Shire of Dandaragan

Local Planning Scheme No 7
Amendment 32
Resolved that the local government, in pursuance of Section 75 of the Planning and Development Act, 2005 amend the above Local Planning Scheme by:

1. Re-classifying Lot 11503 Herschell Road, Boothendarra (known as Reserve 39056) from Local Scheme Reserve for Public Purposes to Rural zone, as depicted on the Scheme Amendment map.

2. Listing Lot 11503 Herschell Road, Boothendarra in Schedule 3 – Restricted Uses with landuse and development controls to restrict habitable buildings.

The Amendment is standard under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

- the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and

- the amendment does not result in any significant environmental, social, economic or governance impacts in the scheme area.

Dated this…………….day of………………2017

………………………….………..

CHIEF EXECUTIVE OFFICER
# Proposal to Amend a Local Planning Scheme

## Local Government
SHIRE OF DANDARAGAN

## Description of Town Planning Scheme
SHIRE OF DANDARAGAN LOCAL PLANNING SCHEME NO. 7

## Type of Scheme
DISTRICT PLANNING SCHEME

## Serial No. of Amendment
32

## Proposal
1. Re-classify Lot 11503 Herschell Road, Boothendarra (known as Reserve 39056) from Local Scheme Reserve for Public Purposes to Rural zone, as depicted on the Scheme Amendment map.

2. List Lot 11503 Herschell Road, Boothendarra in Schedule 3 - Restricted Uses with landuse and development controls to restrict habitable buildings.

## Amendment Type
STANDARD

The Amendment is standard under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

- the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and

- the amendment does not result in any significant environmental, social, economic or governance impacts in the scheme area.

## Scheme Amendment Report

### 1.0 Introduction
Lot 11503 Herschell Road (known as Reserve 39056) has been identified as surplus to government requirements.

The purpose of this Scheme Amendment is to establish suitable zoning over Lot 11503 to ensure appropriate development and landuse controls are in place prior to the lot being offered for sale on the open market.

### 2.0 Site Description

#### 2.1 Legal Description
The legal description of the lot is listed overpage.
<table>
<thead>
<tr>
<th>Lot Number</th>
<th>Reserve Number</th>
<th>Certificate of Title Volume / Folio</th>
<th>Plan or Deposited Plan No</th>
<th>Area</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>11503</td>
<td>39056</td>
<td>LR3147/40</td>
<td>P215833</td>
<td>885.63ha</td>
<td>State of WA</td>
</tr>
</tbody>
</table>

There is a Management Order over the Reserve to the WA Agriculture Authority (now Department of Agriculture and Food WA) for an ‘agricultural research station’.

### 2.2 Location

Lot 11503 is located to the north east of the Badgingarra townsite. Badgingarra is a small town in the wheatbelt, about 205 kilometres north of Perth in the Shire of Dandaragan. It lies on the Brand Highway adjacent to the Badgingarra National Park within the Shire of Dandaragan.

The Shire covers an approximate area of 6,716 square kilometres and has its administrative office in the town of Jurien Bay. The Shire of Dandaragan comprises of four townships; Jurien Bay, Cervantes, Badgingarra and Dandaragan.

Badgingarra which is the closest town to Lot 11503 is renowned for its incredibly diverse bushland and wildflowers during spring. The Badgingarra National Park consisting of approximately 13,121 hectares has been set aside for the preservation of many species of wildflowers.

There is a two kilometre walking trail starting on the west side of the Brand Highway close to the Badgingarra Roadhouse.

![Location Plan: Badgingarra](image)

![Badgingarra National Park](image)
2.3 Physical Description

The subject land has an elevation of approximately 310m AHD. A central portion of the land has been cleared and the remainder contains natural vegetation. Informal access is via a gravel track through adjacent Reserve 27827 and it has road frontage to Herschell Road (unconstructed).
2.4 Historic Landuse

The lot has historically been utilised by the Department of Agriculture and Food WA for cropping.

2.4.1 Decontamination

Works have been performed to achieve re-classification of the lot from ‘Possibly Contaminated – Investigation Required’ to a more favourable classification.

Remedial works have been completed and the lot was re-classified to ‘decontaminated’ by the Department of Environment Regulation on the 22 November 2016 (DER Reference DMO 8095).

3.0 RELEVANT STATE PLANNING DOCUMENTS

3.1 Wheatbelt Regional Planning and Infrastructure Framework

The Shire of Dandaragan is one of 43 local governments in the Wheatbelt region, which loosely surrounds the border of the metropolitan region, north to Jurien Bay, east to Southern Cross, and south to Darkan.

