 | 0.049 | 7.2 | LOS A | 0.2 | 1.6 | 0.24 | 0.60 | 0.24 | 52.9 |
| 12 | R2 | 17 | 17.6 | 17 | 17.6 | 0.049 | 7.8 | LOS A | 0.2 | 1.6 | 0.24 | 0.60 | 0.24 | 52.1 |
| Approach | | 56 | 19.6 | 56 | 19.6 | 0.049 | 7.4 | LOS A | 0.2 | 1.6 | 0.24 | 0.60 | 0.24 | 52.5 |
| All Vehicles | | 343 | 16.6 | 343 | 16.6 | 0.096 | 2.6 | NA | 0.3 | 2.4 | 0.11 | 0.21 | 0.11 | 66.0 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## 8.3 Existing PLUS Concept Plan Site Traffic – AM Peak (0800-0900)

### MOVEMENT SUMMARY

Site: 001 [Commonage Genoli development AM v1 (Site Folder: General)]

Network: N101 [AM Peak development v1 (Network Folder: General)]

Commonage Rd / Genoli Rd
Give Way
With development AM Peak version 1
Site Category: Existing Design
Give-Way (Two-Way)

| Vehicle Movement Performance | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
| South: Genoli Rd | | | | | | | | | | | | | | | |
| 1 | L2 | 102 | 1.0 | 102 | 1.0 | 0.088 | 5.2 | LOS A | 0.3 | 2.3 | 0.25 | 0.53 | 0.25 | 29.9 |
| 3 | R2 | 152 | 0.7 | 152 | 0.7 | 0.237 | 8.3 | LOS A | 1.0 | 6.9 | 0.54 | 0.75 | 0.54 | 31.2 |
| Approach | | 254 | 0.8 | 254 | 0.8 | 0.237 | 7.0 | LOS A | 1.0 | 6.9 | 0.43 | 0.66 | 0.43 | 30.9 |
| East: Commonage Rd | | | | | | | | | | | | | | | |
| 4 | L2 | 58 | 1.7 | 58 | 1.7 | 0.032 | 6.1 | LOS A | 0.0 | 0.0 | 0.00 | 0.61 | 0.00 | 36.0 |
| 5 | T1 | 139 | 13.7 | 139 | 13.7 | 0.083 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.00 | 0.00 | 70.0 |
| Approach | | 197 | 10.2 | 197 | 10.2 | 0.083 | 1.8 | NA | 0.0 | 0.0 | 0.00 | 0.18 | 0.00 | 54.5 |
| West: Commonage Rd | | | | | | | | | | | | | | | |
| 11 | T1 | 178 | 13.5 | 178 | 13.5 | 0.107 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.00 | 0.00 | 69.9 |
| 12 | R2 | 40 | 2.5 | 40 | 2.5 | 0.034 | 7.0 | LOS A | 0.1 | 0.9 | 0.30 | 0.60 | 0.30 | 57.4 |
| Approach | | 218 | 11.5 | 218 | 11.5 | 0.107 | 1.3 | NA | 0.1 | 0.9 | 0.06 | 0.11 | 0.06 | 67.6 |
| All Vehicles | | 669 | 7.0 | 669 | 7.0 | 0.237 | 3.6 | NA | 1.0 | 6.9 | 0.18 | 0.34 | 0.18 | 53.6 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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### MOVEMENT SUMMARY

Site: 002 [Commonage Cornerstone development AM v1 (Site Folder: General)]

Network: N101 [AM Peak development v1 (Network Folder: General)]

Commonage Rd / Cornerstone Way
Give Way
With development AM Peak version 1
Site Category: Existing Design
Give-Way (Two-Way)

| Vehicle Movement Performance | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
| NorthEast: Commonage Rd | | | | | | | | | | | | | | | |
| 25 | T1 | 214 | 7.9 | 214 | 7.9 | 0.153 | 0.5 | LOS A | 0.4 | 3.7 | 0.14 | 0.07 | 0.14 | 67.2 |
| 26 | R2 | 27 | 3.7 | 27 | 3.7 | 0.153 | 8.3 | LOS A | 0.4 | 3.7 | 0.14 | 0.07 | 0.14 | 62.6 |
| Approach | | 241 | 7.5 | 241 | 7.5 | 0.153 | 1.3 | NA | 0.4 | 3.7 | 0.14 | 0.07 | 0.14 | 66.5 |
| NorthWest: Cornerstone Way | | | | | | | | | | | | | | | |
| 27 | L2 | 26 | 7.7 | 26 | 7.7 | 0.032 | 7.2 | LOS A | 0.1 | 0.9 | 0.31 | 0.61 | 0.31 | 43.8 |
| 29 | R2 | 9 | 11.1 | 9 | 11.1 | 0.032 | 8.5 | LOS A | 0.1 | 0.9 | 0.31 | 0.61 | 0.31 | 43.8 |
| Approach | | 35 | 8.6 | 35 | 8.6 | 0.032 | 7.5 | LOS A | 0.1 | 0.9 | 0.31 | 0.61 | 0.31 | 43.8 |
| SouthWest: Commonage Rd | | | | | | | | | | | | | | | |
| 30 | L2 | 9 | 0.0 | 9 | 0.0 | 0.118 | 6.4 | LOS A | 0.0 | 0.0 | 0.00 | 0.03 | 0.00 | 60.4 |
| 31 | T1 | 193 | 11.9 | 193 | 11.9 | 0.118 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.03 | 0.00 | 66.7 |
| Approach | | 202 | 11.4 | 202 | 11.4 | 0.118 | 0.3 | NA | 0.0 | 0.0 | 0.00 | 0.03 | 0.00 | 66.0 |
| All Vehicles | | 478 | 9.2 | 478 | 9.2 | 0.153 | 1.4 | NA | 0.4 | 3.7 | 0.09 | 0.09 | 0.09 | 65.0 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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### MOVEMENT SUMMARY

Site: 003 [Commonage Biddle development AM v1 (Site Folder: General)]

Network: N101 [AM Peak development v1 (Network Folder: General)]

Commonage Rd / Biddle Rd
Give Way
With development AM Peak version 1
Site Category: Existing Design
Give-Way (Two-Way)

| Vehicle Movement Performance | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
| South: Commonage Rd | | | | | | | | | | | | | | | |
| 1 | L2 | 14 | 14.3 | 14 | 14.3 | 0.091 | 7.3 | LOS A | 0.0 | 0.0 | 0.00 | 0.21 | 0.00 | 63.4 |
| 2 | T1 | 139 | 14.4 | 139 | 14.4 | 0.091 | 1.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.21 | 0.00 | 74.0 |
| Approach | | 153 | 14.4 | 153 | 14.4 | 0.091 | 1.6 | NA | 0.0 | 0.0 | 0.00 | 0.21 | 0.00 | 72.0 |
| North: Commonage Rd | | | | | | | | | | | | | | | |
| 8 | T1 | 186 | 7.5 | 186 | 7.5 | 0.149 | 0.5 | LOS A | 0.5 | 9.2 | 0.19 | 0.12 | 0.19 | 69.2 |
| 9 | R2 | 43 | 11.6 | 43 | 11.6 | 0.149 | 7.7 | LOS A | 0.5 | 9.2 | 0.19 | 0.12 | 0.19 | 53.0 |
| Approach | | 229 | 8.3 | 229 | 8.3 | 0.149 | 1.9 | NA | 0.5 | 9.2 | 0.19 | 0.12 | 0.19 | 65.4 |
| West: Biddle Rd | | | | | | | | | | | | | | | |
| 10 | L2 | 45 | 15.8 | 45 | 15.6 | 0.073 | 7.8 | LOS A | 0.3 | 3.2 | 0.34 | 0.64 | 0.34 | 51.5 |
| 12 | R2 | 15 | 20.0 | 15 | 20.0 | 0.073 | 10.0 | LOS B | 0.3 | 3.2 | 0.34 | 0.64 | 0.34 | 50.7 |
| Approach | | 60 | 16.7 | 60 | 16.7 | 0.073 | 8.4 | LOS A | 0.3 | 3.2 | 0.34 | 0.64 | 0.34 | 51.1 |
| All Vehicles | | 442 | 11.5 | 442 | 11.5 | 0.149 | 2.7 | NA | 0.5 | 9.2 | 0.14 | 0.22 | 0.14 | 64.7 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

Site: 004 [Genoli access road development AM v1 (Site Folder: General)]

Network: N101 [AM Peak development v1 (Network Folder: General)]

Genoli Rd / site access
Give Way
With development AM Peak version 1
Site Category: Future Conditions 1
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | Dist [ ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| South: Genoli Rd | | | | | | | | | | | | | | |
| 1 | L2 | 1 | 0.0 | 1 | 0.0 | 0.006 | 4.6 | LOS A | 0.0 | 0.0 | 0.00 | 0.06 | 0.00 | 49.0 |
| 2 | T1 | 8 | 25.0 | 8 | 25.0 | 0.006 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.06 | 0.00 | 49.4 |
| Approach | | 9 | 22.2 | 9 | 22.2 | 0.006 | 0.5 | NA | 0.0 | 0.0 | 0.00 | 0.06 | 0.00 | 49.4 |
| North: Genoli Rd | | | | | | | | | | | | | | |
| 8 | T1 | 7 | 28.6 | 7 | 28.6 | 0.133 | 0.2 | LOS A | 0.7 | 18.2 | 0.10 | 0.49 | 0.10 | 46.7 |
| 9 | R2 | 91 | 0.0 | 91 | 0.0 | 0.133 | 4.8 | LOS A | 0.7 | 18.2 | 0.10 | 0.49 | 0.10 | 35.6 |
| Approach | | 98 | 2.0 | 98 | 2.0 | 0.133 | 4.4 | NA | 0.7 | 18.2 | 0.10 | 0.49 | 0.10 | 37.8 |
| West: Site access roads | | | | | | | | | | | | | | |
| 10 | L2 | 246 | 0.0 | 246 | 0.0 | 0.384 | 4.8 | LOS A | 2.4 | 63.6 | 0.12 | 0.50 | 0.12 | 31.2 |
| 12 | R2 | 1 | 0.0 | 1 | 0.0 | 0.384 | 6.1 | LOS A | 2.4 | 63.6 | 0.12 | 0.50 | 0.12 | 45.5 |
| Approach | | 247 | 0.0 | 247 | 0.0 | 0.384 | 4.8 | LOS A | 2.4 | 63.6 | 0.12 | 0.50 | 0.12 | 31.5 |
| All Vehicles | | 354 | 1.1 | 354 | 1.1 | 0.384 | 4.6 | NA | 2.4 | 63.6 | 0.11 | 0.49 | 0.11 | 35.4 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akcelik MD1).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

Site: 005 [Commonage access road development AM v1 (Site Folder: General)]

Network: N101 [AM Peak development v1 (Network Folder: General)]

Commonage Rd / site access
Give Way
With development AM Peak version 1
Site Category: Future Conditions 1
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | Dist [ ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| South: Commonage Rd | | | | | | | | | | | | | | |
| 2 | T1 | 180 | 11.1 | 180 | 11.1 | 0.123 | 1.9 | LOS A | 0.5 | 3.8 | 0.10 | 0.01 | 0.10 | 54.7 |
| 3 | R2 | 4 | 0.0 | 4 | 0.0 | 0.123 | 22.9 | LOS C | 0.5 | 3.8 | 0.10 | 0.01 | 0.10 | 49.9 |
| Approach | | 184 | 10.9 | 184 | 10.9 | 0.123 | 2.3 | NA | 0.5 | 3.8 | 0.10 | 0.01 | 0.10 | 54.5 |
| East: Site access roads | | | | | | | | | | | | | | |
| 4 | L2 | 15 | 0.0 | 15 | 0.0 | 0.054 | 14.6 | LOS B | 0.2 | 5.4 | 0.59 | 0.76 | 0.59 | 18.2 |
| 6 | R2 | 22 | 0.0 | 22 | 0.0 | 0.290 | 59.6 | LOS F | 1.0 | 27.7 | 0.88 | 1.00 | 1.01 | 6.0 |
| Approach | | 37 | 0.0 | 37 | 0.0 | 0.290 | 41.4 | LOS E | 1.0 | 27.7 | 0.77 | 0.91 | 0.84 | 8.3 |
| North: Commonage Rd | | | | | | | | | | | | | | |
| 7 | L2 | 9 | 0.0 | 9 | 0.0 | 0.005 | 6.4 | LOS A | 0.0 | 0.0 | 0.00 | 0.61 | 0.00 | 38.8 |
| 8 | T1 | 214 | 9.8 | 214 | 9.8 | 0.122 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.00 | 0.00 | 69.9 |
| Approach | | 223 | 9.4 | 223 | 9.4 | 0.122 | 0.3 | NA | 0.0 | 0.0 | 0.00 | 0.02 | 0.00 | 66.3 |
| All Vehicles | | 444 | 9.2 | 444 | 9.2 | 0.290 | 4.5 | NA | 1.0 | 27.7 | 0.10 | 0.09 | 0.11 | 42.7 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akcelik MD).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## 8.4 Existing PLUS Concept Plan Site Traffic – PM Peak (1500-1600)

### MOVEMENT SUMMARY

Site: 001 [Commonage Genoli development PM v1 (Site Folder: General)]

Network: N101 [PM Peak development v1 (Network Folder: General)]

Commonage Rd / Genoli Rd
Give Way
With development PM Peak version 1
Site Category: Existing Design
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | Dist [ ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| South: Genoli Rd | | | | | | | | | | | | | | |
| 1 | L2 | 62 | 1.6 | 62 | 1.6 | 0.056 | 5.3 | LOS A | 0.2 | 1.4 | 0.28 | 0.54 | 0.28 | 29.7 |
| 3 | R2 | 92 | 1.1 | 92 | 1.1 | 0.173 | 9.6 | LOS A | 0.7 | 4.7 | 0.58 | 0.80 | 0.58 | 29.6 |
| Approach | | 154 | 1.3 | 154 | 1.3 | 0.173 | 7.9 | LOS A | 0.7 | 4.7 | 0.46 | 0.69 | 0.46 | 29.6 |
| East: Commonage Rd | | | | | | | | | | | | | | |
| 4 | L2 | 139 | 0.7 | 139 | 0.7 | 0.075 | 6.1 | LOS A | 0.0 | 0.0 | 0.00 | 0.61 | 0.00 | 35.9 |
| 5 | T1 | 174 | 12.6 | 174 | 12.6 | 0.103 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.00 | 0.00 | 69.9 |
| Approach | | 313 | 7.3 | 313 | 7.3 | 0.103 | 2.7 | NA | 0.0 | 0.0 | 0.00 | 0.27 | 0.00 | 49.0 |
| West: Commonage Rd | | | | | | | | | | | | | | |
| 11 | T1 | 179 | 14.5 | 179 | 14.5 | 0.109 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.00 | 0.00 | 69.9 |
| 12 | R2 | 93 | 1.1 | 93 | 1.1 | 0.089 | 7.6 | LOS A | 0.4 | 2.5 | 0.40 | 0.65 | 0.40 | 56.9 |
| Approach | | 272 | 9.9 | 272 | 9.9 | 0.109 | 2.6 | NA | 0.4 | 2.5 | 0.14 | 0.22 | 0.14 | 65.3 |
| All Vehicles | | 739 | 7.0 | 739 | 7.0 | 0.173 | 3.8 | NA | 0.7 | 4.7 | 0.15 | 0.34 | 0.15 | 55.6 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akcelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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### MOVEMENT SUMMARY

