



# AGENDA

Council Meeting to be held  
On Thursday 24 March 2011



# *Shire of Nannup*

## NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Council Member,

The next Ordinary Meeting of the Shire of Nannup Council will be held on Thursday 24 March 2011 in the Council Chambers, Nannup commencing at 4.15 pm.

Schedule for 24 March 2011:

- 1.00pm Main street upgrade workshop
- 2.15pm Cuppa with Councillors
- 3.00pm Mowen Road Briefing
- 3.15 pm Information Session
- 4.15 pm Meeting commences
- 7.00 pm Dinner.



**JIM KELLY**  
**ACTING CHIEF EXECUTIVE OFFICER**

# A g e n d a

1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**  
(Previously approved)
3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
4. **PUBLIC QUESTION TIME**
5. **APPLICATIONS FOR LEAVE OF ABSENCE**
6. **PETITIONS/DEPUTATIONS/PRESENTATIONS**
7. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 24 February 2011 be confirmed as a true and correct record.

8. **ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**
9. **REPORTS BY MEMBERS ATTENDING COMMITTEES**
10. **REPORTS OF OFFICERS**

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**11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY  
DECISION OF MEETING**

- (a) OFFICERS
- (b) ELECTED MEMBERS

**12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS  
BEEN GIVEN**

**13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

**14. CLOSURE OF MEETING**

# **DEVELOPMENT**

# **SERVICES**

AGENDA NUMBER: 10.1  
SUBJECT: Final Adoption of Amendment No.9 to Local Planning Scheme No 3  
LOCATION/ADDRESS: Lot 8271, Brockman Highway, Nannup  
NAME OF APPLICANT: Harley Global  
FILE REFERENCE: A105  
AUTHOR: Geoffrey Benson, Manager Development Services  
DISCLOSURE OF INTEREST: Nil  
DATE OF REPORT: 9 March 2011

**Attachments:**

1. Draft Amendment No. 9 to Town Planning Scheme No. 3 (as amended). – Separate Cover
2. Draft Development Guide Plan. ✓
3. Schedule of Submissions

**BACKGROUND:**

The purpose of this report is to:

- update Council on the key events since Council last considered the scheme amendment request;
- formally advise Council of the results of the public advertising of the scheme amendment;
- consider key issues; and
- Consider whether or not Council wishes to support final approval of draft Scheme Amendment No. 9 with or without modifications.

**COMMENT:**

1. The Proposal

The proponent seeks Council's support to rezone Lots 8271 Brockman Highway, Nannup ('subject land') from 'Agriculture' under the Shire of Nannup Local Planning Scheme No. 3 ('LPS No.3') to 'Special Rural' (via an approved Development Guide Plan).

Nelson Lot 8271 CT 1047/353 is located southwest of Nannup on BROCKMAN HIGHWAY, NANNUP ('Subject Land') and is currently used for a large hobby farm.

The subject land has been requested to be subdivided on two previous occasions (last reference Oct 92), gaining Council support but not approved by the Minister for Planning. There have been considerable changes since this date with the Nannup Planning Strategy for the Local Planning Scheme No3 and adoption of Local Planning Scheme No3 in December 2008.

Due to its size it would have limited uses for most forms of agriculture and has on its southern boundary Special Rural Area 12

Amendment No 9 to *Local Planning Scheme No. 3* (LPS No3) would result in the rezoning of approximately 10.7 ha of land from 'Agriculture' zone to "Special Rural" zone that would potentially allow up to 6 lots of a minimum of 1.0 hectare, ranging up to 3.89 ha on the subject land (Attachment 1 includes the Location Plan). The proponent's basis of this request is summarised:

- a. The 6 lots will be required to have with potable water (rain water), on site waste disposal, singular road access, maintenance of environment status quo and addressing the requirements for bush fire protection.
- b. The Warren Blackwood Rural Strategy (2004) states "Rural-residential or rural smallholdings subdivisions will not be supported unless the land is designated for the purpose in the local planning strategy or rural strategy and until the land has been rezoned for that purpose". As the Local Planning Scheme No3 has identified the land as appropriate for being used for rural residential purposes, as it is in the Special Rural Policy Area, the proposed zoning is deemed to comply with this strategy.
- c. Subdivision of the subject land would meet the requirements of State Planning Policy 2.5 and WAPC Development Control Policy 3.4 as LPS No3 identifies the subject land as within the Special Rural Policy Area and is within proximity of Nannup;
- d. The Shire of Nannup Local Planning Strategy identifies the subject land within Rural Planning Precinct NR5 supports rural-residential subdivision in areas close to town where permitted under the town strategy. With regards to the Nannup Townsite Strategy the subject land is identified within policy area 6 which supports special rural/residential development subject to assessment and rezoning.
- e. The subdivision of the subject land is consistent in all regards to LPS No3.
- f. There is demand for a supply of rural residential land in Nannup.