The Wheatbelt is the State’s agricultural powerhouse, producing much of the State’s grain supply.
The Western Australian Planning Commission has a number of state planning policies relevant to this amendment as a Rural zone is proposed.

The WAPC and local governments must have ‘due regard’ to the provisions of state planning policies when preparing or amending local planning schemes and when making decisions on planning matters.

Both State Planning Policy 2.5 ‘Landuse Planning in Rural Areas’ and Development Control Policy DC 3.4 ‘Subdivision of Rural land’ provide valuable guidance when examining rural landuses and subdivision.

Bushfire Management has become a major consideration in the assessment of planning proposals at every level including scheme amendments.

**3.2.1 Planning for Bushfire Protection**

A package of bushfire planning reforms was released in 2015 and included the following documents:

- Planning and Development (Local Planning Schemes) Amendment Regulations 2015;
- State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7);
- Guidelines for Planning in Bushfire Prone Areas (the Guidelines);
- Planning Bulletin No 111/2015 Planning in Bushfire Prone Areas;
- Fact Sheets to assist in implementation of the reforms;
- Creation of bushfire prone mapping by order of the Fire and Emergency Services Commissioner.

The Guidelines were amended in February 2017 and revisions may occur from time to time.

There is online mapping which identifies all land in bushfire prone areas for the whole of Western Australia – available on www.dfes.wa.gov.au. The bushfire prone areas have been designated by the Fire and Emergency Services Commissioner.

Lot 11503 is identified as being ‘bushfire prone’ as shown on the map below, with the exception of the central cleared portion.

The ‘Guidelines for Planning In Bushfire Prone Areas’ outlines the need for all rezoning amendments in bushfire prone areas to be accompanied by a bushfire hazard level (BAL) assessment.

This amendment is supported by a Bushfire Management Plan compiled by Lush Fire & Planning. Bushfire planning requirements are further discussed in Section 5.4 of this amendment report.
4.0 RELEVANT DOCUMENTS - SHIRE OF DANDARAGAN

4.1 Shire of Dandaragan Local Planning Scheme No 7

Lot 11503 is currently classified as a Local Scheme Reserve for ‘Conservation’ under the Shire of Dandaragan Local Planning Scheme No. 7 (‘the Scheme’).

Part 2 of the Scheme is applicable to any development within a Local Scheme Reserve. Development cannot be carried out in a reserve without planning approval (unless otherwise exempted as a public work under Section 6 of the Planning and Development Act 2005).

The Scheme also has specific provisions applicable to the proposed Rural zone. The Scheme objective for the Rural zone is ‘to provide for a range of rural activities such as broadacre and diversified farming so as to retain the rural character and amenity of the locality, in such a way as to prevent land degradation and further loss of biodiversity.’

4.2 Shire of Dandaragan Strategic Community Plan (2016 - 2026) and Corporate Business Plan (2016-2020)

The Shire of Dandaragan has developed a concise and comprehensive Strategic Community Plan. The plan provides the overarching guidance and mandate for the Shire of Dandaragan’s activities, services and functions that are carried out to meet the needs and aspirations of ratepayers and the wider community.
The Community Plan outlines the priority strategic projects for the next ten years being:

- Ownership of Badgingarra Research Station and development of a viable regional waste facility.
- Representation on Council
- Planning and land availability for health precinct and further residential development
- Planning for the development of aged care facilities close to medical services
- Actively engage with Federal and State Governments on the Blackspot Program
- Provide and manage road and bridge networks for safe and efficient vehicle movement Lobby for improved mobile phone capacity of existing towers
- Advocate the viable use of aquifers in agricultural and horticultural areas
- Tourism and marketing with a focus on promotion and product development based on natural assets

It should be noted that the Badgingarra Research Station referred to in the Community Plan is located to the south west of Reserve 39056.

The Shire’s Corporate Business Plan is a medium-term planning document that sets out how the Council will contribute to the community’s vision over the next four years. The Corporate Plan that outlines key objectives and the core functions of the Shire, the outcomes anticipated and the contribution of the Council in ensuring objectives are achieved.

5.0 PROPOSED REZONING & JUSTIFICATION FOR THE AMENDMENT

This amendment report has been compiled following detailed planning analysis, having regard for normal planning considerations such as surrounding zoning, the Shires Strategic plans, relevant state planning policies and general planning considerations.

Preliminary consultation has been undertaken with the Shires Town Planner and Department of Planning.

Justification for the amendment is provided below.