Site: 002 [Commonage Cornerstone development PM v1 (Site Folder: General)]

Network: N101 [PM Peak development v1 (Network Folder: General)]

Commonage Rd / Cornerstone Way
Give Way
With development PM Peak version 1
Site Category: Existing Design
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | Dist [ ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| NorthEast: Commonage Rd | | | | | | | | | | | | | | |
| 25 | T1 | 214 | 9.3 | 214 | 9.3 | 0.148 | 0.4 | LOS A | 0.3 | 2.8 | 0.12 | 0.06 | 0.12 | 67.6 |
| 26 | R2 | 23 | 4.3 | 23 | 4.3 | 0.148 | 8.3 | LOS A | 0.3 | 2.8 | 0.12 | 0.06 | 0.12 | 62.6 |
| Approach | | 237 | 8.9 | 237 | 8.9 | 0.148 | 1.2 | NA | 0.3 | 2.8 | 0.12 | 0.06 | 0.12 | 66.9 |
| NorthWest: Cornerstone Way | | | | | | | | | | | | | | |
| 27 | L2 | 25 | 12.0 | 25 | 12.0 | 0.034 | 7.5 | LOS A | 0.1 | 1.0 | 0.36 | 0.63 | 0.36 | 43.4 |
| 29 | R2 | 10 | 10.0 | 10 | 10.0 | 0.034 | 8.7 | LOS A | 0.1 | 1.0 | 0.36 | 0.63 | 0.36 | 43.4 |
| Approach | | 35 | 11.4 | 35 | 11.4 | 0.034 | 7.9 | LOS A | 0.1 | 1.0 | 0.36 | 0.63 | 0.36 | 43.4 |
| SouthWest: Commonage Rd | | | | | | | | | | | | | | |
| 30 | L2 | 8 | 0.0 | 8 | 0.0 | 0.144 | 6.4 | LOS A | 0.0 | 0.0 | 0.00 | 0.02 | 0.00 | 60.7 |
| 31 | T1 | 245 | 9.4 | 245 | 9.4 | 0.144 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.02 | 0.00 | 67.7 |
| Approach | | 253 | 9.1 | 253 | 9.1 | 0.144 | 0.2 | NA | 0.0 | 0.0 | 0.00 | 0.02 | 0.00 | 67.0 |
| All Vehicles | | 525 | 9.1 | 525 | 9.1 | 0.148 | 1.1 | NA | 0.3 | 2.8 | 0.08 | 0.08 | 0.08 | 65.4 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akcelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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### MOVEMENT SUMMARY

Site: 003 [Commonage Biddle development PM v1 (Site Folder: General)]

Network: N101 [PM Peak development v1 (Network Folder: General)]

Commonage Rd / Biddle Rd
Give Way
With development PM Peak version 1
Site Category: Existing Design
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | HV [ ] % | ARRIVAL FLOWS [ Total veh/h ] | HV [ ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | Dist [ ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| South: Commonage Rd | | | | | | | | | | | | | | |
| 1 | L2 | 18 | 16.7 | 18 | 16.7 | 0.129 | 7.4 | LOS A | 0.0 | 0.0 | 0.00 | 0.21 | 0.00 | 62.4 |
| 2 | T1 | 207 | 9.7 | 207 | 9.7 | 0.129 | 1.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.21 | 0.00 | 74.4 |
| Approach | | 225 | 10.2 | 225 | 10.2 | 0.129 | 1.5 | NA | 0.0 | 0.0 | 0.00 | 0.21 | 0.00 | 72.3 |
| North: Commonage Rd | | | | | | | | | | | | | | |
| 8 | T1 | 164 | 9.8 | 164 | 9.8 | 0.148 | 1.1 | LOS A | 0.6 | 8.2 | 0.29 | 0.15 | 0.29 | 66.6 |
| 9 | R2 | 47 | 14.9 | 47 | 14.9 | 0.148 | 8.8 | LOS A | 0.6 | 8.2 | 0.29 | 0.15 | 0.29 | 50.4 |
| Approach | | 211 | 10.9 | 211 | 10.9 | 0.148 | 2.8 | NA | 0.6 | 8.2 | 0.29 | 0.15 | 0.29 | 62.1 |
| West: Biddle Rd | | | | | | | | | | | | | | |
| 10 | L2 | 45 | 17.8 | 45 | 17.8 | 0.085 | 8.9 | LOS A | 0.3 | 3.2 | 0.47 | 0.72 | 0.47 | 49.8 |
| 12 | R2 | 17 | 17.6 | 17 | 17.6 | 0.085 | 10.6 | LOS B | 0.3 | 3.2 | 0.47 | 0.72 | 0.47 | 50.6 |
| Approach | | 62 | 17.7 | 62 | 17.7 | 0.085 | 9.4 | LOS A | 0.3 | 3.2 | 0.47 | 0.72 | 0.47 | 50.2 |
| All Vehicles | | 498 | 11.4 | 498 | 11.4 | 0.148 | 3.0 | NA | 0.6 | 8.2 | 0.18 | 0.25 | 0.18 | 63.7 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akcelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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Project: C:\Users\Claire\Dropbox (Flyt Pty Ltd)\Flyt Pty Ltd Team Folder\Projects\81113-714 - Lot 6 Commonage Rd Dunsborough\3_Project Docs\Modelling\Computer Models\SIDRA\Lot 6 Intersections.sip9

## MOVEMENT SUMMARY

Site: 004 [Genoli access road development PM v1 (Site Folder: General)]

Network: N101 [PM Peak development v1 (Network Folder: General)]

Genoli Rd / site access
Give Way
With development PM Peak version 1
Site Category: Future Conditions 1
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | DEMAND FLOWS [ HV ] % | ARRIVAL FLOWS [ Total veh/h ] | ARRIVAL FLOWS [ HV ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | 95% BACK OF QUEUE [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **South: Genoli Rd** | | | | | | | | | | | | | | |
| 1 | L2 | 1 | 0.0 | 1 | 0.0 | 0.006 | 4.6 | LOS A | 0.0 | 0.0 | 0.00 | 0.06 | 0.00 | 49.0 |
| 2 | T1 | 8 | 25.0 | 8 | 25.0 | 0.006 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.06 | 0.00 | 49.4 |
| Approach | | 9 | 22.2 | 9 | 22.2 | 0.006 | 0.5 | NA | 0.0 | 0.0 | 0.00 | 0.06 | 0.00 | 49.4 |
| **North: Genoli Rd** | | | | | | | | | | | | | | |
| 8 | T1 | 5 | 40.0 | 5 | 40.0 | 0.325 | 0.3 | LOS A | 2.1 | 56.2 | 0.12 | 0.51 | 0.12 | 46.5 |
| 9 | R2 | 227 | 0.0 | 227 | 0.0 | 0.325 | 4.8 | LOS A | 2.1 | 56.2 | 0.12 | 0.51 | 0.12 | 35.2 |
| Approach | | 232 | 0.9 | 232 | 0.9 | 0.325 | 4.7 | NA | 2.1 | 56.2 | 0.12 | 0.51 | 0.12 | 35.9 |
| **West: Site access roads** | | | | | | | | | | | | | | |
| 10 | L2 | 146 | 0.0 | 146 | 0.0 | 0.229 | 4.8 | LOS A | 1.1 | 30.6 | 0.09 | 0.50 | 0.09 | 31.4 |
| 12 | R2 | 1 | 0.0 | 1 | 0.0 | 0.229 | 8.4 | LOS A | 1.1 | 30.6 | 0.09 | 0.50 | 0.09 | 45.6 |
| Approach | | 147 | 0.0 | 147 | 0.0 | 0.229 | 4.8 | LOS A | 1.1 | 30.6 | 0.09 | 0.50 | 0.09 | 31.9 |
| All Vehicles | | 388 | 1.0 | 388 | 1.0 | 0.325 | 4.6 | NA | 2.1 | 56.2 | 0.11 | 0.50 | 0.11 | 35.8 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

Site: 005 [Commonage access road development PM v1 (Site Folder: General)]

Network: N101 [PM Peak development v1 (Network Folder: General)]

Commonage Rd / site access
Give Way
With development PM Peak version 1
Site Category: Future Conditions 1
Give-Way (Two-Way)

**Vehicle Movement Performance**

| Mov ID | Turn | DEMAND FLOWS [ Total veh/h ] | DEMAND FLOWS [ HV ] % | ARRIVAL FLOWS [ Total HV ] veh/h | ARRIVAL FLOWS [ HV ] % | Deg. Satn v/c | Aver. Delay sec | Level of Service | 95% BACK OF QUEUE [ Veh. veh ] | 95% BACK OF QUEUE [ Dist ] m | Prop. Que | Effective Stop Rate | Aver. No. Cycles | Aver. Speed km/h |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **South: Commonage Rd** | | | | | | | | | | | | | | |
| 2 | T1 | 242 | 8.3 | 242 | 8.3 | 0.135 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.00 | 0.00 | 69.9 |
| 3 | R2 | 10 | 0.0 | 10 | 0.0 | 0.034 | 14.2 | LOS B | 0.1 | 3.4 | 0.54 | 0.73 | 0.54 | 30.2 |
| Approach | | 252 | 7.9 | 252 | 7.9 | 0.135 | 0.6 | NA | 0.1 | 3.4 | 0.02 | 0.03 | 0.02 | 64.6 |
| **East: Site access roads** | | | | | | | | | | | | | | |
| 4 | L2 | 8 | 0.0 | 8 | 0.0 | 0.177 | 11.1 | LOS B | 0.6 | 15.8 | 0.75 | 0.86 | 0.75 | 9.2 |
| 6 | R2 | 11 | 0.0 | 11 | 0.0 | 0.177 | 55.2 | LOS F | 0.6 | 15.8 | 0.75 | 0.86 | 0.75 | 9.2 |
| Approach | | 19 | 0.0 | 19 | 0.0 | 0.177 | 36.6 | LOS E | 0.6 | 15.8 | 0.75 | 0.86 | 0.75 | 9.2 |
| **North: Commonage Rd** | | | | | | | | | | | | | | |
| 7 | L2 | 20 | 0.0 | 20 | 0.0 | 0.011 | 6.4 | LOS A | 0.0 | 0.0 | 0.00 | 0.61 | 0.00 | 38.8 |
| 8 | T1 | 204 | 6.9 | 204 | 6.9 | 0.112 | 0.0 | LOS A | 0.0 | 0.0 | 0.00 | 0.00 | 0.00 | 69.9 |
| Approach | | 224 | 6.3 | 224 | 6.3 | 0.112 | 0.6 | NA | 0.0 | 0.0 | 0.00 | 0.05 | 0.00 | 62.4 |
| All Vehicles | | 495 | 6.9 | 495 | 6.9 | 0.177 | 2.0 | NA | 0.6 | 15.8 | 0.04 | 0.07 | 0.04 | 54.3 |

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Network Data dialog (Network tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
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HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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CONSULTATION REPORT

# Aha! Consulting

When will you have your next Aha! moment?

PROJECT | Dunsborough Lakes – Lot 6 Commonage Road Rezoning

CLIENT | Urban Quarter

DATE | 05/10/2022

VERSION | 2.1

| | | | |
|---|---|---|---|
| PROJECT | Dunsborough Lakes – Lot 6 Commonage Road Rezoning | DATE | 05/10/2022 |
| CLIENT | Urban Quarter | VERSION | 2.1 |

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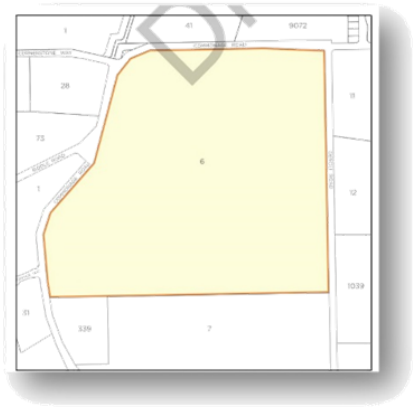
| 3 | HAVING ACCESS TO A VARIETY OF HOUSING OPTIONS IS AN IMPORTANT PART OF DUNSBOROUGH'S FUTURE? | 5 |
| 4 | ARE THERE ANY CRITICAL ENVIRONMENTAL VALUES NOT CONSIDERED TO DATE? | 6 |
| 5 | WHAT ARE THE THREE MOST IMPORTANT OUTCOMES FOR ANY RESIDENTIAL DEVELOPMENT TO ACHIEVE? | 7 |
| 6 | CONCLUSION | 7 |


When will you have your next Aha! moment?

# 1 Introduction



Lot 6 Commonage Road is located approximately 2.5 kilometres due south of the Dunsborough town centre. It is a 53.98 hectare parcel of land situated on the east and south of Commonage Road and to the west of Genoli Road in Quindalup. This land has been zoned as 'light industry' since 2000. In this time, there has been no demand for this type of use, resulting in no development occurring.

In contrast, there is growing demand for residential land and more housing options in and around Dunsborough.

UrbanQuarter conducted a community engagement process about its proposed rezoning on this parcel of land to 'Urban Development'.

An open forum was hosted at the Dunsborough Country Club on the evening of October 5th, 2022 and promoted through the following channels:

- Email invitation to the Dunsborough Lakes database of approx 500 people
- Email invitation to 20 key stakeholders as provided by the City of Busselton
- 1 x Advertisement run in the Busselton-Dunsborough Times
- Printed fliers posted at the following community venues
    - Main community board outside Taz's bakery S
    - Outside the IGA

A total of ten members of the community attended the evening. The group had a variety of participants including an adjacent land owner, general community members and representatives of the Dunsborough Reference group

People were invited to attend the forum at any time between 6:00 and 8:00pm that suited them. Participants were provided with information on the project history, the proposed development application, the current plans to manage the environmental values on the site and the overall project timelines. Participants were also asked three key questions:

- Having access to a variety of housing options is an important part of Dunsborough's future?
- Are there any critical environmental values not considered to date?
- What are the three most important outcomes for any residential development to achieve?

The following notes outline feedback received through the evening.

## 2 Methodology

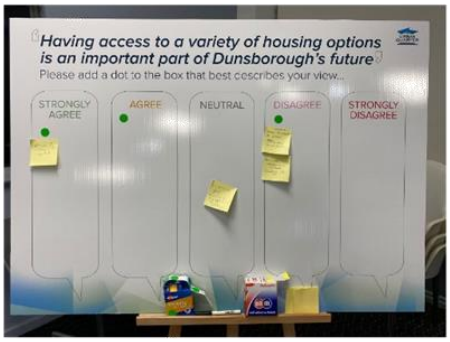
The forum used the marketplace model as an alternative to the traditional 'town hall' style meeting. The marketplace model is used extensively in a range of sectors and settings because of its ability to:

- Support people to access the information that is most important to them
- Encourage a more conversational and less confrontational approach to the topic
- Provide the organisation with a better understanding of the range of views, as opposed to those more comfortable speaking in town hall meetings
- Build more direct relationships with people

This marketplace had a blend of 'stalls' with the relevant information and opportunities for interaction and information collection.



# 3 Having access to a variety of housing options is an important part of Dunsborough's future?




This question was nested within the broader historical and housing context of Dunsborough.

Due to the small group size, it is difficult to infer a broader sentiment from the responses.