## 2. Subject land and Nearby Land Details

The Amendment Site is essentially a large hobby farm. Given its relative small lot area and proximity to the town site and surrounding residential areas, it is not suitable for most forms of agriculture. There are a number of sheds and one dwelling on the property

The current town planning scheme zonings surrounding the site are shown on the draft development guide plan.

Directly to the north of the Amendment Site is land reserved for *Water Course* being the Blackwood River. This includes a riparian vegetation reserve and the actual water course. Land to the north of this river is predominantly *Special Rural* zoned.

Directly to the south of the Amendment Site is land zoned *Special Rural*. This area is being developed for rural residential land uses with lot sizes generally varying from 1-2 ha.

Directly to the east of the Amendment Site is land zoned *Rural*. Important to note is that this area still has relatively small lot sizes, significantly smaller than the Amendment site. There is also an area reserved for *Parks and Recreation*.

Directly to the west of the Amendment Site is land zoned *Special Rural*. Other reserved land in the vicinity of the Amendment Site generally indicates remnant vegetation to be conserved for *State Forest*.

A mitigation zone between the new *Special Rural* zone and neighbouring agricultural pursuits is not necessary in this instance given that the only activities coded 'P' by the zoning table in the Scheme text are 'agriculture-extensive', 'single dwelling', 'home office' and 'rural pursuit', none of which realistically will have an adverse impact on nearby agricultural pursuits. Any other activities will require Council's consideration, giving them the opportunity to decide on a case-by-case basis whether a mitigation zone is necessary. It should also be noted that land to the south and west is also zoned *Special Rural* and land to the north, while zoned *Rural*, is separated from the subject site by the Blackwood River reserve.

## 3. Council Resolution

At its 27 May 2010 meeting Council resolved as follows;

*That Council resolve to initiate Scheme Amendment No. 9 to the Shire of Nannup Local Planning Scheme No. 3 ('LPS No3') to amend LPS 3 by rezoning Lot 8271 BROCKMAN HIGHWAY, Nannup from 'Agriculture' to "Special Rural" to facilitate subdivision development (via an approved Structure Plan).*

## 4. Remnant Vegetation



Remnant vegetation on the subject land has been subject to previous disturbance. Some further impact at the fringes of this vegetation will be required to establish to building and hazard reduction zones about proposed development.

#### 5. Fire Risk Assessment

In relation to fire risk, a draft Fire Management Plan (FMP) accompanied the Amendment Report. Further Fire Risk Management will be required as part of any subdivision request.

#### 6. Consultation and Submissions

The Shire sought public comment on draft Scheme Amendment No. 9 for 42 days. Upon closure of the advertising period, the Shire received four (4) submissions from agencies. These are summarised in the Schedule of Submissions (see Attachment 3), along with a recommended action. Copies of all submissions are available to Councillors on request.

The issues raised in the submissions addressed planning related matters that have either been addressed in modifications to draft Scheme Amendment No.9 or are dealt with in the existing provisions.

#### 7. Suggested changes to the draft Scheme Amendment Report

Following the submissions during the Public Comment Period, staff requested changes to the draft Amendment Documents to reflect the issues raised by the Department of Water and the Department of Environment and Conservation.

The Fire Management Plan (FMP) needs to be updated to reflect the changes made as a result of the public comments period.

#### 8. Next Steps

Should Council agree to support final approval of draft Scheme Amendment No. 9 with or without modifications, Scheme Amendment No. 9 is then referred to the WAPC. The WAPC then makes its assessment and provides a recommendation to the Minister for Planning who makes the final decision on whether or not to grant final approval. If the Minister grants final approval, the Scheme Amendment No. 9 will, in time, be gazetted.

#### 9. Conclusions

The draft Development Guide Plan addresses the requirements of the Scheme. Concerns in relation to fire protection and impacts on adjoining land have been addressed to the satisfaction of FESA.