5.1 Future landuse and development control

Lot 11503 is no longer required for use by Department of Agriculture and Food WA and has been identified as surplus to government requirements. The lot is earmarked for future disposal by the State of Western Australia.

LandCorp is undertaking the necessary steps and due diligence by seeking to re-zone Lot 11503 prior to future disposal. The lot will be sold as one vacant land parcel on the open market once all constraints have been removed.

The proposed Rural zone with restricted uses will ensure there are suitable landuse controls in place to guide any future development. It is not appropriate to retain the
existing local scheme reservation as the land will never be developed for
government purposes. The amendment also seeks to ensure that no habitable
buildings are constructed on the lot due to poor access, and bushfire management
considerations.

5.2 Surrounding and Proposed Zoning

The land is surrounded by rural zoned lots to the north, west, south and east. A
portion of the lot can continue to be utilised for agricultural purposes.

![Shire of Dandaragan Local Planning Scheme No 7 Zoning Map]

It is considered most logical to pursue a Rural zone through this scheme amendment
consistent with the established zoning in the immediate surrounds.

It is not considered that there is potential for the lot to be developed with any single
house in the future due to it’s location within a designated bushfire prone area, and
single road access.

Introduction of a Rural zone over Lot 11503 will simply be a minor extension of the
existing rural area, and restricted uses will ensure there is no new house entitlement
within the bushfire prone area.

5.3 Proximity to Services

The lot is located to the north east of Badgingarra townsite so has access to all the
services available in town, as well as nearby centres such as Cervantes and Moora.
Badgingarra is only a 200 kilometre drive to Perth.
5.4 Bushfire Management

A comprehensive Bushfire Management Plan (‘BMP’) has been prepared by RUIC Fire following inspection of Lot 11503 and the immediate surrounds – Attachment 1.

Assessment of the vegetation types across the site identified that the bulk of Lot 11503 has a moderate hazard rating associated with existing pasture areas. The existing (scrub) vegetation has an extreme hazard rating whilst shrubland areas have a moderate hazard rating.
Although the report identifies there is potential for a BAL-29 to be achieved, it identifies that the lot is not suitable for development of a single house due to constraints including a single narrow access, large areas of hazard vegetation on and adjoining the lot, and being located on a ridgeline where the rate and spread of bushfire will increase.

The Bushfire Management Plan recommends that alternative rural uses for the lot could be pursued without any dwelling entitlement.

Under this circumstance this amendment seeks to restrict the permissible uses for the lot and ensure that there is no potential for construction of habitable buildings. The amendment will not result in any landuse intensification.

A notification can be placed on the certificate of title prior to the land being offered for disposal to alert prospective purchasers of the limitations.

5.6 Planning Considerations

The amendment will have a range of planning benefits including:

- Making available underutilised land that is not required for government purposes;
- Potentially allowing for continued agricultural uses within the cleared area of the lot;
- Ensuring there are appropriate zoning and landuse controls to restrict future development;
- Implementing a proposed zoning that respects the established rural character of the locality.
The Dandaragan Shire Council under and by virtue of the power conferred upon it in that behalf by the Planning and Development Act, 2005, hereby amends the above local planning scheme by:

1. Re-classifying Lot 11503 Herschell Road, Boothendarra (known as Reserve 39056) from Local Scheme Reserve for Public Purposes to Rural zone, as depicted on the Scheme Amendment map.

2. Listing Lot 11503 Herschell Road, Boothendarra (known as Reserve 39056) in Schedule 3 – Restricted Uses with landuse and development controls as follows:

<table>
<thead>
<tr>
<th>No</th>
<th>Description of Land</th>
<th>Restricted Use</th>
<th>Conditions</th>
<th>Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>R2</td>
<td>Lot 11503 Herschell Road, Boothendarra (known as Reserve 39056)</td>
<td>The local government has discretion to consider the following landuses: Agriculture - Extensive - D Agriculture Intensive – D Agroforestry – D Animal husbandry Intensive - D Community Purpose - A Extractive Industry – A Rural Industry – A Rural Pursuit – D</td>
<td>(a) The following Scheme objectives specifically apply to the land: (i) The need to implement measures for maximum ongoing protection of existing remnant vegetation including foraging habitat for Camaby’s Black Cockatoos; (ii) To restrict any landuses including agricultural activities to areas that have already been historically cleared; (iii) Ensure that land uses, activities and land management practices are appropriately implemented to retain, protect and be sensitive to the important environmental characteristics and values of the lot and adjacent Boothendarra Nature Reserve; (iv) To provide for a limited range of land uses in a manner which will not adversely affect the landscape and</td>
<td></td>
</tr>
</tbody>
</table>
environmental qualities of the land. Land uses, activities and land management practices are to be consistent with natural resource conservation to protect important habitat, compatible with Parks and Wildlife Services ‘Camaby Cockatoo Recovery Plan’ 2013.