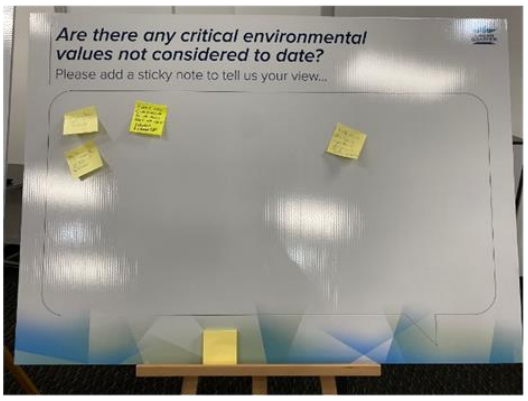
One person strongly agreed and another agreed that having access to a variety of housing options was an important part of Dunsborough's future. The view given was that the variety of price points was the critical requirement.

One person was neutral and commented that while they agreed with the need for a variety of housing options in principle, the devil was in the detail of how the land parcels and housing are designed.

One person disagreed that having access to a variety of housing options was an important part of Dunsborough's future, citing concern about the impacts on existing infrastructure. They wanted to see residential development focused further along the Bussell Highway and encourage people to commute into Dunsborough.

This suggests that overall, while the people attended were positive about the need for a variety of housing options, there was a desire to see and be part of the more detailed design to help ensure that it was in keeping with desired community outcomes.

## 4 Are there any critical environmental values not considered to date?

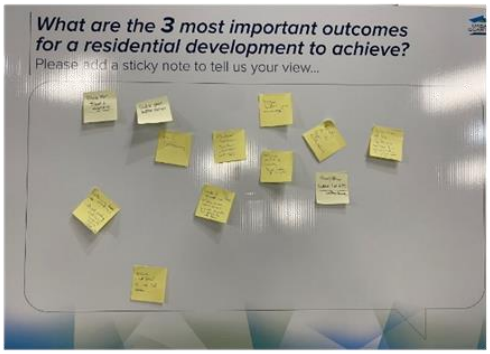



This question was nested within the information focused on the proposed environmental conservation zones.

The main feedback people provided after receiving the information included:

- A variety of affordable housing and lot sizes
- Buffer zones and visual screening
    - A number of people wanted to see wider (doubled) buffer zones and better visual screening
    - The neighbour in lot 339 wants a natural screening along their shared border, suggesting more of the corner of this southern border be excised for preservation
- Good balance between housing and public open spaces
    - Ensuring there is a place for trees and animals
- A mixed use development with a 'high street' to take pressure off the town centre and provide more amenity for people living nearby
- Strong visual amenity and accessibility
    - Pedestrian pathways
    - Better street parking
    - Limits on block sizes to avoid boats/jet skis being parked on the streets
- One person wanted to retain the industrial park

## 5 What are the three most important outcomes for any residential development to achieve?




This question was nested within the information focused on the proposed development application.

The key pieces of feedback people provided after receiving the information included:

- Think about the site drainage and potential impact from storm run off to southern properties
- Ensure conservation zones are linked to allow for ease of animal movement rather than creating 'conservation islands'
- Ensure any trees removed are replaced with at least one other

## 6 Conclusion

Most people recognised the need for a variety of housing options in Dunsborough, there was also keen interest in what this 'variety' looked like from a design aesthetic point of view, which will be determined in the ensuring phases of the project.

There were some concerns expressed about the impact of 'urban sprawl' and the forum comments suggest that this is driven by concerns that additional residents will negatively impact other town infrastructure. This prompted conversations and suggestions mixed-use applications to be considered within the development (e.g. local café, deli etc.) to take the pressure off the town centre and provide more amenity for proximal residents.

Increased environmental buffers and prudent avoidance of creating conservation islands were the main environmental concerns.

While participant numbers were lower than expected for the level of promotion conducted and the typically passionate community response to development in the area, the outcomes of the evening are offered for considering in the refinement the development application.

– END –

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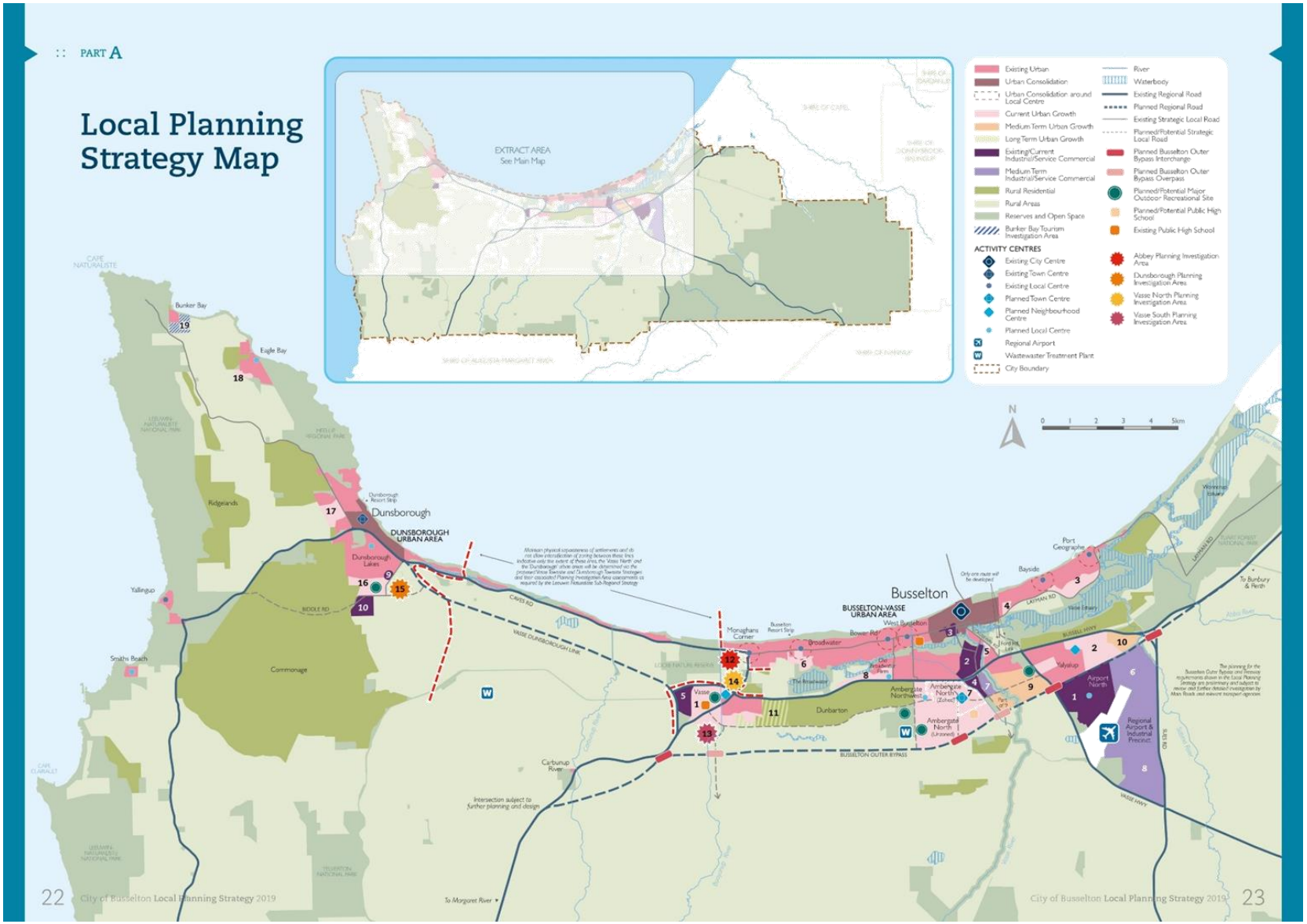

PART A
Local Planning Strategy Map
EXTRACT AREA
See Main Map
Existing Urban
Urban Consolidation
Urban Consolidation around Local Centre
Current Urban Growth
Medium Term Urban Growth
Long Term Urban Growth
Existing/Current Industrial/Service Commercial
Medium Term Industrial/Service Commercial
Rural Residential
Rural Areas
Reserves and Open Space
Bunker Bay Tourism Investigation Area
ACTIVITY CENTRES
Existing City Centre
Existing Town Centre
Existing Local Centre
Planned Town Centre
Planned Neighbourhood Centre
Planned Local Centre
Regional Airport
Wastewater Treatment Plant
City Boundary
River
Waterbody
Existing Regional Road
Planned Regional Road
Existing Strategic Local Road
Planned/Potential Strategic Local Road
Planned Busselton Outer Bypass Interchange
Planned Busselton Outer Bypass Overpass
Planned/Potential Major Outdoor Recreational Site
Planned/Potential Public High School
Existing Public High School
Abbey Planning Investigation Area
Dunsborough Planning Investigation Area
Vasse North Planning Investigation Area
Vasse South Planning Investigation Area
Dunsborough
DUNSBOROUGH URBAN AREA
Busselton
BUSSELTON-VASSE URBAN AREA
Dunsborough Lakes
Ridgelands
Commonage
Yallingup
Smiths Beach
Bunker Bay
Eagle Bay
Monaghans Corner
Broadwater
West Busselton
Dunbarton
Ambergate Northwest
Ambergate North
Airport North
Regional Airport & Industrial Precinct
Port Geographe
Bayside
Carbunup River
To Margaret River
To Burbury & Perth
22 City of Busselton Local Planning Strategy 2019
City of Busselton Local Planning Strategy 2019 23

## 14. ENGINEERING AND WORK SERVICES REPORT

### 14.1 BUSSELTON WAR MEMORIAL

| | |
|---|---|
| **STRATEGIC THEME** | LIFESTYLE - A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing |
| **STRATEGIC PRIORITY** | 2.1 Recognise, respect and support community diversity and cultural heritage. |
| **SUBJECT INDEX** | War Memorial |
| **BUSINESS UNIT** | Works Services |
| **REPORTING OFFICER** | Community Engagement Officer - Kate James<br>Cultural Development Officer - Jacquie Happ |
| **AUTHORISING OFFICER** | Director, Engineering and Works Services - Oliver Darby |
| **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** | Simple Majority |
| **ATTACHMENTS** | Attachment A Community Engagement Report<br>Attachment B Structural Assessment<br>Attachment C Concept 2 |

**OFFICER RECOMMENDATION**

**That the Council:**

1. **Receives the *Community Engagement Report* on the Busselton War Memorial;**
2. **Receives the *Structural Assessment* on the existing cenotaph (Victoria Square); and**
3. **Endorses 'Concept 2' as the preferred concept design and resolves to proceed with the construction of a new War Memorial at Rotary Park while retaining the existing cenotaph in Victoria Square.**

**EXECUTIVE SUMMARY**

At the November 2022 Ordinary Council Meeting, Council requested the CEO undertake community engagement regarding the development of a new War Memorial at Rotary Park. This report summarises the engagement activities undertaken between December 2022 and February 2023 and recommends that Council progress with the construction of a new War Memorial at Rotary Park, while retaining the existing cenotaph in Victoria Square.

**BACKGROUND**

Since 2016, Officers have been in discussions with the Busselton sub-Branch of the Returned Services League (RSL) to investigate the potential relocation of the War Memorial cenotaph (currently located in Victoria Square) to Rotary Park. The benefits and rationale being:

- More space for services
- Access to toilets
- Access to parking
- Establish a quiet place for reflection

In 2022, the Busselton RSL, as a key stakeholder and the organising body for events held at the war memorial, were successful in obtaining federal government funding for the relocation of the cenotaph, subject to advice from a qualified stone mason. Through 2022, the City liaised with the RSL to create concept designs for a new War Memorial.

At the November 2022 Ordinary Council Meeting, concepts were presented to Council for the purpose of seeking Council's approval to undertake further community engagement. Council resolved (C2211/288):

*That the Council requests the CEO to:*

1. *undertake community engagement regarding the development of a new War Memorial at Rotary Park, on the basis of the attached concept designs (Attachments A, B, C and D), whilst retaining the existing War Memorial Cenotaph in its current location; and*
2. *on completion of the community engagement, present a report to the Council detailing the outcomes of the community engagement, for a final determination on how to proceed, with that report to include information about the financial implications of the proposal, including the cost of maintaining the existing cenotaph.*

**OFFICER COMMENT**

Between December 2022 and February 2023, City officers undertook community engagement to ascertain the community sentiment with respect to the development of a new War Memorial. The engagement included the following aspects, with the level of engagement also indicated:

- 2 x pop-up information stalls at the Foreshore Markets (84 attendees)
- Your Say project page with community survey (272 page visits, 90 submissions)
- 3 x articles in the Bay-to-Bay e-newsletter (64 link clicks)
- 4 x adverts in 'City Connect' (newspaper advertising)
- 4 x Facebook posts (54 engagements)

A *Community Engagement Report* is provided at Attachment A.

Results from the Your Say survey, asking the community whether they preferred concept 1 or 2, or none of the concepts, show a preference for Concept 2:

| **Option** | **% of Responses (n = 90)** |
|---|---|
| Concept 2 | 47% |
| Concept 1 | 17% |
| None of the above | 21% |
| Skipped | 15% |

General commentary in support of the proposal focused around:

- Improved traffic management
- Quieter place for reflection
- Proximity to the RSL and City offices
- Opportunity to acknowledge all conflicts
- Better location for large crowds
- Great idea/design

Commentary from those who selected none of the above or who skipped the question indicated that they generally did so on the basis that the existing war memorial should remain where it is currently located. The key issues raised related to:

- Retaining the memorial in its existing location
- The idea that history cannot be replicated at a new memorial
- Suggestions a new memorial not needed

Each of these is discussed below.

**Retaining the existing memorial**

22 comments indicated support for retaining the existing war memorial, either in addition to a new memorial or instead of a new memorial.

Council resolved at the November 2022 Meeting to conduct further community engagement, on the basis of retaining the existing cenotaph in its current location. Officers consider that a new war memorial, which allows for improved opportunities for memorial services and reflection, would be of broad benefit to the community, and that retaining the existing cenotaph as a historical monument is also important.

**History**

Three comments reflected the historical importance of the existing war memorial and that a new war memorial could not replicate this.

The existing cenotaph is recognised as a historic monument, and retaining it in its current location is recommended. The creation of a new war memorial at Rotary Park will supplement the existing cenotaph, aiming to create a space inclusive of historic and also more recent theatres of war.

**Need for a new memorial**

Six responses indicated a view that a new war memorial was not needed.

ANZAC and Remembrance Day services have largely outgrown Victoria Square. Victoria Square, while important in terms of the City's history, has limitations for ongoing future use. The new design will feature a paved Memorial Walk and footpath from the memorial to ACROD parking and accessible toilets. Victoria Square is now a busy traffic intersection, with limited parking available. Rotary Park has dedicated parking available, and traffic management can be easily implemented during services to redirect via the Eastern Link. Rotary Park can also be used to create a quiet place of reflection that acknowledges service men and women from all theatres of war, with the memorial designed as a year round place of reflection. Finally, Rotary Park is close to the Busselton RSL sub-branch and City offices. City parking could be used as overflow for services (on non-business days).

Officers note that the engagement response, and in particular the survey response, was low. This is possibly a further indication that the community is comfortable with the idea of developing a new War Memorial and retaining the existing cenotaph where it is. The pop-up information stalls provided a further indication of this sentiment, which was positive once it was explained that the existing cenotaph was proposed to be retained in its current location. The financial implications of this dual approach are discussed in the Financial Implications section of this report.