Lot size: Council will need to consider the size of lots to be approved. The Local Planning Strategy refers to lots of 1 – 3 hectares. However, in most rezoning and subsequent subdivision the minimum size has been limited to 2 hectares. The most recent subdivision in DEAN ROAD did permit lots down to 1.06, 1.4 and 1.46 hectares. Council needs to consider if the reduction in lot sizes below 2 hectares will increase the urban density and change the “rural” perspective of the area surrounding the Nannup Townsite.

## **STATUTORY ENVIRONMENT:**

### **Local Planning Scheme No3**

- The LPS No3 includes the subject land as “Agriculture” zone and is also located within a special control area known as “Special Rural Policy Area” (section 6.2.2) which states:

#### **6.2.2 Special Rural Policy Area**

- 6.2.3.1 *The purpose of identifying land on the Scheme Map as being within the Special Rural Policy Area is to enable the planned and progressive development of the land for rural residential purposes in a manner and at a time appropriate to the orderly and proper planning and development of the land, the locality and the District.*
- 6.2.3.2 *Where land is identified on the Scheme Map as being within the Special Rural Policy Area, the local government will require the rezoning of the land in accordance with the requirements of sub-clause 4.13.10.2 of the Scheme.*
- 6.2.3.3 *Where land is identified on the Scheme Map as being within the Special Rural Policy Area, the local government will require the rezoning of the land consistent with the proposed uses and the preparation of a comprehensive Development Guide Plan for the land and the endorsement of the Plan by it and the Western Australian Planning Commission prior to the local government supporting any subdivision or development of the land.*
- 6.2.3.4 *The local government may require the Development Guide Plan to have regard for adjacent lands. Such Development Guide Plan shall be prepared in accordance with Schedule 14.*
- 6.2.3.5 *The subdivision or development of the land the subject of the Development Guide Plan shall generally be in accordance with the endorsed Development Guide Plan.*

6.2.3.6 *notwithstanding the foregoing, the local government may approve any development in a manner consistent with the underlying zone without requiring a Development Guide Plan where, in the opinion of the local government, such development is of a minor nature and will not adversely affect the future subdivision or development of land within the zone.*

6.2.3.7 *A dwelling house may be erected on an existing allotment of land within the Special Rural Policy Area where the local government is satisfied that the siting of the dwelling house is unlikely to prejudice the future development of the land or other land in the vicinity.*

### Local Planning Strategy for the Local Planning Scheme No3 and Townsite Strategy

- The principle 'strategic' document in support of the proposed rezoning of the subject land is the Shire of Nannup Local Planning Strategy. The relationship between the Local Planning Strategy and the Nannup Townsite Strategy is outlined in the Local Planning Strategy as such:

*"In addition to the recommendations of the Townsite Strategy, Council, via this Local Planning Strategy, has adopted a philosophy of encouraging infill and consolidation of the townsite strategy area instead of identifying additional land for settlement outside of these areas."*

- The subject land is located within Planning Precinct NR5 of the Local Planning Strategy, the objectives of which are to:
  - *"allow for rural-residential subdivision in areas close to the town where permitted under the Townsite Strategy"*
  - *"discourage additional rural-residential development at Darradup and Jalbarragup due to remoteness from services"*
  - *"provide for the sustainable use of land within the agricultural zones and outside the Townsite Strategy Area, for a range of rural pursuits"*
- The subject land is included in the Nannup Townsite Strategy as *Policy Area No.4* which has few limitations in respect to rural-residential development, with the exception of proximity to the Blackwood River and potential for inundation, and possible constraints on servicing. However, the subject land is not specifically identified as flood prone land and the land can be serviced by road, power and telecommunications with access to an alternative supply of potable water also achievable.

- The Strategy also specifies that subdivision into 1 hectare lot sizes are permissible for land with reticulated water and subdivision into lot sizes of 2 hectares are encouraged for land without reticulated water. Given that the subject land is located within an established rural-residential area, the proposal to rezone the subject site to 'Special Rural' will be consistent with surrounding land uses.