(b) The local government shall refer all planning applications to the Department of Biodiversity, Conservation and Attractions for recommendations and comments.

(c) In accordance with Clause 67 (za) of Part 9, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 the Shire shall have due regard for any recommendations and comments provided by the Department of Biodiversity, Conservation and Attractions.

(d) Any planning application shall address the Scheme objectives listed in this schedule to the satisfaction of the local government and the Department of Biodiversity, Conservation and Attractions.

(e) The local government shall require lodgement of a Management Plan that addresses measures to conserve and protect remnant vegetation within the lot. The Management Plan is to be developed in consultation with, and implemented to the satisfaction of the Department of Biodiversity, Conservation and Attractions.
(f) The local government shall require lodgement of the following information to ensure any planning application meets the Scheme objectives:

(i) Stocking rates, paddock areas (within existing cleared area), water supply, waste / manure management, and paddock rotations.

(g) Any planning application shall address the Scheme objectives listed in this schedule to the satisfaction of the local government and the Department of Biodiversity, Conservation and Attractions.

(h) In accordance with the Memorial/ Notification placed on the Certificate of Title there are specific conditions applicable to this lot.

(i) Native vegetation shall not be damaged, destroyed or removed unless:

(i) It is in accordance with relevant state legislation, acts, regulations and guidelines. Such legislation includes the Environmental Protection Act 1986, the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and other legislation as adopted from time to time; and

(ii) A clearing permit has been issued by the Department of Water and Environmental Regulation.

(j) Where development relies on access from an unconstructed dedicated road:

(i) the local government may grant approval to the application subject to a condition requiring the applicant to pay a
contribution towards the cost of constructing the road to a rural trafficable standard;

(ii) Any clearing for access is to be minimised;

(iii) the local government may require lodgement of a vegetation survey by a suitably qualified consultant that will be referred to the Department of Biodiversity, Conservation and Attractions;

(iv) the local government shall have due regard to recommendations by the Department of Biodiversity, Conservation and Attractions.

(v) Any road access is to be aligned to avoid impacts to remnant vegetation on Lot 11503 and the Boothendarra Nature Reserve.

(k) The following aerial map forms part of Schedule 3 to show the current extent of historic clearing on Lot 11503 (as requested by the Environmental Protection Authority):

The Amendment is standard under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

- the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and

- the amendment does not result in any significant environmental, social, economic or governance impacts in the scheme area.
ADOPTION

Adopted by resolution of the Shire of Dandaragan Council at the Ordinary Meeting held on the 28th day of September 2017.

................................................
PRESIDENT

................................................
CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

Adopted by Resolution of the Shire of Dandaragan Council at the Ordinary meeting held on the _____ day of ________________ 2018, and pursuant to that Resolution the Seal of the Municipality was hereunto affixed in the presence of:

................................................
PRESIDENT

................................................
CHIEF EXECUTIVE OFFICER

RECOMMENDED/SUBMITTED FOR FINAL APPROVAL

................................................
DELEGATED UNDER S.17 OF THE PLANNING AND DEVELOPMENT ACT 2005

Date...........................................

FINAL APPROVAL GRANTED

................................................
MINISTER FOR PLANNING

Date...........................................
ATTACHMENT 1

BUSHFIRE MANAGEMENT PLAN
Bushfire Management Plan
(Hazard Level Assessment)

Reserve 39056 Lot 11503 Boothendarra
Lot 11503 Boothendarra Road

Document Reference

Property Details

<table>
<thead>
<tr>
<th>Street No</th>
<th>Lot No’s</th>
<th>Plan</th>
<th>Street Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 11503</td>
<td>215833</td>
<td>215833</td>
<td>Boothendarra Road</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Locality</th>
<th>State</th>
<th>Postcode</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boothendarra</td>
<td>WA</td>
<td>6521</td>
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</table>

Local Government Area: Dandaragan

Description of the building or works: Freehold lot conversion

Report Details

<table>
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<th>Revision</th>
<th>Date</th>
<th>Job No</th>
</tr>
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<tr>
<td>A</td>
<td>14/04/2017</td>
<td>16-073</td>
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Accredited Practitioner Details

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<tr>
<th>Name</th>
<th>Bushfire Planning and Design (BPAD) Accreditation</th>
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<tr>
<td>G Lush</td>
<td>Level 2 Bushfire Planning Practitioner - Prescriptive</td>
<td>BPAD27682</td>
</tr>
</tbody>
</table>

Geoffrey Lush
28 March 2017
geoffrey@lushfire.com.au
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1.0 BACKGROUND

1.1 Introduction

This bushfire management plan is prepared to support the proposed rezoning of Lot 11505 Boothendarra Road Boothendarra. The subject land is located approximately 20 kilometres north east of Badgingarra townsite as shown in Figure 1.