Having considered the engagement outcomes, the financial implications, and the benefits and rationale for the development of a new War Memorial, it is recommended that the Council endorse Concept 2 and proceed with the construction of a new War Memorial at Rotary Park, while retaining the existing cenotaph in Victoria Square.

**Statutory Environment**

The officer recommendation supports the general function of a local government under the *Local Government Act 1995* to provide for the good government of persons in its district.

**Relevant Plans and Policies**

There are no relevant plans or policies that align to the officer recommendation.

**Financial Implications**

The current budget contains an allocation of $525,000 for the development of a new War Memorial, with the funding outlined in the table below:

| Funding Source | Amount |
|---|---|
| Municipal Funds | $375,000 |
| RSL Contribution (Approved Grant) | $150,000 |
| | **$525,000** |

The final costs will not be known until the design is finalised, however, it is anticipated to fall within budget expectations.

With respect to retaining and maintaining the existing cenotaph at Victoria Square (as per the officer recommendation), a structural assessment report indicates that the existing cenotaph is structurally sound but suggests that the cracks on it are monitored regularly. Officers will engage a structural engineer to conduct this monitoring and provide appropriate recommendations. The costs of ongoing maintenance are not anticipated to be outside of the City's budget allocations.

**Stakeholder Consultation**

The outcomes of the community engagement have been outlined in the Officer Comment section of this report. In summary, there appears to be support for the development of a new war memorial subject to the existing cenotaph being retained in its current location. While the survey response rate was low, there was reasonable engagement with the project page and through the other engagement mechanisms, indicating a general level of acceptance of the proposed direction. It is also noted that the Busselton RSL sub-branch, which has over 250 members, is also in favour of the direction.

**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. The following risk has been identified:

| Negative perception of the project in community. | | | |
|---|---|---|---|
| **Risk Category** | **Risk Consequence** | **Likelihood of Consequence** | **Risk Level** |
| Reputation | Minor | Likely | Medium |

Despite the community engagement undertaken there is a risk that some sections of the community will have a negative perception of the project. Retention of the existing cenotaph will mitigate some of the concerns, however the risk level remains as medium.

**Options**

As an alternative to the proposed recommendation the Council could:

1. Recommend changes to Concept 2 before endorsing
2. Endorse Concept 1 instead of the preferred concept plan (Concept 2)
3. Decline to endorse either concept plan

**CONCLUSION**

Development of a new War Memorial in Busselton has been discussed with the Busselton RSL sub-Branch for some time, on the basis that the current war memorial space no longer meets the needs of increasing crowds. Broader community engagement has demonstrated general support, with 47% of respondents choosing Concept 2 as the preferred design, and low levels of objection recorded. Officers recommend that the Council endorse proceeding with the development as per Concept 2.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Should Council endorse the officer recommendation, construction on the new War Memorial can commence once Stage 2 of the Lower Vasse River Sediment Removal Project which is expected to be complete May 2023.

City of Busselton Community Engagement Report

**Busselton War Memorial**

Project Summary:
Since 2016, the City has been in discussions with the Busselton RSL sub-branch to create a new War Memorial at Rotary Park. After being presented concept designs in November 2022, Council requested the CEO conduct further community engagement on the proposal. This report summarises the activities undertaken between December 2022 – February 2023.

Bay to Bay Newsletter
Article included in the City's Bay to Bay newsletter to advertise the proposal and encourage subscribers to visit YourSay. A further article was published to advise when consultation had concluded. **See Appendix B**.

- Location: Bay to Bay Newsletter - Bay to Bay E-Newsletter » City of Busselton
- Date: 30/11/2022, 23/12/2022, 31/01/2023

Newspaper Advertising
Notice placed in the Busselton-Dunsborough Mail to advise residents of the proposal. **See Appendix C for copy of advert**.

- Location: Busselton-Dunsborough Mail (2022) and Busselton Dunsborough Times (2023)
- Date: 7/12/2022, 14/12/2022, 6/1/2023, 13/1/2023

Flyers
Busselton RSL displayed flyers around Busselton, advertising face-to-face engagement opportunities.

- Location: various
- Date/Time: from 9/12/2022

Social Media
Notices displayed on the City's Facebook page, advertising upcoming face-to-face engagement opportunities. **See Appendix D.**

- Location: City of Busselton Facebook Page
- Date/Time: 8/12/2022, 23/12/2022, 10/1/2023, 21/1/2023

Pop-up Information Stalls
Pop-up stalls held in high traffic location to show concept plans, seek community feedback and encourage Your Say submissions. **See Appendix E for photos**.

- Location: Foreshore Markets, Signal Park
- Date/Time: 18/12/2022, 15/01/2023 (7am – 12.30pm)

City of Busselton Community Engagement Report

Your Say Busselton

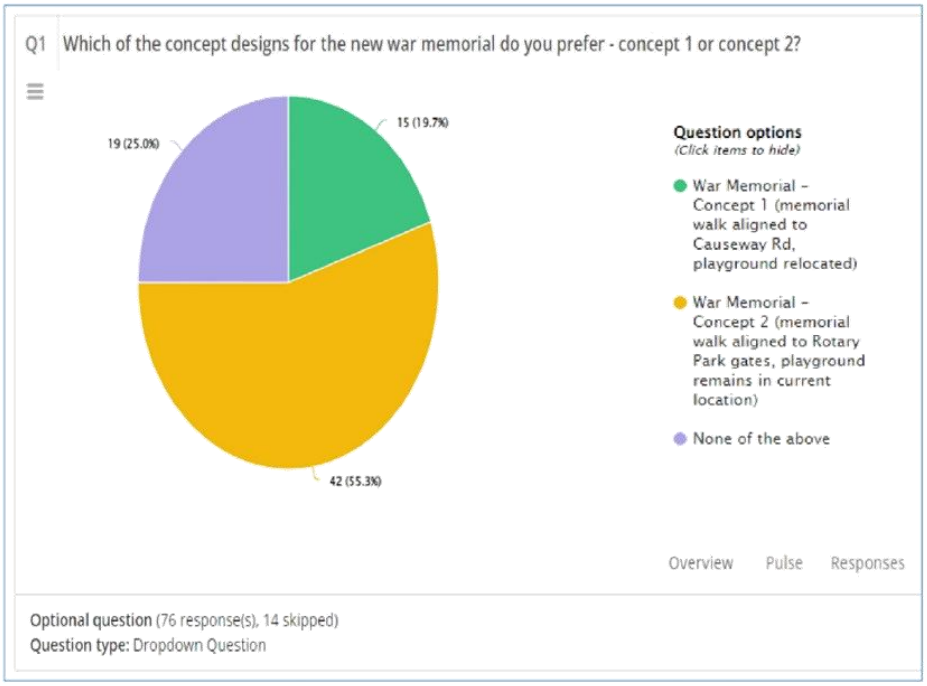
Your Say Busselton project page with survey, concept plans, important links and FAQ's created to seek feedback. **See Appendix F for screenshot of project page, and Appendix G for survey.**

- Location: City of Busselton's 'Your Say Busselton' webpage (the City's engagement portal). Busselton War Memorial | Your Say Busselton
- Date: live on 8 December 2022, closed 23 January 2023 (5pm)

Overall summary of community feedback:

| **Survey Results Summary** | |
|---|---|
| Total Page Visits | 272 |
| Survey Responses** | 90 |
| | |
| Concept 1 | 15 |
| Concept 2 | 42 |
| None of the above | 19 |
| *Skipped | 14 |

**Not all survey respondents answered '*Q1 which of the concept designs for the new war memorial do you prefer – concept 1 or concept 2?*'.



| **Positives – Concept 1** | **Improvements – Concept 1** | **Positives – Concept 2** | **Improvements – Concept 2** |
|---|---|---|---|
| Layout (3) | Relocate Rotary gates to align to Memorial Walk | View from the road (11) | More seats |
| Added space (2) | More ACROD parking bays | Alignment (4) | Lighting |
| Playground relocation | Include a 'Lone Pine' | Visually appealing (5) | Move the playground (2) |
| Memorial walk is closer to the carpark (2) | More seats (under shade) (2) | Design was chosen by RSL | More trees around the playground |
| Symmetry | Renovate the toilets | Layout (4) | Relocate the Memorial Wall |
| Thoughtful use of space | | Connection to Rotary gates (3) | Large granite stones |
| | | Doesn't interrupt the playground (2) | Use more visually appealing trees (instead of Peppermint trees) |

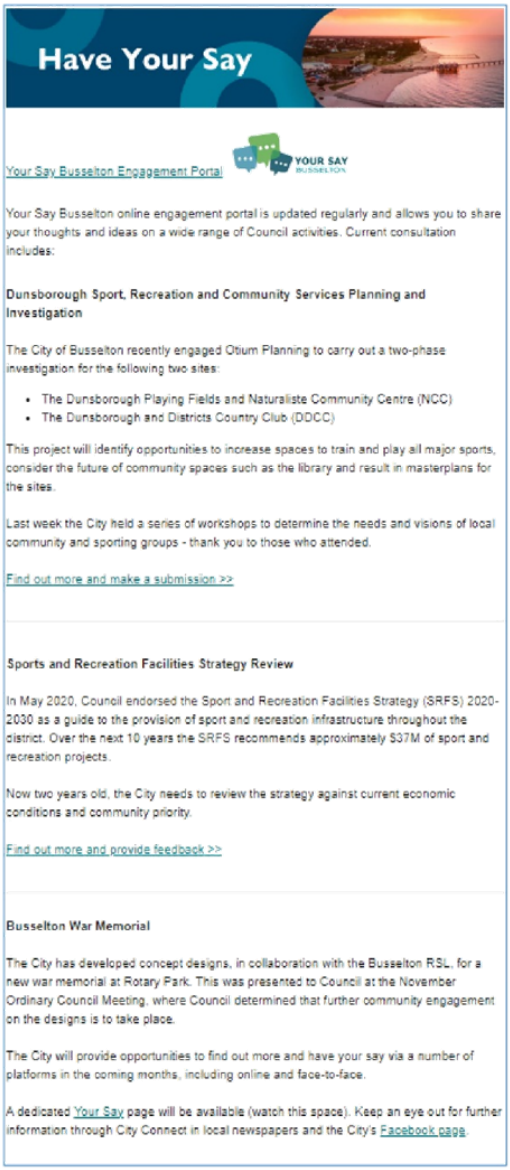
**Appendix A**

Activity Plan

| Timing | Stakeholders | Influence | Engagement Method/s | Responsible Officer | Outcome |
|---|---|---|---|---|---|
| 16/11/22 | Council | EMPOWER | Council Meeting | Director Engineering and Works Services | |
| 30/11/22 | Residents/ Rate Payers | INFORM | Bay to Bay Newsletter | Community Engagement Officer | |
| **YOUR SAY PROJECT PAGE LIVE – 8 DECEMBER 2022** | | | | | |
| 7/12/22 | Rotary Club | CONSULT | Meeting | Cultural Development Officer | 2 x Rotary representatives present. Supportive of the project. |
| 7/12/22 | Residents/ Rate Payers | INFORM | Advert in 'City Connect' | Community Engagement Officer | |
| 8/12/22 | Residents/ Rate Payers | INFORM | Social media post | Community Engagement Officer | 7 positive reactions, 3 comments, 10 shares |
| 14/12/22 | Residents/ Rate Payers | INFORM | Advert in 'City Connect' | Community Engagement Officer | |
| 18/12/22 | Residents/ Rate Payers | INFORM/ CONSULT | Pop-up stall at Signal Park markets, in partnership with RSL. | Community Engagement Officer Cultural Development Officer | 49 attendees, majority provided positive feedback – approximately 5-6 attendees remained unhappy with the proposal after speaking with staff. |
| 23/12/22 | Residents/ Rate Payers | INFORM | Social media post | Community Engagement Officer | 8 positive reactions |
| 23/12/22 | Residents/ Rate Payers | INFORM | Bay to Bay Newsletter. | Community Engagement Officer | 64 link clicks |
| 6/1/23 | Residents/ Rate Payers | INFORM | Advert in 'City Connect' | Community Engagement Officer | |

| | | | | | |
|---|---|---|---|---|---|
| 10/1/23 | Residents/ Rate Payers | INFORM | Social media post | Community Engagement Officer | 2 positive reactions, 5 comments, 1 share |
| 13/1/23 | Residents/ Rate Payers | INFORM | Advert in 'City Connect' | Community Engagement Officer | |
| 15/01/23 | Residents/ Rate Payers | INFORM/ CONSULT | Pop-up stall at Signal Park markets, in partnership with RSL. | Community Engagement Officer Cultural Development Officer | 35 attendees, majority provided positive feedback |
| 21/01/23 | Residents/ Rate Payers | INFORM | Social media post | Community Engagement Officer | 10 positive reaction/1 negative reaction, 2 comments, 5 shares |
| **YOUR SAY CONSULTATION CLOSES – 23 January 2023** | | | | | |

**Appendix B**



## Have Your Say

Your Say Busselton Engagement Portal

Your Say Busselton online engagement portal is updated regularly and allows you to share your thoughts and ideas on a wide range of Council activities. Current consultation includes:

**Dunsborough Sport, Recreation and Community Services Planning and Investigation**

The City of Busselton recently engaged Otium Planning to carry out a two-phase investigation for the following two sites:

- The Dunsborough Playing Fields and Naturaliste Community Centre (NCC)
- The Dunsborough and Districts Country Club (DDCC)

This project will identify opportunities to increase spaces to train and play all major sports, consider the future of community spaces such as the library and result in masterplans for the sites.

Last week the City held a series of workshops to determine the needs and visions of local community and sporting groups - thank you to those who attended.

Find out more and make a submission >>

**Sports and Recreation Facilities Strategy Review**

In May 2020, Council endorsed the Sport and Recreation Facilities Strategy (SRFS) 2020-2030 as a guide to the provision of sport and recreation infrastructure throughout the district. Over the next 10 years the SRFS recommends approximately $37M of sport and recreation projects.

Now two years old, the City needs to review the strategy against current economic conditions and community priority.

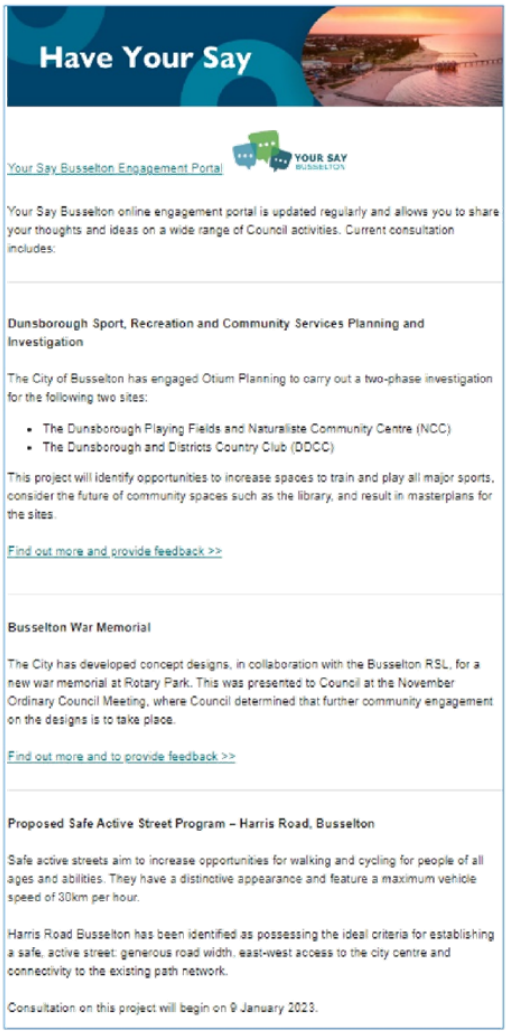
Find out more and provide feedback >>

**Busselton War Memorial**

The City has developed concept designs, in collaboration with the Busselton RSL, for a new war memorial at Rotary Park. This was presented to Council at the November Ordinary Council Meeting, where Council determined that further community engagement on the designs is to take place.