### **Warren-Blackwood Rural Strategy**

- The Warren Blackwood Rural Strategy ('WBRS') was developed as a collaborative overarching approach to strategic planning for the Warren Blackwood region, with many of those outcomes embodied within LPS No3. The WBRS does make some observations from a strategic perspective that are of relevance to the future subdivisions and development of the subject land, and the place of the proposed Special Rural zoning within the general objectives for the region.
- The WBRS suggests that lots sizes ranging between 1 hectare and 4 hectares should be provided in rural-residential areas. This is considered necessary so as to produce lots large enough to satisfy the lifestyle, amenity and privacy of owners, however not wasting the land resource by creating lots beyond the capability of landowners to manage in a sustainable manner. Furthermore, the WBRS states that rural-residential development should occur within 5 kilometres of an urban area, which the subject land does.
- The Warren-Blackwood region is divided into several planning units, the subject land being located within the "Blackwood" Planning Unit. One of the planning objectives of this Unit relating the rural-residential development is that it should be restricted to a specifically identified zone or policy area, which the subject land is within.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

RESOLVED that the Council, pursuant to Section 75 of the Planning and Development Act 2005 (as amended), amends the above local planning scheme by:

1. Rezoning Lot 8271 Brockman Highway, Nannup (as depicted on the Scheme Amendment Map) from the 'Agriculture' zone to the 'Special Rural' zone.
2. Amending the Scheme Text Schedule 12 (Schedule of Special Rural Zones) by including Lot 8271 Brockman Highway, Nannup together with reference to

a Development Guide Plan and special provisions referring to the subject land as follows:

NO.	DESCRIPTION OF LAND	CONDITIONS
SR15	Lot 8271 Brockman Highway, Nannup	<ol style="list-style-type: none"> <li>1. Subdivision and development of the site shall be generally in accordance with the Development Guide Plan adopted by the Local Government and endorsed by the Chief Executive Officer.</li> <li>2. Subdivision and development may be considered by the Shire as a variation from the Development Guide Plan provided that, in the opinion of the Shire, such development would not compromise the intent of the Development Guide Plan.</li> <li>3. Any variation to the endorsed Development Guide Plan not within the general intent of the Development Guide Plan will require consideration and endorsement of a new Development Guide Plan in accordance with Schedule 14.</li> <li>4. Subdivision and development shall generally be in accordance with the Development Guide Plan adopted by the Local Government for the zone under Local Planning Scheme No.3.</li> <li>5. Prior to subdivision or development, the following will be prepared and/or undertaken to the satisfaction of the Local Government: <ul style="list-style-type: none"> <li>• A foreshore management plan for the riparian zone adjacent to the Blackwood River shall be prepared to the requirement of the DoW and DEC.</li> <li>• A Landscape Protection Plan</li> <li>• Fire Management Plan</li> </ul> </li> <li>6. A 30 metre foreshore reserve along the northern boundary of the subject land as depicted on the Development Guide Plan is to be ceded free of cost to the Shire of Nannup or other relevant agency at the time of subdivision.</li> <li>7. All new buildings and structures shall be contained within the building envelope areas as depicted on</li> </ol>

		<p>the Development Guide Plan.</p> <p>8. Notwithstanding Clause 5.8.3 of the Scheme, each dwelling shall be provided with a water supply with a minimum capacity of 135,000 litres, and adequate roof catchment to supply the water tank, or alternative source of water approved by the Council. This may be supplied from the Water Corporation licensed underground water supplies or rainwater storage systems to the satisfaction of Council and the Health Department of Western Australia.</p> <p>9. All dwellings shall be designed and constructed in accordance with the requirement of Standard Australia AS3959 – 1999 “Construction of Buildings in Bush Fire Prone Areas” (Level 2) construction standards.</p> <p>10. On-site effluent disposal systems will be provided to the satisfaction of the Department of Health and Council standards and shall be setback 100m from the Blackwood River in accordance with the Department of Water’s Water Quality Protection Note for Wastewater Treatment – On Site Domestic Systems.</p> <p>11. All stormwater shall be disposed of on-site to the satisfaction of the Local Government.</p> <p>12. No lot shall have direct access to Brockman Highway.</p>
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**VOTING REQUIREMENTS:**