The subject site has been identified for potential sale by the State Government under the Land Assets Sales Program; however, the current zoning and tenure of the subject site is not conducive to the development and use of the site by a private entity.

State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) requires that Amendments include a Bushfire Hazard Level assessment to determine the applicable hazard level(s) across the subject land. The Policy requires that development should only occur in areas which have, or will have, a moderate or low hazard rating.

The objectives of this report are to:

1) Demonstrate how the hazard level will be initially reduced and maintained for the life of the development. This will enable the decision-maker to ensure that appropriate bushfire risk management measures are in place to achieve and maintain a low or moderate hazard level.

2) Demonstrate that the Bushfire Protection Criteria in the Guidelines can be achieved now or in subsequent planning stages.

---

*Figure 1 Location Plan*
1.2 Existing Conditions

The subject land is Lot 11503 On Plan 215833. It is contained in reserve R39056 which is for the purpose of an Agricultural Research Station.

The existing conditions are shown in Figure 2 and the following photographs.

The property has an area of 889.8695 hectares being approximately 3.7km by 2.3km. It has an elevation of approximately 310m AHD with expansive views to the south west, south and south east directions.

The most notable feature of the property is the large hexagonal area in the centre of the site which has been cleared and is being used for cropping. This is approximately 250ha in size with a number of parallel windbreaks. This area is fenced with boundary access and external firebreaks. In the south-western corner of the hexagonal area is a fenced compound approximately 60m X 60m. This has a concrete ramp / loading area and there are several water tanks still remaining on site.

The balance of the property contains shrubland and scrub vegetation which appears to be in good condition. The windbreaks are comprised of both pine trees and planted eucalypts up to 20m in height.

The remnant vegetation on the balance of the site is contiguous with the adjoining R27872 which is the Boothendarra Nature Reserve.

Access to the site is through R27872 via a single lane gravel track. Herschell Road provides a legal road frontage to the land but it is unconstructed. District access to the site is from Watheroo Road which is a major sealed rural road and then via Dewars Road. Dewars Road is a significant rural road and while gravel it is formed and very wide. Boothendarra Road is a normal secondary gravel road being approximately 6m wide extending for approximately 1.8kms.

There are no services to the subject land.

The locality has a Mediterranean climate with cool wet winters and hot dry summers. It has an annual rainfall of 544mm (1). The mean maximum temperature is 34.7 °C with the highest recorded maximum temperature of 46.9 °C in January 1980.

Each year there are on average:
- 95 days with temperatures over 30 °C;
- 45 days with temperatures over 35 °C; and
- 10 day with temperatures over 40 °C.

In January, the wind speed and direction at:
- 9:00am is typically from the east and south east at 21kph; and
- 3:00pm is typically from the south and south west at 27kph.

---

1 Bureau of Meteorology – Badgingarra Research Station No 9037.
Figure 2
Existing Conditions
Lot 11503 Boothendarra Road

Photo 1
Boothendarra Road

Photo 2
Access through
Boothendarra Nature Reserve

Photo 3
Existing Infrastructure
Lot 11503 Boothendarra Road

**Photo 4**
Cropping Area within the site.

**Photo 5**
Scrub vegetation within the site.

**Photo 6**
Shrubland vegetation within the site.
1.3 Development Framework

The following documents generally apply to planning and development in bushfire prone areas:

- State Bushfire Prone Maps;
- State Planning Policy SPP3.4 Natural Hazards and Disasters;
- State Planning Policy SPP3.7 Planning in Bushfire Prone Areas;
- Australian Standard AS3959 Construction of Buildings in Bushfire Prone Areas;
- Planning and Development (Local Planning Schemes) Amendment Regulations 2015;
- Planning Bulletin 111/2016 Planning in Bushfire Prone Areas;
- Guidelines for Planning in Bushfire Prone Areas (2015); and
- Bushfire Protection Criteria (Appendix 4 of the Guidelines).

These are discussed further in the following sections as applicable to the proposal.

The portions of the subject land with remnant vegetation as described previously are shown on the Map of Bush Fire Prone Areas as being bushfire prone. Bushfire prone areas are comprised of (2):

- Bushfire prone vegetation; and
- A 100m wide bushfire prone buffer.