The City will provide opportunities to find out more and have your say via a number of platforms in the coming months, including online and face-to-face.

A dedicated Your Say page will be available (watch this space). Keep an eye out for further information through City Connect in local newspapers and the City's Facebook page.



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Find out more and provide feedback >>

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Find out more and to provide feedback >>

**Proposed Safe Active Street Program – Harris Road, Busselton**

Safe active streets aim to increase opportunities for walking and cycling for people of all ages and abilities. They have a distinctive appearance and feature a maximum vehicle speed of 30km per hour.

Harris Road Busselton has been identified as possessing the ideal criteria for establishing a safe, active street: generous road width, east-west access to the city centre and connectivity to the existing path network.

Consultation on this project will begin on 9 January 2023.

**Appendix C**



6 ◆ BUSSELTON DUNSBOROUGH TIMES bdtimes.com.au FRIDAY, JANUARY 6, 2023

City of Busselton

# City Connect

**Busselton's favourite festival returns with all the family fun this summer.**

Visit www.festivalofbusselton.com.au or follow on Facebook for program.

Festival of Busselton 2023

Visit: www.busselton.wa.gov.au www.yoursay.busselton.wa.gov.au city@busselton.wa.gov.au

## Council In Recess

*Council will be in recess until 16 January 2023*

**Next Public Agenda Presentation**
*Wednesday 18 January 2023*

**Next Ordinary Council Meeting**
*Wednesday 25 January 2023*

*Visit www.busselton.wa.gov.au/council/about-council*

### PUBLIC AGENDA PRESENTATIONS

Public Agenda Presentations for January 2023 will be held on Wednesday 18 January 2023. Topics for discussion must relate to matters on the current Council Agenda. Commencing at 5.30pm, following the agenda briefing at 5.00pm.

Booking to attend is encouraged and can be done by contacting Jo Barrett-Lennard at jo.barrettlennard@busselton.wa.gov.au or 9781 0338.

**Next Public Agenda Presentation:** **Wednesday 18 January 2023**

### IS GETTING OUTSIDE YOUR NEW YEAR'S RESOLUTION?

Do you have a passion for the environment and want to leave a positive legacy for future generations?

The City of Busselton are looking for volunteers to help care for City managed reserves.

There are over 15 active volunteer ***(Friends of Reserves)*** groups across the district and your level of involvement is completely up to you.

Volunteers are assisted by City Environmental Officers and learn how to identify native flora and weeds, spot native animals and care for native ecosystems. Tasks can range from planting and weeding to applying for grants.

**For more information visit https://www.busselton.wa.gov.au/resident/environment/get-involved/friends-of-reserves-groups.aspx** or contact City of Busselton Environmental Officer Joe Caspersz-Loney **joe.caspersz-loney@busselton.wa.gov.au** or call 9781 0444.






### NOTICE OF CITY OF BUSSELTON ORDINARY COUNCIL MEETING DATES FOR 2023

The following dates for the City of Busselton's Ordinary Council Meetings for 2023 were endorsed by Council on 21 December 2022:

- Wednesday 25 January
- Wednesday 15 February
- Wednesday 15 March
- Wednesday 19 April
- Wednesday 17 May
- Wednesday 8 June
- Wednesday 21 June
- Wednesday 26 July
- Wednesday 16 August
- Wednesday 20 September
- Wednesday 18 October
- Wednesday 15 November
- Wednesday 13 December

All meetings will commence at 5.30pm and will be held in Council Chambers, Level 2, City of Busselton Civic and Administration Centre, 2 Southern Drive, Busselton.

The meetings are open to the general public.

### NOTICE OF CITY OF BUSSELTON COMMITTEE MEETING DATES FOR 2023

**FINANCE COMMITTEE MEETINGS SCHEDULE 2023**

The following dates for the Council's Finance Committee Meetings for 2023 were endorsed by Council 21 December 2022

- 1 February 2023
- 1 March 2023
- 5 April 2023
- 3 May 2023
- 7 June 2023
- 19 July 2023
- 2 August 2023
- 6 September 2023
- 4 October 2023
- 1 November 2023
- 6 December 2023

**POLICY AND LEGISLATION COMMITTEE MEETINGS SCHEDULE 2023**

The following dates for the Council's Policy and Legislation Committee Meetings for 2023 were endorsed by Council 21 December 2022:

- Wednesday 25 January 2023
- Wednesday 8 March 2023
- Wednesday 10 May 2023
- Wednesday 26 July 2023
- Wednesday 13 September 2023
- Wednesday 8 November 2023

**AIRPORT ADVISORY COMMITTEE MEETINGS SCHEDULE 2023**

The following dates for the Council's Airport Advisory Committee Meetings for 2023 were endorsed by Council 21 December 2022:

- Wednesday 8 February 2023
- Wednesday 12 April 2023
- Wednesday 14 June 2023
- Wednesday 9 August 2023
- Wednesday 11 October 2023
- Wednesday 13 December 2023

**AUDIT AND RISK COMMITTEE MEETINGS SCHEDULE 2023**

The following dates for Council's Audit and Risk Committee Meetings for 2023 were endorsed by Council 21 December 2022:

- Wednesday 8 March 2023
- Wednesday 8 November 2023

TONY NOTTLE – CHIEF EXECUTIVE OFFICER

### NOTICE OF ANNUAL GENERAL MEETING OF ELECTORS

In accordance with s.5.29 of the *Local Government Act 1995*, the City of Busselton hereby gives public notice of a General Meeting of Electors.

The meeting will be held on **Monday, 30 January 2023** in the Undalup Room, 2 Southern Drive, Busselton (access from Causeway Road, Busselton). The purpose of this meeting is to consider the City of Busselton 2021/2022 Annual Report and the 2021-2022 Annual Financial Statements and any other business.

The City of Busselton 2021-2022 Annual Report is available for viewing at the City's Administration Building, the Busselton and Dunsborough libraries and on the City's website at **www.busselton.wa.gov.au**

This meeting will be held at **5.30pm** and all members of the public are encouraged to attend.

For further information, please contact Emma Heys, Governance Coordinator.
Email: **emma.heys@busselton.wa.gov.au**
Phone: 08 9781 1766

TONY NOTTLE - CHIEF EXECUTIVE OFFICER



## Friendly Reminder

**The next rate instalment is due on 16 January 2023**

*Did you know you can receive your annual and instalment rate notices electronically via Bpayview or Email?*

**Payment methods available:**
In Person – Mail – Bpay – Telephone – Online

www.busselton.wa.gov.au/council/rates

City of Busselton Community Engagement Report

**Appendix D**












**Appendix E**






**Appendix F**


YOUR SAY
BUSSELTON
Busselton War Memorial
Busselton War Memorial
The Busselton War Memorial is located in Victoria Square, a park bound by Albert and Peel Terrace, Peel Tce and Causeway Rd.
Since 2016, the City has been working with the Busselton RSL to relocate or build a new memorial in Rotary Park.
At the November Ordinary Council meeting, concept designs for a new war memorial at Rotary Park were presented. Council determined that further community engagement on the designs is to take place. This page will serve as a base for all information related to the community engagement on the Busselton War Memorial.
The below survey will close at 5pm, 23 January 2023.
Survey
FAQs
When was the Cenotaph at the existing War Memorial built?
What work has been done to the Cenotaph since it was built?
What condition is the Cenotaph at the existing War Memorial currently in?
When was the Memorial Wall (niches) built?
Why is the City looking to create a new War Memorial at Rotary Park?
What is the history of Rotary Park?
Why was Rotary Park been chosen as the preferred location for a new War Memorial?
Why are the City working in collaboration with the Busselton RSL on this project?
War Memorial Concepts
War Memorial - Concept 1.pdf (3.44 MB) (pdf)
War Memorial - Concept 2.pdf (3.39 MB) (pdf)

**Appendix G**

## Busselton War Memorial

Your Say Busselton

### Busselton War Memorial

Please take a few minutes to provide your feedback on the Busselton War Memorial project.

Which of the concept designs for the new war memorial do you prefer - concept 1 or concept 2?

(Choose any one option)

- ☐ War Memorial - Concept 1 (memorial walk aligned to Causeway Rd, playground relocated)
- ☐ War Memorial - Concept 2 (memorial walk aligned to Rotary Park gates, playground remains in current location)
- ☐ None of the above

Answer this question only if you have chosen War Memorial - Concept 1 (memorial walk aligned to Causeway Rd, playground relocated) for Which of the concept designs for the new war memorial do you prefer - concept 1 or concept 2?

If you chose concept 1, what do you like about this design?

**Appendix G - Continued**

## Busselton War Memorial

Your Say Busselton

Answer this question only if you have chosen War Memorial - Concept 2 (memorial walk aligned to Rotary Park gates, playground remains in current location) for Which of the concept designs for the new war memorial do you prefer - concept 1 or concept 2?

If you chose concept 2, what do you like about this design?

Answer this question only if you have chosen War Memorial - Concept 1 (memorial walk aligned to Causeway Rd, playground relocated) for Which of the concept designs for the new war memorial do you prefer - concept 1 or concept 2?

If you chose concept 1, what do you feel needs improving in this design?

Answer this question only if you have chosen War Memorial - Concept 2 (memorial walk aligned to Rotary Park gates, playground remains in current location) for Which of the concept designs for the new war memorial do you prefer - concept 1 or concept 2?

If you chose concept 2, what do you feel needs improving in this design?

Answer this question only if you have chosen None of the above for Which of the concept designs for the new war memorial do you prefer - concept 1 or concept 2?

If you chose 'none of the above', please explain why:

Would you like to provide any further feedback on this project?

Page 2 of 3

Our Ref: 11069-S-L-001

7th February 2023

Bruce Thomas
City of Busselton
2 Southern Drive
Busselton WA 6280

Dear Bruce

**RE: BUSSELTON WAR MEMORIAL CENOTAPH – ADVICE ON OBSERVED CRACKING**

Following your recent request, and our site meeting on Wednesday 1st February 2023, we have assessed the general stability of the structure considering the crack observed.

Considering the age of the structure, it is in very good condition. As far as could be determined, the structure is still vertically true and no cracks where noted around the base which could indicate possible footing concerns. The crack noted, as seen in photo 3, is approximately mid height and doesn't appear to be new. However, it is our opinion that the crack is not structurally significant.

Since the structure has large local significance, it is our recommendation that regular inspections are carried out so any future changes are easily recorded and the impact of them easily assessed. We suggest that these inspections are conducted annually in the short term, with the frequency reduced if no change is observed. The inspections undertaken would record the width of the crack at various locations, with subsequent inspections recording the crack width at the same location.

For us to visit site, including the first time to establish a benchmark, our fee will be $355 plus GST per visit, and is valid for the next 5years. This will include recording the crack widths at various locations and comparing them with previous readings. Any variations will be assessed, and the City of Busselton advised, if appropriate, to discuss any course of action that may be required.

It should be noted that we will not adhere any gauges to the structure, nor place any markings on the surface. The locations of the crack measurements will be in easily replicated locations.

Should you have any questions, please do not hesitate to contact me.

Yours faithfully

Rob Jarman

Rob Jarman

Principal Structural Engineer

For and on behalf of WML Consultants Pty Ltd



WML Consultants Pty Ltd
ABN 36 092 471 531
PO Box 2023 Bunbury WA 6231
First Floor, 62 Wittenoom Street Bunbury WA 6230
(08) 9722 3544 wml@wml.com.au
wml.com.au



*Photograph 1 – General View of Memorial*




*Photograph 2 – Location of Crack*



***Photograph 3 – Close up of Crack***


VASSE RIVER
EXISTING RIVERSIDE VEGETATION
EXISTING REVEGETATION AREA
RIVERSIDE WALKWAY
ROTARY PARK
GRASS AREA on reticulation
EXISTING TREES
Feature Garden
WETLAND
(wetland to be fenced for security purposes)
EXISTING REVEGETATION AREA
EXISTING PLAYGROUND
Honour Walls
granite boulder sentinels
CENOTAPH
seat
podium with universal access
NEW PEPPERMINT TREES
AVENUE OF FEATURE TREES
Flagpoles
EXISTING TOILETS
boom gate
EXISTING NATIVE TREES
CAUSEWAY ROAD
MEMORIAL WALK
Feature planting in mulched garden beds
3m wide exposed aggregate concrete paving
Memorial plaque kerbs in garden beds
Park seats
Bollards
EXISTING CARPARK
2m exposed aggregate concrete path
GRASS AREA on reticulation
Granite boulder sentinels
CITY OF BUSSELTON CIVIC AND ADMINISTRATION BUILDING
PEDESTRIAN CROSSING POINT
ROTARY PARK OF REMEMBRANCE Memorial Entry
PROPOSED WAR MEMORIAL CONCEPT DESIGN - ROTARY PARK, BUSSELTON
Plan View not to scale Date 30.11.22

## 14.2 EVALUATION REPORT - RFT 13/22 CLEANING SERVICES

| | |
|---|---|
| **STRATEGIC THEME** | LIFESTYLE - A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing |
| **STRATEGIC PRIORITY** | 2.12 Provide well maintained community assets through robust asset management practices. |
| **SUBJECT INDEX** | Tenders |
| **BUSINESS UNIT** | Facilities Services |
| **REPORTING OFFICER** | Facilities Maintenance Coordinator - John Farrier |
| **AUTHORISING OFFICER** | Director, Engineering and Works Services - Oliver Darby |
| **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 |

**OFFICER RECOMMENDATION**

**That the Council endorses the outcome of the evaluation panel's assessment of RFT 13/22 Cleaning Services and accept the tender from Uniting Global Pty Ltd (tendered price of $2,505,074 exclusive GST) in respect of SP1 internal cleaning services and SP4 external cleaning services of City owned buildings as the most advantageous tender.**

**EXECUTIVE SUMMARY**

The City issued RFT 13/22 cleaning services of City owned buildings for the City's ongoing internal and external cleaning requirements. This report recommends that Council endorse the outcome of the evaluation panel's assessment, and accept the tender from Uniting Global Pty Ltd for the two separable portions of the contract.

**BACKGROUND**

The City's budget includes provision for the scheduled cleaning services of all City-owned buildings. The City invited suitably qualified and experienced contractors to make submissions to enter into a Contract for the provision of these services separated into the following separable portions:

1. SP1 **Internal** Cleaning of City owned buildings;
2. SP4 **External** Cleaning of City owned buildings

The tender documentation outlined the service expectations, specifications and standards associated with providing cleaning services to City owned facilities. A requirement was also included for the Contractor(s) to maintain a photographic log of facility conditions pre and post cleaning including photos. These records are to be maintained by the Preferred Tenderer for a minimum period of ninety days from date of works and made available to the City at their request within this period.

**OFFICER COMMENT**

On 2 December 2022 a request for tender was invited via VendorPanel and advertised in the West Australian newspapers.