The designation of bushfire prone areas triggers:

- The application of Australian Standard AS3959 Construction of Buildings in Bushfire Prone Areas under the Building Code of Australia;
- The provisions of the Planning and Development (Local Planning Schemes) Amendment Regulations 2015; and
- The application of SPP3.7 Planning in Bushfire Prone Areas.

2.0 PROPOSED DEVELOPMENT

The proposed amendment is to rezone the subject from Public Purpose to Rural under the Shire of Dandaragan Town Planning Scheme No 7. This will enable the land to become a freehold lot and to be sold and developed for general farming.

The objective of the Rural zone as stated in Clause 3.2 of the Scheme is:

To provide for a range of rural activities such as broadacre and diversified farming so as to retain the rural character and amenity of the locality, in such a way as to prevent land degradation and further loss of biodiversity.

The development of a Single House is a ‘Permitted Use’ in the Scheme while Clause 4.9 requires approval of the development of land which abuts an unconstructed road reserve or which has no gazetted road access.

3.0 ASSESSMENT OF BUSHFIRE RISK

3.1 Vegetation Classification

The classification of the vegetation on and adjacent to the site is shown in Figure 3.

The classification is based upon AS3959 and also takes into account The Visual Guide for Bushfire Risk Assessment in Western Australia (WAPC 2016). The details of the vegetation plots are summarised in Table 1 below.

*Table 1 Vegetation Classification*

<table>
<thead>
<tr>
<th>Plot No</th>
<th>Classification</th>
<th>Height</th>
<th>Foliage Cover</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Grassland</td>
<td>0.5m</td>
<td>50%</td>
<td>Cropping area including windbreaks.</td>
</tr>
<tr>
<td>2</td>
<td>Scrub</td>
<td>2-4m</td>
<td>70%</td>
<td>Mixed vegetation predominant acacia</td>
</tr>
<tr>
<td>3</td>
<td>Shrubland</td>
<td>1-2m</td>
<td>80%</td>
<td>Heath type vegetation</td>
</tr>
<tr>
<td>4</td>
<td>Scrub</td>
<td>2-4m</td>
<td>60%</td>
<td>Mallee or Lucerne plantation</td>
</tr>
<tr>
<td>5</td>
<td>Grassland</td>
<td>0.5m</td>
<td>50%</td>
<td>Cropping area on adjacent property.</td>
</tr>
</tbody>
</table>

3.2 Bushfire Hazard Level Assessment

A Bushfire Hazard Level assessment provides a 'broadbrush' means of determining the potential intensity of a bushfire for a particular area.

The bush fire hazard primarily relates to the vegetation on the site, the type and extent (area) of vegetation and its characteristics. The methodology for determining the bushfire hazard level is contained in the Guidelines for Planning in Bushfire Prone Areas (Section 4.1 and Appendix 2). The classification of the vegetation also takes into account The Visual Guide for Bushfire Risk Assessment in Western Australia (WAPC 2016).

This classifies vegetation based on tree height and the percentage of canopy cover and the characteristics of the different hazard categories (3) are:-

- **Extreme Hazard**
  - Class A Forest
  - Class B Woodland (05)
  - Class D Scrub
  - Any classified vegetation with a greater than 10 degree slope

- **Moderate Hazard**
  - Class B Open Woodland (06), Low Woodland (07) Low Open Woodland (08) Open Shrubland (09) *
  - Class C Shrubland
  - Class E Mallee/Mulga
  - Class G Grassland including sown pasture and crops
  - Vegetation that has a low hazard level but is within 100 metres of vegetation of vegetation classified as a moderate or extreme hazard.

---

*3 WAPC (2015) Guidelines for Planning in Bushfire Prone Areas - Proposed modification to Appendix 2*
Lot 11503 Boothendarra Road

Low Hazard

- Low threat vegetation, may include the following: areas of maintained lawns, gold courses, public recreation reserves and parklands, vineyards, orchards; cultivated gardens, commercial nurseries, nature strips and windbreaks.

- Managed grassland in a minimal fuel condition meaning that there is insufficient fuel available to significantly increase the severity of the bushfire attack, for example short cropped grass to a nominal height of 100mm.

- Non vegetated areas including waterways; roads; footpaths; buildings or rock outcrops.

* As per AS3959 Table 2.3 Note 2 - Overstoreys of open woodland, low open woodland, tall open shrubland should be classified to the vegetation type on the basis of their understoreys; others to be classified on the basis of their overstoreys.