Tenders closed on 12 January 2023 and the City received a total of three submissions across the two separable portions as follows:

| | Tenderer | Location | SP1 | SP4 |
|---|---|---|---|---|
| 1. | **UNITING GLOBAL PTY LTD (Uniting Global)** | Busselton, WA | ✓ | ✓ |
| 2. | **Ocleamo Property Services** | Busselton, WA | ✓ | ✓ |
| 3. | **Host Direct** | Vasse, WA | ✓ | ✓ |

**Assessment process**

In accordance with the City's procurement practices and procedures, assessments were carried out by an evaluation panel comprising City officers 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; and

b. Assessing submissions received against the Qualitative Criteria weighted as detailed below.

| Criteria | | Weighting |
|---|---|---|
| (a) | Relevant Experience | 25% |
| (b) | Local Content | 5% |
| (c) | Respondent's Resources | 10% |
| (d) | Demonstrated Understanding | 20% |

Host Corporation's submission was not assess as they failed to provide a response in relation to the tender's qualitative criteria and did not provide a completed price schedule. Host are a cleaning consumables provider and do not provide the cleaning services required by this tender.

**Summary of Assessment Outcomes**

The tender evaluation for SP1 and SP4 resulted in Uniting Global Pty Ltd (**Uniting Global**) being ranked first in relation to the qualitative criteria and first in relation to price for each separable portion of the Requirements. Uniting Global's tender for the two separable portions of the contract are considered to be the most advantageous to the City. The Evaluation Panel recommends that Uniting Global be appointed for each separable portion.

**Statutory Environment**

Section 3.57 of the *Local Government* Act *1995* (the Act) requires a local government 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 contracts where the estimated cost of providing the required goods and/or service exceeds $250,000; 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 recommendation complies with the above-mentioned legislative requirements. The estimated expenditure is in excess of $500,000 which is above the Chief Executive Officer's delegated authority.

**Relevant Plans and Policies**

The City's Purchasing policy, Regional Price Preference, occupational health and safety and asset management policy and were all relevant to the Tender, and have been adhered to in the process of requesting and evaluating tenders.

**Financial Implications**

The estimated total value over the full contract term including the optional three, twelve month contract extensions at the time of going to market was $2,500,000 excluding GST. The recommendation is for a total contract price of $2,505,074 (including adjustments for CPI at 2.5%).

The contract price on a per annum basis is 17% higher than the projected 23/24 budget based on the LTFP. Minor increases to the budget will be required to accommodate this, noting that the contract price was broadly in line with our expectations.

**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:

1. Determine to award the Tender either in full or in separable portions to an alternative tenderer. In the view of the Officers this could result in the Tender being awarded to a Tenderer that is not most advantageous to the City.

2. To not award the Tender. This would mean going back out to tender, resulting in significant delays to the contract award and the provision of cleaning services to City owned facilities.

**CONCLUSION**

The submission from Uniting Global is considered the most advantageous to the City. It is recommended that Uniting Global be awarded the contract for ongoing cleaning services to the City resulting from RFT13/22.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

If endorsed by Council, and subject to any minor variations, it is expected the City will enter into a contract with the Preferred Tenderer by the end of March 2023.

## 15. COMMUNITY AND COMMERCIAL SERVICES REPORT

Nil

## 16. FINANCE AND CORPORATE SERVICES REPORT

### 16.1 CONSIDERATION OF THE CONDUCT OF LOCAL GOVERNMENT ELECTION: 21 OCTOBER 2023

| | |
|---|---|
| **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** | Local Government Elections |
| **BUSINESS UNIT** | Governance Services |
| **REPORTING OFFICER** | Governance Coordinator - Emma Heys |
| **AUTHORISING OFFICER** | Chief Executive Officer - Tony Nottle |
| **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** | Attachment A WAEC Cost Estimate |

**OFFICER RECOMMENDATION**

**That the Council:**

1. **declares, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary election together with any other elections or polls which may be required; and**

2. **decides, in accordance with section 4.61(2) of the *Local Government Act 1995*, that the method for conducting the 2023 ordinary election will be by postal election.**

**EXECUTIVE SUMMARY**

The 2023 Local Government elections are due to be held on 21 October. In accordance with Part 4 of the *Local Government Act 1995* (the Act), Council may declare the Electoral Commissioner as responsible to conduct a postal election on behalf of the local government.

**BACKGROUND**

Local government elections occur on the third Saturday in October every two years. Elected Members each serve a term of four years.

The Act requires a local government to decide whether to conduct a postal or in-person election. Where a local government choose to hold a postal election, the election is to be run by the WAEC. The City of Busselton has chosen this method for the previous 4 elections.

In accordance with section 4.20(4) of the Act, the Council may declare the Electoral Commissioner as responsible to conduct an election on behalf of the local government.

On 23 February 2023 Department of Local Government, Sport and Cultural Industries released the first tranche of legislation to amend the *Local Government Act 1995* (the Act) which relevantly include:

- introduction of optional preferential voting for all council elections;
- requiring Band 1 and Band 2 councils to hold a public vote for the Mayor or President;
- abolishing wards for smaller local governments (Band 3 and 4 Councils); and
- councillor numbers based on population.

**OFFICER COMMENT**

As in previous election years, the City has received written advice from the WAEC regarding the method by which the 2023 local government election may be conducted. In accordance with section 4.20(4) of the Act, the Commissioner has agreed to be responsible for the conduct of the 2023 election, as a postal ballot, at the estimated cost of $180,000 based on the following assumptions:

- 31,850 electors;
- response rate of 38%;
- 5 (five) vacancies;
- count to be conducted at the offices of the City of Busselton;
- the appointment of a local Returning Officer; and
- regular Australia Post delivery service to apply for the lodgment of the elections packages.

An additional amount of $6850 will be incurred if Council opts for the Australia Post Priority service for the lodgement of election packages.

Expenses that are excluded from the cost estimate includes:

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns;
- the cost of casual staff to assist the Returning Officer on election day and night;
- any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

The WAEC have included in the cost estimate, to the best of their knowledge, costs that will arise from the changes being introduced to the Act, including the running of a mayoral election, which the City is now required to conduct in line with the legislative amendments.

The WAEC has acknowledged an increase in costs on previous years to conduct the election and has attributed this to inflation affecting salaries for Returning Officers and improved processing procedures and additional resources to supplement the Commission education, complaints management, investigation and legal efforts.

Engaging the WAEC to conduct the local government election allows for the Chief Executive Officer and staff to remain independent of the electoral process with the WAEC able to ensure elections are conducted with impartiality. Given the introduction of optional preferential voting for the 2023 elections, it is considered that the WAEC will be best placed experience wise also.

**Statutory Environment**

Part 4 of the *Local Government Act 1995* provides for the conduct of local government elections.

The *Local Government (Elections) Regulations 1997* and the *Local Government (Constitution) Regulations 1998* provide for the conduct of local government elections.

The *Local Government Amendment Bill 2023* provides for the mandatory public election of the mayor; and the introduction of optional preferential voting for all local government elections.

**Relevant Plans and Policies**

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

**Financial Implications**

The WAEC conduct postal elections on behalf of local governments on a full cost recovery basis. The cost estimate from the WAEC of $180,000 (inclusive of GST), excludes any advertising or staff resourcing costs.

In 2021, the WAEC estimated the cost of an election to the City to be $128,000, however the actual cost was $133,668.47, an increase of approximately 4%. In addition, expenses were incurred by the City for local advertising and for the cost of City staff required to assist with the vote count on the evening of the election.

If the Council were to choose to conduct the local government election in-house, the financial implications to be considered include the cost of:

- the production and printing of all election materials;
- advertising of both statutory requirements and local promotional material; and
- resourcing of a Returning Officer and a minimum of three staff members to man the polling booths for 10 hours on polling day and additional staff to assist in the vote count at the closing of the poll.

Based on research and advice given in previous election years, it is reasonable to conclude that the costs for the City to conduct an in-person election would be at least equal to the cost to engage the WAEC to conduct a postal election.

Adequate funding will be provided for in the draft 2023-2024 budget.

**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 may choose to instead conduct an in-person election.

**CONCLUSION**

Of the options currently available to Council for the running of a local government election, a postal ballot conducted by the WAEC is considered the best method by which to hold the 2023 ordinary election.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

In accordance with the Act, the City will notify the WAEC of Council's choice of how the election will be conducted at least 80 days prior to polling day.

LGE 028

Mr Tony Nottle
Chief Executive Officer
City of Busselton
Locked Bag 1
BUSSELTON WA 6280

Dear Mr Nottle

**Local Government Ordinary Election: 2023**

The next local government ordinary elections are being held on 21 October 2023. While this is still some distance in the future, I have enclosed an estimate for your next ordinary election to assist in your 2023/2024 budget preparations.

The estimated cost for the 2023 election if conducted as a postal ballot is $180,000 inc GST, which has been based on the following assumptions:

- 31,850 electors
- response rate of approximately 38%
- 5 vacancies
- count to be conducted at the offices of the City of Busselton
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply for the lodgement of the election packages.

An additional amount of $6,850 will be incurred if your Council decides to opt for the Australia Post Priority Service for the lodgement of election packages.

The Commission is required by the *Local Government Act* to conduct local government elections on a full cost recovery basis and you should note that this is an estimate only and may vary depending on a range of factors.

Costs not incorporated in this estimate include:

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission incurred as part of an invalidity complaint lodged with the Court of Disputed Returns
- the cost of any casual staff to assist the Returning Officer on election day or night
- any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

As you are aware, the Government is currently considering reforms to the *Local Government Act* 1995, which include how elections are to be conducted. In order to assist with your local government's budget planning, we have included, to the best of our knowledge, costs that will arise from the changes proposed in legislation. For example, if under the amendments your local government will be required to conduct a mayoral/presidential election this has been included.

Some local governments may also note an increase in costs from their 2021 ordinary costs. These include increases arising from inflation in recent years affecting salaries for Returning Officers and other staff, printing and packaging costs as well as the increase in postage announced by Australia Post. Additional costs from the Commission have been included arising from improved processing procedures and additional resources to supplement the Commission's education, complaints management, investigation and legal efforts.

In order for the Commission to be responsible for the conduct of your election, the first step required by the *Local Government Act 1995* is my written agreement to undertake the election.

As such, you may take this letter as my agreement to be responsible for the conduct of the ordinary elections in 2023 for the City of Busselton in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required.
My agreement is subject to the proviso that the City of Busselton also wishes to have the election undertaken by the Western Australian Electoral Commission as a postal election.

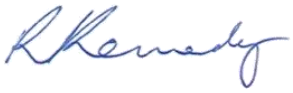
In order to achieve this, your council would need to pass the following two motions by absolute majority:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls which may be required
- Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

It would be greatly appreciated if this item was considered at your March council meeting, to enable the Commission to have sufficient time to work with you to effectively conduct the election.

I look forward to conducting this election for the City of Busselton in anticipation of an affirmative vote by Council. If you have any further queries please contact Shani Wood Director, Election Operations on 9214 0400.

Yours sincerely



Robert Kennedy
**ELECTORAL COMMISSIONER**

9 February 2023

## 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. |
| **SUBJECT INDEX** | Councillors' Information Bulletin |
| **BUSINESS UNIT** | Executive Services |
| **REPORTING OFFICER** | Reporting Officers - Various |
| **AUTHORISING OFFICER** | Chief Executive Officer - Tony Nottle |
| **NATURE OF DECISION** | Noting: The item is simply for information purposes and noting |
| **VOTING REQUIREMENT** | Simple Majority |
| **ATTACHMENTS** | Attachment A Current Active Tenders March 2023<br>Attachment B Current Running SAT Reviews March 2023<br>Attachment C CAP Program 2022/23 Round 3<br>Attachment D Hon David Templeman MLA: Made in WA funding program<br>Attachment E Hon Nola Marino MP: Trove Funding<br>Attachment F Hon Don Punch MLA : BMRA Terminal Funding<br>Attachment G Hon Don Punch MLA : Acknowledgement letter<br>Attachment H Shane Love MLA: Changes to the Shadow Ministry |

**OFFICER RECOMMENDATION**

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

**17.1.1 Minor Donations Program – December 2022 & January 2023**

**17.1.2 Current Active Tenders**

**17.1.3 State Administrative Tribunal Reviews Update**

**17.1.4 Community Assistance Program Panel Assessment 22-23 Round 3**

**17.1.5 Correspondence: Hon David Templeman MLA**

**17.1.6 Corrospondence: Hon Nola Marino MP**

**17.1.7 Corrospondence: Hon Don Punch MLA**

**17.1.8 Corrospondence: Shane Love, Leader of the Opposition, Leader of the Nationals WA**

**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 Minor Donations Program – December 2022 & January 2023

The Council allocates an annual budget allowance to the Minor Donations Program. This is provided such that eligible groups and individuals can apply for and receive sponsorship to assist them in the pursuit of endeavors that bring direct benefit to the broader community. Allocation of funds is delegated to the Chief Executive Officer, in accordance with the published guidelines and funding availability.

4 applications were approved throughout December 2022 and January 2023, totalling $2,500.00, as outlined below:

| Recipient | Purpose | Amount |
|---|---|---|
| Melissa Creagh | Melissa was selected by Floorball Australia to compete in the Australian Women's National Team at the World Qualifiers held in Thailand in February 2023. This donation will assist with covering the cost of travel related expenses. | $500 |
| Yallingup Boardriders | Yallingup Boardriders Club claimed victory at the Australian Boardriders Battle held in Scarborough and booked their place to compete I the grand final being held in Newcastle NSW in February 2023. This donation will assist the competing surfers and team manager with travel related expenses. | $1,000 |
| Lee Hamlyn - Busselton Art Society | The Busselton Art Society host their annual 'Art in the Park' event in Mitchell Park during the week leading up to Australia Day. This donation was approved as a contribution towards the Mayor's Award, advertising and a children's art activity. | $500 |
| Suzi Strapp - FAWNA | Due to recent burglary and an increased amount of wildlife admissions, funding was requested by FAWNA Inc. for assistance to purchase wildlife enclosures. This donation was approved in recognition of the important role FAWNA plays in assisting our local wildlife. | $500 |
| | **Total** | **$2,500** |

Donations paid as of January 2023 total $23,802.47. Total Budget Remaining $6,197.53.

### 17.1.2 Current Active Tenders

The tender update for March 2023 is provided at Attachment A.

### 17.1.3 State Administrative Tribunal Reviews Update

The current State Administrative Tribunal Reviews is at Attachment B.

### 17.1.4 Community Assistance Program Panel Assessment 22-23 Round 3

Information relating to Round 3 of the Community Assistance Program 2022/23 is at Attachment C.

### 17.1.5 Correspondence: Hon David Templeman MLA

Correspondence from Hon David Templeman MLA regarding the Made in WA funding program is provided at Attachment D.

### 17.1.6 Correspondence: Hon Nola Marino MP

Correspondence from Hon Nola Marino MP regarding Risk of Trove Funding Withdrawal is provided at Attachment E.

### 17.1.7 Correspondence: Hon Don Punch MLA

Correspondence from Hon Don Punch MLA regarding Busselton Margaret River Airport – Terminal Funding is provided at Attachment F.

Also, an acknowledgement letter from Hon Don Punch MLA is provided at Attachment G.