The bushfire hazard levels for the subject land are shown in Figure 4. The bulk of the land has a moderate hazard rating associated with the existing pasture areas. The existing bushland (scrub) vegetation has an extreme hazard rating while the shrubland areas have a moderate hazard rating.
FIGURE 3
VEGETATION PLOTS
LEGEND

SUBJECT LAND
150m BUFFER
HAZARD RATING
EXTREME
MODERATE
LOW

NOTES

1) BUSHFIRE HAZARD LEVEL PREPARED IN ACCORDANCE WITH APPENDIX 2 OF GUIDELINES.
2) LAND WITHIN 100m OF VEGETATION THAT HAS A MODERATE OR EXTREME HAZARD RATING IS AUTOMATICALLY ASSIGNED A MODERATE LEVEL.
3) DATE OF INSPECTION - 01/02/2017

FIGURE 4
BUSHFIRE HAZARD LEVELS

Ref No 16-073
3.3 BAL Contour Map

A BAL Contour Map is a plan of the subject lot/s illustrating the potential radiant heat impacts and associated indicative BAL ratings in reference to any classified vegetation remaining within 100 metres of the assessment area after the development is completed.

No BAL Contour Map has been prepared as there is no subdivision proposed.

Given the size of the property and in particular the extent of cleared pasture/cropping areas there is no impediment to locating a future dwelling such that it will have a maximum BAL-29 rating.

4.0 BUSHFIRE ISSUES AND ASSESSMENT

4.1 District Context

The relationship of the subject land to the surrounding district is shown in Figure 5.

The subject land is in an elevated position with large areas of remnant vegetation both within the subject land and on the adjoining properties. In particular, the site adjoins the Boothendarra Nature Reserve which is managed by the Department of Parks and Wildlife.

There is only a access to the property from a single direction. Secondary access is potentially available through the nature reserve, but there is no obligation for this to remain open. It also appears to be a 4WD access and unsuitable for conventional vehicles.

The access to the subject does not follow the Hershell Road reserve and if the proposal proceeds then it would be necessary to have some form of agreement with DPaW to recognise the current alignment of the access road. In addition, the access road is generally a single lane access with no passing bays or turn around areas.

In summary while the cleared portions of the site initially look suitable for a dwelling it is constrained by:

- Only having a single access which is also too narrow;
- Having large areas of hazard vegetation within and adjoining the site; and
- Being located on a ridge line where the rate of spread and intensity of a bushfire will increase.
4.2 SPP3.7 Planning in Bushfire Prone Areas

State Planning Policy 3.7 Planning in Bushfire Prone Areas provides the foundation for land use planning to address bushfire risk management in Western Australia. It contains objectives and policy measures, as well as reference to the bushfire protection criteria contained in the Guidelines.

The objectives of the policy are referenced below with an associated comment / response.

**Objective 1**  Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.

Response  It is expected that any dwelling would be located on the cleared cropping area of the site. This is approximately 250 hectares in size and any dwelling could be located more than 100m from any of the surrounding bushland.

However, the site is remote with only a single road access. It is also situated on a ridge with bushland having an extreme hazard rating below the site.

The construction of a residence compared to the current use of the property can be considered an intensification of the land use. There are also other discretionary uses in the Rural zone which might be considered for the site.

The single road access to the site means that this objective is unlikely to be met.

**Objective 2**  Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.

Response  The bushfire hazard/risk has been identified and assessed in accordance with the Guidelines, as relevant to this stage of the planning process.

**Objective 3**  Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.

Response  The bushfire protection criteria and requirements have been considered in this assessment.

**Objective 4**  Achieve an appropriate balance between bushfire risk management measures and, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.

Response  The potential bushfire risk management measures do not impact on the biodiversity conservation values of the subject land or the adjoining reserves.
4.3 Bushfire Protection Criteria

The Bushfire Protection Criteria are contained in Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas (2015).

The criteria contain a set of performance criteria and acceptable solutions that new subdivision and developments are required to meet in bush fire prone areas. The main components are:

- Element 1 Location;
- Element 2 Siting and Design of Development;
- Element 3 Vehicular Access; and
- Element 4 Water.

A summary of the compliance with the Bushfire Protection Criteria is documented in Table 2.

In relation to the probably development of a dwelling on the property this would not comply with Acceptable Solutions:

- A3.1 Two access routes; or
- A3.3 Cul-de-sac (including a dead end road).

No evidence is available to demonstrate how a performance based measure could be applied to meet the relative Performance Principles.
<table>
<thead>
<tr>
<th>No</th>
<th>ACCEPTABLE SOLUTION</th>
<th>COMPLIANCE</th>
<th>WHEN</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Element 1 Location</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| A1.1 | Development Location  
Must have a moderate hazard level and maximum BAL-29 rating | Yes | Development application | Approval for a dwelling will be required as a result of any Bushfire Attack Level (BAL) Assessment and also under Clause 4.9 of the Scheme and this can stipulate the maximum BAL-29 rating. |

| **Element 2 Siting and Design of Development** | | | | |
| A2.1 | Asset Protection Zone  
This functions as the low fuel zone required for the BAL-29 rating | Yes | Development Application | Any development approval can stipulate a greater APZ than required for a BAL-29 rating. |

| **Element 3 Vehicular Access** | | | | |
| A3.1 | Two Access Routes | No | Development Application | There is only a single access to the property. |
| A3.2 | Public Road | Yes | Development Application | As part of any approval it would be necessary to either construct Herschell Road or to dedicate the existing access track. Both of these would be done to the prescribed standard. |
| A3.3 | Cul-de-sac (including dead end road) | No | | The current access is approximately 4kms in length. |
| A3.4 | Battle-axe | N/A | | |
| A3.5 | Private Driveway | Yes | Development Application | Any development approval can require the driveway to meet the prescribed standard. |
| A3.6 | Emergency Access Way | N/A | | |
| A3.7 | Fire Service Access Route | N/A | | |
| A3.8 | Fire Break Width | Yes | | |

| **Element 4 Water** | | | | |
| A4.1 | Reticulated Areas | N/A | | |
| A4.2 | Non-Reticulated Areas | N/A | | |
| A4.3 | Individual Lot Non Reticulated | Yes | Development Application | Any development approval can require the provision of a 10,000L water tank supply to meet the prescribed standard. |
5.0 CONCLUSION

The subject land is located within a bushfire prone area where fires occur on a regular basis. These fires can pose a risk to life and property.

The subject land has moderate to extreme bushfire hazard level due to the extent of the existing bushland both on the property and adjoining it. Any proposed dwelling can be sited so as to ensure that there is a moderate hazard level reflected by having a maximum BAL-29 rating as it can be located in the cleared cropping area.

Clause 6.3 of SPP3.7 outlines the information which is to accompany any strategic planning proposal (Scheme amendment) as being:

a) (i) the results of a BHL assessment determining the applicable hazard level(s) across the subject land, in accordance with the methodology set out in the Guidelines. BHL assessments should be prepared by an accredited Bushfire Planning Practitioner; or
   (ii) where the lot layout of the proposal is known, a BAL Contour Map to determine the indicative acceptable BAL ratings across the subject site, in accordance with the Guidelines. The BAL Contour Map should be prepared by an accredited Bushfire Planning Practitioner; and

b) the identification of any bushfire hazard issues arising from the relevant assessment; and

c) clear demonstration that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent planning stages.

In relation to the Bushfire Protection Criteria, the proposal does not meet Acceptable Solutions A3.1 Two access routes; or A3.3 Cul-de-sac (including a dead end road). Even in the event that Boothendarra Road was constructed to the east of the site, Hercshell Road would still not meet the required provisions.

In consideration of this and having regard to the context of the site and bushfire hazard levels for the surrounding land, it cannot be stated that the proposal would avoid any increase in the threat of bushfire to people, property and infrastructure. As such it does not comply with the objectives of SPP3.7 Planning in Bushfire Prone Areas.

Irrespective of how low the likelihood of a bushfire occurring at the site, without suitable access and egress to the site the potential consequences arising from a bushfire are significantly increased.

The primary concern is the establishment of a dwelling on the property. The alternatives for the management of the land would be:

a) Incorporating it into the adjacent Boothendarra Nature Reserve R27872;

b) Incorporating all or parts of the site into the other adjoining freehold properties; or

c) Rezoning the land to prevent the development of a dwelling such that the land can only be used for rural purposes.
6.0 REFERENCES


DFES (2011) Firebreak Location, Construction and Maintenance Guidelines

Department of Planning (2016) Visual Guide for Bushfire Risk Assessment in Western Australia

DFES (2012) Prepare Act Survive Perth DFES


Leading Emergency Services (2011) Major Incident Review, Lake Clifton, Roleystone and Red Hills Fires


Sydney. Standards Australia International Ltd.


Sydney. Standards Australia International Ltd.


WAPC (2015) State Planning Policy 3.7 Planning in Bushfire prone Areas

WAPC (2015) Guidelines for Planning in Bushfire Prone Areas