### 17.1.8 Correspondence: Shane Love - Leader of the Opposition, Leader of The Nationals WA

Correspondence from Shane Love – Leader of the Opposition, Leader of the Nationals WA regarding changes to the Shadow Ministry is provided at Attachment H.

As at 23 February 2023

| TENDER | BACKGROUND | CURRENT STATUS |
|---|---|---|
| **RFT 13/22 CLEANING SERVICES – CITY BUILDINGS**<br>• Requirements – a suitable contractor to provide regular cleaning services to City-owned buildings and external facades. | • A request for tender was advertised on 3 December 2022. | • This tender closed on 12 January 2023, three submissions were received.<br>• A report to Council for a decision on the tender will be presented at the March 2023 Council meeting. |
| **RFT 14/22 REUSE SHOP**<br>• Requirements – a suitable contractor to design and install a reuse and recycling shed and amenities at Busselton Waste Transfer Station. | • A request for tender was advertised on 17 December 2022. | • This tender closed on 24 January 2023, three submissions were received.<br>• This tender will fall within the CEO's delegated authority to accept tenders. |
| **RFT 01/23 COASTAL INUNDATION MODELLING**<br>• Requirements – a suitable consultant to conduct coastal inundation surveys of coastal areas from Dunsborough to Wonnerup. | • A request for tender is intended to be advertised early 2023. | • It is expected that this tender will fall within the CEO's delegated authority to accept tenders. |
| **RFT 02/23 HILTON HOTEL CARPARK**<br>• Requirements – a suitable contractor to install a carpark at the Hilton Garden Hotel. | • A request for tender was advertised on 14 January 2023 | • This tender closed on 9 February 2023, four submissions were received.<br>• It is expected that this tender will fall within the CEO's delegated authority to accept tenders. |

| TENDER | BACKGROUND | CURRENT STATUS |
|---|---|---|
| **PQS 01/23 EXTRUDED KERBING**<br>• Requirements – a panel of pre-qualified suppliers to provide the City's ongoing requirements for extruded kerbing. | • A request for applications was advertised on 14 January 2023, closing on 2 February 2023. Two applications were received. | • The CEO holds delegated authority to appoint a panel of suppliers under delegation DA01-10. |
| **RFT03/23 ROAD SHOULDER WIDENING – JALBARRAGUP RD**<br>• Requirements – a suitable contractor to perform road shoulder widening and resealing works at SLK 0 to 10.67 Jalbarragup Road. | • A request for tender was advertised on 18 January 2023, and closed on 8 February 2023. Two submissions were received. | • It is expected that this tender will be presented to Council for its decision. |
| **PQS02/23 CONCRETE SERVICES**<br>• Requirements – a panel of pre-qualified suppliers to provide the City's ongoing requirements for concrete services. | • A request for applications was advertised on 11 February 2023, closing on 7 March 2023. | • The CEO holds delegated authority to appoint a panel of suppliers under delegation DA01-10. |
| **RFT04/23 CLEANING CONSUMABLES**<br>• Requirements – a suitable contractor to supply the City's requirements for cleaning consumables. | • A request for tender was advertised on 25 February 2023, closing on 23 March 2023. | • It is expected that this tender will fall within the CEO's delegated authority to accept tenders. |

***As at 23 February 2022***

| 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 |
|---|---|---|---|---|---|---|---|
| **CITY OF BUSSELTON** | | | | | | | |
| Amber Cloud Pty Ltd v City of Busselton (DR 231/2021) | Lot 101 Wilyabrup Road, Wilyabrup | November 2021 | Review of a decision to refuse or conditionally grant an application under a planning scheme<br><br>(Single House) | Briony McGinty/Joanna Wilson | • Directions hearing on the 12 November 2021 against the decision of the City to refuse a development application. The matter is listed for Mediation on 7 February 2022.<br>• Mediation on 7 February 2022 where it was resolved that:<br>- Additional information would be submitted to the City by 22 March;<br>- Mediation listed for 5 April 2022.<br>• Mediation on 5 April 2022 where it was resolved that:<br>- Applicant to provide amended application on or before 8 July 2022;<br>- Mediation scheduled 22 July 2022;<br>- Respondent (the City) to reconsider on or before 18 November 2022;<br>- Listed for directions hearing 25 November 2022.<br>• Mediation on 22 July 2022 where it was resolved that:<br>- Applicant to provide an updated suite of documents on or before 12 August 2022;<br>- By 16 September 2022 the respondent is to provide to the applicant respondent comments and any referral agency comments;<br>- Mediation is adjourned to 20 September 2022;<br>- Respondent to reconsider on or before 18 November2022; and<br>- Listed for directions hearing 25 November 2022.<br>• Mediation on 20 September 2022:<br>- Applicant to provide an updated suite of documents on or before 4 October;<br>- Mediation adjourned to 20 October 2022;<br>- Respondent to reconsider on or before 18 November 2022;<br>• Mediation listed for 20 October 2022 is vacated and relisted for 4 November 2022. The time to comply with the orders above to submit updated information is extended to 18 October 2022.<br>• Mediation listed for 4 November was vacated and the following orders affirmed:<br>- Respondent (the City) to reconsider on or before 18 November 2022;<br>- Listed for directions hearing 25 November 2022.<br>• Directions hearing on 25 November was vacated and the following orders affirmed:<br>- Respondent (the City) to reconsider on or before 23 December 2022;<br>- Listed for directions hearing on 9 December 2022.<br>• Directions hearing on 9 December 2022 was vacated and the | Directions Hearing on 17 March 2023. | |

| 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 |
|---|---|---|---|---|---|---|---|
| | | | | | following orders affirmed:<br>- Respondent (the City) to reconsider on or before 23 December 2022;<br>- Listed for directions hearing on 3 February 2023.<br>• Directions hearing on 3 February 2023 was vacated and relisted for directions hearing on 24 February 2023.<br>• Directions hearing on 24 February 2023 was vacated and relisted for directions hearing on 17 March 2023. | | |
| Silverlodge Pty Ltd v City of Busselton (CC 1054/2022) | 585 Caves Rd Marybrook | August 2022 | Review of a decision under the Caravan Parks and Camping Grounds Act 1995. | Ben Whitehill/Dion Spurgeon | • Directions hearing listed for 23 September 2022 against the City reducing the number of licenced sites.<br>• Directions hearing on 23 September 2022 was vacated and listed for a mediation on 18 October 2022.<br>• Mediation on 18 October 2022:<br>- Mediation adjourned to a further mediation on 17 November 2022.<br>• Mediation on 17 November 2022 was vacated. Mediation listed for 22 December 2022.<br>• Mediation on 22 December 2022:<br>- Listed for a directions hearing on 31 January 2023.<br>- Directions hearing on 31 January 2023 was vacated. Directions hearing on 3 March 2023 | Directions Hearing on 3 March 2023 | |
| Happ & Anor v City of Busselton (DR 159/2022) | 575 Commonage Road Quindalup | September 2022 | Review of a direction by the City to stop and not recommence a development and to restore land to its state prior to the development | Briony McGinty/Andrew Watts | • Directions hearing listed for 14 October 2022.<br>• Mediation listed for 1 November 2022 and further directions hearing on 4 November.<br>• Mediation on 1 November referred to further mediation on 13 December 2022. Directions Hearing listed for 4 November vacated.<br>• Direction hearing on 13 December 2022:<br>• Orders that a further directions hearing take place on 20 January 2023.<br><br>1.By 31 January 2023 the respondent must file with the Tribunal and give to the applicant:<br>(a) a statement of issues, facts and contentions it says arise in the proceeding; and<br>(b) an indexed and paginated bundle in chronological or other logical order of the documents it is required to file under s 24 of the State Administrative Tribunal Act 2004 (WA) namely:<br>(i) a statement of the reasons for the decision; and<br>(ii) documents and other material in its possession or under its control which are relevant to the Tribunal's review of the decision.<br>2. By 14 February 2023 the applicant must file with the Tribunal and give to the respondent its own statement of issues, facts and contentions setting out: | Directions Hearing on 3 March 2023 | |

| 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 |
|---|---|---|---|---|---|---|---|
| | | | | | (a) by reference to each paragraph number in the respondent's statement whether the applicant accepts or rejects the issue, fact or contention identified by the respondent;<br>and<br>(b) any other issues, facts and contentions it says are relevant to the decision under review.<br>3. The applicant must at the time it files and gives its statement of issues, facts and contentions file with the Tribunal and give to the respondent an indexed and paginated bundle in chronological or other logical order of the documents on which it proposes to rely in the<br>- proceeding not in the respondent's bundle.<br>- Directions hearing on 20 January 2023 was vacated and re-listed for 3 March 2023. | | |
| Happ & Anor v City of Busselton (DR 197/2022) | 575 Commonage Road Quindalup | November 2022 | Review of direction 214(2) by the City | Briony McGinty/Andrew Watts | • Planning (General) Directions hearing listed for 25 November 2022.<br>• Directions hearing on 25 November 2022 was vacated and listed for mediation on 13 December 2022.<br>• Direction hearing on 13 December 2022:<br>  • Orders that a further directions hearing take place on 20 January 2023.<br>• As per DR 159/2022 | Directions Hearing on 3 March 2023 | |
| **REGIONAL JOINT DEVELOPMENT ASSESSMENT PANEL** | | | | | | | |
| NIL | | | | | | | |
| | | | | | | | |
| NIL | | | | | | | |

# Community Assistance Program 2022/23

## Panel Assessment – ROUND 3

| | | | |
|---|---|---|---|
| | | **RUNNING BUDGET TOTAL (ex. GST)** | **$73,885.00** |
| **ORGANISATION** | **PROJECT TITLE** | **REQUESTED AMOUNT** | **RECOMMENDED FUNDING AMOUNT** |
| Geographe Community Landcare Nursery | Water supply and irrigation controller upgrade | 8,756.10 | 8,756.10 |
| Dunsborough Football Club | South West Football League 2023 Season temporary infrastructure | 47,068.00 | 47,068.00 |
| | **ROUND 3 TOTAL** | **55,824.10** | **55,824.10** |
| | OUTSTANDING PAYMENTS FROM ROUND 1 & 2 | 18,033.82 | 18,033.82 |
| | **CAPS REMAINING BUDGET** | | **$27.08** |

# Community Assistance Program 2022/23

## Panel Assessment – Round 3
## GEOGRAPHE COMMUNITY LANDCARE NURSERY

| | |
|---|---|
| Project Title: | Geographe Community Landcare Nursery |
| Project Description: | Water supply and irrigation controller upgrade |
| Type of Grant: | Revitalisation Grant |
| Total amount of Project: | $14,593.50 (ex. GST) |
| This CAPS (60%) funding request: | $8,756.10 (ex. GST) |
| Details of any other funding contributions: | Cash contribution from applicant $5,137.40<br>In-kind contribution from applicant $700.00 |
| Details of previous CoB funding received by group: | Dec 2018 - Community Bid - $3,000 Lunch Room weather protection<br>Dec 2018 - Community Bid - $17,600 Boundary snake proof fencing |
| Group/Organisation ready? | Yes |
| Project ready? | Yes |
| Assessment Criteria Rating | 19/25 |
| Officer Recommendation: | **AMOUNT recommended**: $8,756.10 (ex. GST)<br>**SUBJECT TO:**<br>• Water Corporation letter of consent;<br>• Water Corporation lease agreement;<br>• Acquittal of project;<br>• Acknowledgement of City of Busselton support;<br>• Photographs of project for publication. |
| 15 February 2023<br>(Mayor Grant Henley, Cr Paul Carter, Cr Mikayla Love, Adrian Fisher Recreation and CD Coordinator Jessica Watts CDO) | Recommended funding = $8,756.10 (ex. GST) |

# Community Assistance Program 2022/23

## Panel Assessment – Round 3
## DUNSBOROUGH FOOTBALL CLUB

| | |
|---|---|
| Project Title: | Dunsborough Football Club |
| Project Description: | South West Football League 2023 Season Temporary Infrastructure |
| Type of Grant: | Revitalisation Plus Grant |
| Total amount of Project: | $78,448 (ex. GST) |
| This CAPS (60%) funding request: | $47,068 (ex. GST) |
| Details of any other funding contributions: | Cash contribution from applicant $18,279<br>In-kind contribution from applicant $12,600 |
| Details of previous CoB funding received by group: | 2021/2022 Events Sponsorship Program - $40,000 |
| Group/Organisation ready? | Yes |
| Project ready? | Yes |
| Assessment Criteria Rating | 22/25 |
| Officer Recommendation: | **AMOUNT recommended**: $47,068 (ex. GST)<br>**SUBJECT TO:**<br>• Acquittal of project;<br>• Acknowledgement of City of Busselton support;<br>• Photographs of project for publication. |
| 15 February 2023<br>(Mayor Grant Henley, Cr Paul Carter, Cr Mikayla Love, Adrian Fisher Recreation and CD Coordinator Jessica Watts CDO) | Recommended funding = $47,068 (ex. GST) |

**Hon David Templeman MLA**
**Minister for Culture and the Arts; Sport and Recreation; International Education; Heritage**

Our Ref: 66-20930

Mr Tony Nottle
Chief Executive Officer
City of Busselton
Tiffany.Sweatman@busselton.wa.gov.au

Dear Mr Nottle Tony

Thank you for your letter dated 19 December 2022 regarding the Made in WA 2022 to 2023 funding program announcement.

Firstly, congratulations on your recent appointment as Chief Executive Officer at the City of Busselton and on the City's successful application to the Regional Arts and Culture Investment Program's (RACIP) Made in WA funding program.

The McGowan Government is committed to supporting the arts in regional Western Australia and allowing the sector and our communities to continue to flourish, create jobs and grow our economy. Our investment in RACIP, and programs like Made in WA, is essential to ensure Western Australians have ongoing access to arts and culture activities in regional WA.

It is also wonderful to see the level of support provided by the City of Busselton for the *Beyond the Vasse* project. The City's approach of connecting the community with untold Aboriginal stories is a key objective of Made in WA. It is always great to see support for the development and presentation of creative works made in regional Western Australia for regional audiences.

Please have your office send an invitation to the opening as soon as you have a date in mind.

Yours sincerely

HON DAVID TEMPLEMAN MLA
**MINISTER FOR CULTURE AND THE ARTS**

01 FEB 2023

Tony – I really look forward to attending the planned Production. Congratulations on your appointment as CEO.
Best wishes
David

10th Floor, Dumas House, 2 Havelock Street, West Perth Western Australia 6005
Telephone: +61 8 6552 5400 Email: Minister.Templeman@dpc.wa.gov.au
www.premier.wa.gov.au ABN: 61 313 082 730

Nola Marino MP
Federal Member for Forrest
Liberal Party of Australia

Mr Tony Nottle
Chief Executive Officer
City of Busselton

Dear Tony

RISK OF TROVE FUNDING WITHDRAWAL

On behalf of Nola thank you for taking the time to write regarding the financial situation of Trove.

The National Library of Australia, which operates Trove, is a unique and valued national collecting institution which protects and celebrates Australia's rich cultural heritage.

Having first established the National Library of Australia (NLA) in 1960, the Liberal Party has a proud tradition of supporting all our national collecting institution. Nola is concerned by reports that our institutions, including Trove, are facing unacceptable uncertainty under the Albanese Labor Government.

Under the Morrison Government, a series of record investments were delivered for Trove because we understood its importance to our cultural and civic landscape, as well as its economic contribution to sectors such as tourism, hospitality, and higher education.

Our investments included a funding boost of $5.7 million over two years to support and enhance the continuing operation of the NLA's Trove website, part of a wider $47 million funding package announced in December 2021 to help preserve and digitise collection material across the national collecting institutions.

Under the Morrison Government, we delivered the highest ever level of Commonwealth arts funding in Australian history, having in 2021-22 invested around one billion dollars.

It is deeply concerning that the Albanese Labor Government has to date refused to address the funding needs of the NLA, despite having an opportunity to do so as part of the budget it brought down in October 2022 and with the release of it's 'national cultural policy' on 30 January 2023.

Please be assured that the Opposition will continue to advocate strongly to the government on the need to properly resource our national collecting institutions.

I appreciate you taking the time to raise this matter and trust this information is useful.

Yours sincerely

R. Roney

**Robyn Roney**
**Electorate Officer**

**The Hon. Nola Marino MP | Federal Member for Forrest**
**Shadow Assistant Minister for Education**

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**Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing**

Our ref: 77-07324

Ms Libby Mettam MLA
Member for Vasse
PO Box 516
BUSSELTON WA 6280

Dear Ms Mettam

**Busselton Margaret River Airport – Terminal Funding**

Thank you for your letter dated 23 January 2023 regarding the terminal expansion at the Busselton Margaret River Airport.

It has been incredibly pleasing to see the Busselton to Melbourne Jetstar service perform so strongly since its first flight in April 2022.

The South West Development Commission and the City of Busselton continue to facilitate the improvements of the departure terminal. This includes the delivery of the recent additional $1.052 million allocation from the WA State Government into a new 250 bay carparking facility, upgraded terminal facilities and ground handling areas to improve passenger flow and capacity. I understand these works are due to be completed by the end of February 2023.

State Government funding towards the expansion of a new terminal will be subject to an updated business case submitted through future budgetary processes.

The South West Development Commission is commencing this work and will be working closely with the City of Busselton throughout this process.

If you have any questions regarding the process for future terminal funding, please contact Ashley Clements, Director Infrastructure and Lands, South West Development Commission, on 9792 2000 or by email Ashley.Clements@swdc.wa.gov.au.

Yours sincerely

**HON DON PUNCH MLA**
**MINISTER FOR REGIONAL DEVELOPMENT; DISABILITY SERVICES; FISHERIES; SENIORS AND AGEING**

14 February 2023

Level 7, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005
Telephone: 6552 6900 Email: minister.punch@dpc.wa.gov.au

**Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing**

Our ref: 77-07015

Cr Grant Henley
Mayor
City of Busselton
city@busselton.wa.gov.au

Dear Mayor Henley

Thank you for your letter received in my office on 19 December 2022 and apologies for the delay in the response.

I am grateful for you taking the time to contact me and your congratulations to my appointment as Minister for Regional Development. It is an honour to have the opportunity to take on the role of Minister for Regional Development and as the Member for Bunbury I am proud to be a part of the McGowan Labor Government's strong team of regional Ministers.

I look forward to continuing to engage with key businesses and stakeholders within the South West Region and being a part of delivering projects and shaping the future for our diverse community.

I wish to thank and acknowledge the value that the City of Busselton continues to play as part of this growing region.

Yours sincerely

**HON DON PUNCH MLA**
**MINISTER FOR REGIONAL DEVELOPMENT; DISABILITY SERVICES; FISHERIES; SENIORS AND AGEING**
22 FEB 2023

Level 7, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005
Telephone: 6552 6900 Email: minister.punch@dpc.wa.gov.au

City of Busselton
Application No | Receipt No
CRC ID
21 FEB 2023
Property ID | Doc ID
Retention
City of Busselton

**Shane Love MLA**
Leader of the Opposition | Leader of The Nationals WA

Our ref: 230216/DG

Cr Grant Henley
Mayor
City of Busselton Geographe Bay
Locked Bag 1
BUSSELTON WA 6280

*Via email: city@busselton.wa.gov.au*

Dear Grant

**CHANGES TO THE SHADOW MINISTRY**

I write to thank you for your letter of congratulations on my appointment as Leader of the Opposition and also to advise of the changes to the WA Shadow Ministry effective 7 February 2023 that are of relevance to the City.

I have retained the portfolios of Transport, Regional Development, Jobs & Trade and Climate Action, while Hon Martin Aldridge has retained the portfolios of Emergency Services and Road Safety. Peter Rundle MLA has been elected as Deputy Leader and retains the portfolios of Education, Training and Sport & Recreation.

Member for Northwest Central Merome Beard MLA has gained the portfolio of Local Government and has retained the portfolios of Commerce, Women's Interests and Tourism.

All the Shadow Ministers are committed to holding the McGowan Government to account during the 2023 Parliamentary year and we look forward to continuing our excellent relationship with the RAC as the Opposition Alliance.

Yours sincerely

**SHANE LOVE**
**LEADER OF THE OPPOSITION, LEADER OF THE NATIONALS WA**

Cc: Mr Peter Rundle MLA
Hon Martin Aldridge MLC
Ms Merome Beard MLA

*Encl. Shadow Ministry list effective 7 February 2023*

Parliament House, Perth WA 6000 **p.** (08) 9222 7351 **e.** shane.love@loop.wa.gov.au

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WESTERN AUSTRALIA

# National & Liberal Alliance
# Shadow Ministry
**As at 7 February 2023**

## THE NATIONALS WA

**SHANE LOVE MLA**
Leader of the Opposition;
Leader of The Nationals WA;
Regional Development; Transport; Jobs & Trade;
Climate Action; Finance; Federal-State Relations;
Public Sector Management; Government Accountability

**PETER RUNDLE MLA**
Deputy Leader of the Opposition;
Deputy Leader of The Nationals WA;
Education; Training; International Education;
Sport & Recreation; Racing & Gaming;
Manager of Opposition Business

**HON COLIN DE GRUSSA MLC**
Deputy Leader of the Opposition in the Legislative Council; Agriculture & Food; Fisheries; Ports;
Veterans Issues; Regional Communications;
Opposition Whip in the Legislative Council

**MEROME BEARD MLA**
Opposition Whip in the Legislative Assembly;
Local Government; Tourism;
Commerce; Women's Interests

**HON MARTIN ALDRIDGE MLC**
Emergency Services; Regional Health;
Road Safety; Volunteering; Regional Cities

**HON MIA DAVIES MLA**
Mines & Petroleum; Electoral Affairs;
Aboriginal Affairs

## LIBERAL PARTY

**LIBBY METTAM MLA**
Leader of the WA Liberal Party;
Health; Mental Health; Disability Services;
Prevention of Family & Domestic Violence;
Child Protection

**HON STEVE THOMAS MLC**
Deputy Leader of the WA Liberal Party;
Leader of the Opposition in the Legislative Council; Energy; Treasury; Industrial Relations

**HON TJORN SIBMA MLC**
Deputy Leader of the WA Liberal Party in the Legislative Council; Justice; Defence Industry;
Metronet; Citizenship & Multicultural Affairs

**HON DONNA FARAGHER MLC**
Community Services; Early Childhood Education; Youth; Seniors & Ageing

**HON PETER COLLIER MLC**
Police; Corrective Services; Culture & the Arts

**Dr DAVID HONEY MLA**
State Development; Water; Hydrogen; Small Business; Science; Innovation & ICT

**NEIL THOMSON MLC**
Planning; Environment; Lands; Heritage

**STEVE MARTIN MLC**
Housing; Forestry

Document Set ID: 5058552
Version: 1, Version Date: 21/02/2023

## 18. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 18.1 NOTICE OF MOTION - DUNSBOROUGH TOWN CENTRE LOCAL PLANNING POLICY

Councillor Kate Cox has given notice that at the meeting on 15 March 2023, she will move the following motion:

**That Council requests;**

1. **The CEO to prepare a new Local Planning Policy that acknowledges the existing character and establishes the future character of the Dunsborough Town Centre in accordance with the provisions of the Planning and Development Guidelines (Local Planning Scheme) Regulations 2015, (Deemed Provisions), Clause 4.**
2. **That the LPP be aligned with the Draft Precinct Structure Plan, in particular the objective and vision statements outlined for the Dunsborough Town Centre.**
3. **That the drafting of the new LPP be considered as a matter of high priority.**

**REASONS**

The principal objective of this motion is to establish the existing and future desired character of the Dunsborough Town Centre as identified by the boundary prescribed in the Draft Precinct Structure Plan. Amendments made to the Planning and Development Regulations in 2021 has meant that decision makers must consider the "desired future character" of a locality when exercising their judgement to determine a planning proposal. A Local Planning Policy would also provide an additional guide to landowners in determining a planning proposal.

Recently increasing pressure for higher density development in the Dunsborough Town Centre and significant community interest in this issue, has prompted the City to draft a Precinct Structure Plan. Throughout this process it has become evident that the "character" of the town centre is an important issue and one that requires further investigation and attention to ensure that future development aligns with the community-led desired future character of the Dunsborough Town Centre.

**OFFICER COMMENT**

The Council adopted Amendment 52 (A52) and a Draft Precinct Structure Plan (Draft PSP) for Dunsborough at its ordinary meeting of 21 December 2022. In adopting the Draft PSP for final consideration by the WAPC, the Council proposed Modification 16, which is as follows -

*a) Modify the PSP Part 1 section 4 'Staging' to include Urban Design Guidelines as a staged output, and identify the appropriate planning mechanism for implementation.*

*b) Modify the PSP Part 2 section 3.2.3 'Culture, Values and Identity' to include additional discussion on distinct identity, character, scale and sense of place.*

*c) Modify the PSP Part 2 section 6.6 'Built Form' (BF 6.1.1) as follows:*

*i. In the 'Issue/Opportunity' column, discuss the distinct identity, character, scale and sense of place.*

*ii. In the 'Design Consideration/Action' column, include a new action to engage an urban design specialist to develop urban design guidelines addressing matters not sufficiently outlined in Vol. 2 of the R-Codes, for example:*

- *Building materials*
- *Roof design*
- *Landscaping*

- *Colour palette*

*d) Modify the PSP Part 2 section 6.6 'Built Form' output plan to include Urban Design Guidelines and matters to be addressed.*

*e) Modify the remainder of the PSP document to be consistent with modifications 16 a) to c) above.*

Officers are confident that Modification 16 will be supported by the WAPC.

Given that the additional design guidance contemplated by Modification 16, to be given weight in decision-making, would need to be reflected in the planning framework and would likely be a level of detail not appropriate to include in the town planning scheme itself (i.e. through a further amendment to the scheme), it would therefore either need to be incorporated into the PSP itself, or reflected in local planning policy (LPP). Design guidance would have more weight if it was included in the PSP relative to being reflected in an LPP, although the process to prepare and adopt a PSP is somewhat more lengthy and complicated than the process to prepare and adopt a LPP.

Given the above, the Council, in adopting the Draft PSP for final approval has already indicated an intent to develop a LPP and/or modify the PSP to provide the additional guidance that appears to be envisaged by the NOM. As such, the Council does not need to make a further decision to do so.

The NOM does, however, propose that the work be prioritised and, whilst not made explicit, one assumes that reflects an intention that work commence prior to the WAPC and Minister for Planning making their final decisions on A52 and the PSP. The NOM also does not set out any expectation in terms of how the draft LPP might be developed – i.e. the process prior to the CEO presenting a draft LPP to the Council for consideration. In considering the NOM, the Council is asked to consider the matters outlined below, which relate to both the timing of the work, and the process associated with the work.

With respect to the timing of the work, it is considered by officers that, whilst some preparatory work could commence prior to the WAPC and Minister making their final decisions, it would not be sensible to undertake any formal steps prior to those final decisions being made. That is principally because, in the event of any conflict between an LPP and the town planning scheme, the town planning scheme will prevail. In the event of a conflict between an LPP and the PSP, it is also likely that the PSP would have more weight.

It is also considered unlikely that the Council could prepare and finally adopt an LPP prior to the WAPC and Minister making their final decisions; noting that final decisions are expected some stage during the middle or latter part of 2023. If the NOM is supported by the Council, and the work is prioritised, a first step would be to engage an urban design specialist to develop draft guidelines (which officers would incorporate into a draft LPP and/or amendment to the PSP) for the Council's consideration.

Even if that work could be made the highest priority of the City's Strategic Planning team, it is unlikely that the work could commence prior to June (given procurement timeframes and consultant availability). It would then be envisaged that there would be stakeholder engagement associated with the development of the draft guidelines, followed by preparation of a draft LPP for formal presentation to the Council.

Given that, it is considered unlikely that a draft LPP could be presented to the Council prior to September, even if the work was given the highest level of priority.

There would then need to be a period of formal stakeholder consultation and a further report presented to the Council for its further consideration; most likely in the first half of 2024 (i.e. after the time when it is expected that the WAPC and Minister will have made their final decisions, which could potentially cut across the LPP).

Also worth noting is the fact that some aspects of the R-Codes cannot be varied through an LPP and/or can only be varied with the approval of the WAPC. The WAPC would be highly unlikely to approve a LPP which related to the Dunsborough Town Centre prior to final decisions being made on A52 and the PSP.

It should also be noted that the City's Strategic Planning team already has a range of other important work underway or expected to commence soon, much of which relates to external applications or proposals, or is work which the WAPC has required the City to undertake. That work includes –

1. Development of a new town planning scheme (required by the WAPC);
2. A review of the planning framework for the Commonage (required by virtue of the fact that most existing structure plans will fall away in 2025 and, in the absence of the review, much of the planning guidance currently relied upon will simply disappear);
3. A review of the City's developer contribution arrangements (required to support the City's Strategic Community and Long Term Financial Plans);
4. The Dunsborough Community and Recreation Planning project, expected to be followed by a Dunsborough coastal nodes project (in both cases required to support decisions about future provision of facilities for the Dunsborough community);
5. A review of planning controls in the 'Special Character Areas' (Yallingup, Eagle Bay, Old Dunsborough. Quindalup and Adelaide Street – required in substantial part because of the issues created by the *Pennock* decision);
6. Assessment of plans/proposals for new urban growth areas at Lot 6 Commonage Road (Dunsborough), East Dunsborough, Vasse North and Abbey South (externally generated work, required to be undertaken in accordance with regulated timeframes);
7. Review of existing structure plans for the Vasse and Yalyalup growth areas (externally generated work, required to be undertaken in accordance with regulated timeframes);
8. Several, smaller scale and scope, landowner generated town planning scheme amendment and/or structure plan proposals (externally generated work, required to be undertaken in accordance with regulated timeframes);
9. Recommencement of the overall LPP review programme (required because many existing policies are quite dated);
10. Development of Busselton City Centre Precinct Structure Plan; and
11. Responding to the Public Environmental Review process associated with the Smiths Beach State Development Assessment Unit application will also require significant involvement from staff involved in strategic planning work.

Given the above, prioritisation of development of a LPP for the Dunsborough Town Centre at this time would be difficult and may result in work being undertaken that could be made redundant by later decisions of the WAPC and Minister. It should also be noted that earlier decisions of the Council to progress Amendment 50 to the City's town planning scheme was one of the factors that slowed progress on A52 and the PSP. It is envisaged, however, that work to develop design guidelines could commence later in 2023, including appointment of an urban design consultant and further stakeholder engagement.

## 19. URGENT BUSINESS

## 20. CONFIDENTIAL MATTERS

Nil

## 21. CLOSURE