**GEOFFREY BENSON  
MANAGER DEVELOPMENT SERVICES**



ATTACHMENT 6 – SCHEDULE OF SUBMISSIONS

SHIRE OF NANNUP LOCAL PLANNING SCHEME NO3 - SCHEME AMENDMENT N09

No.	Name & Address of Submitter	Summary of Submissions	Council Comments	Recommendation
1	Health Department of Western Australia P.O.Box 8172 Perth Business Centre WA 6849	A) No objection	A) Noted.	No Modification
2	Carol Anderson - Department of Water, SW Region P.O. Box 261, Bunbury WA 6231	A) "Proposed development (building, filling etc) that is located outside the floodplain is considered acceptable with respect to major flooding. However, a minimum habitable floor level of 0.5m above the 100 year ARI flood level is recommended to ensure adequate flood protection. Proposed development (building, filling etc) that is located within the floodplain and is considered obstructive to major flows are not acceptable as it would detrimentally impact on the general flooding regime of the area. Generally, no new buildings are acceptable on the floodplain." B) "Insufficient land is being proposed to be ceded for foreshore reserve...there is a minimum 30m requirement under SPP 2.9 for Foreshore Protection to waterways...this 30m area also includes the identification that the River is an	A) Noted. B) Noted. Amendment made to reflect this requirement C) Noted.	No Modification Modification Made No Modification



3	<p>Department of Environment and Conservation PO Box 1693 BUNBURY WA 6230</p>	<p>Aboriginal Site of Significance on the DIA Permanent Register. Their Act relates to the first 30m of such assets.” C) “The DoW prefers the use of ATUs in lieu of conventional septic tank and leach drain systems for their nutrient stripping capabilities.”</p> <p>EPA advise that the “location of the building envelope for proposed Lot 4 in the Subdivision Guide Plan should not be approved, and that the creation of Lot 4 should not occur if it includes an entitlement to build a residence.”</p>	<p>DGP amended to reflect the need to protect the ecological linkage value of the vegetation to the north east of the site.</p>	<p>DGP modified to indicate 6 lots, with building envelopes situated to preserve ecological linkages and foreshore vegetation</p>
4	<p>Department of Agriculture and Food P.O. Box 1231, Bunbury WA 6230</p>	<p>A) “DAFWA does not object to the rezoning of the land, because this area was previously identified for this purpose in the Shire of Nannup Local Planning Scheme No. 3. DAFWA does not support the development of <i>Rural Residential</i> areas if not previously identified in an approved Shire Strategy or Planning Scheme.” B) “In general, DAFWA does not support <i>Rural Residential</i> developments due to the following issues:” a) The development of rural-residential areas alienates rural land from agricultural production; b) Rural-residential developments that rely on surface and ground water</p>	<p>A) Noted B) Noted.</p>	<p>No Modification No Modification</p>

		<p>supplies reduce the amount of water available for agriculture;</p> <p>c) Because of its low density nature, rural-residential development represents an inefficient use of land;</p> <p>d) DAFWA would prefer to see increased density and improved servicing in existing rural-residential areas than establishment of new rural-residential areas;</p> <p>e) Because they are frequently adjacent to agricultural areas, development of rural-residential estates without appropriate boundaries has the potential to generate land-use conflict.</p>		
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AGENDA NUMBER: 10.2  
SUBJECT: Realignment of Ethel Road, Peerabeelup  
LOCATION/ADDRESS: Ethel Road Reserve  
NAME OF APPLICANT: Department of Local Government  
FILE REFERENCE: ROA86  
AUTHOR: Geoffrey Benson – Manager of Development Services  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 11 March 2011

Attachments: 1. Aerial View of Lot 4497 & Lot 6982  
2. Map of proposed realignment of Ethel Road  
3. Photographs from site inspection of Lot 4497 & Lot 6982

#### **BACKGROUND:**

Further to the October 2010 Council meeting where Council's decision (res 8474) was:

1. *"That Council advise Mr J Gaunt and Ms E Tilly that it is prepared to consent to the alterations to the Ethel Road survey alignment by:*
  - *Closing the part of Ethel Road (Part A) that is within the line marked "edge of lake" on the plan of the survey by JH Towie submitted as Attachment 8, Council meeting agenda 28 October 2010.*
  - *Close the part of Ethel Road (Part B) that is between Part A and the eastern boundary of Location 6982.*
  - *Amalgamate Part A with Location 4497 and amalgamate Part B with Location 6982, and*
  - *Dedicate by survey a new public road 20 metres wide to include the part of the existing sand track access to Location 6982 that is not within Ethel Road. The new public road to join the south boundary of Part B on the highest ground on the south boundary of Part B as shown on Attachment 8, Council meeting agenda 28 October 2010, which is to avoid the lower steep slope near the east boundary of Location 6982.*
2. *That Council advise Mr J Gaunt and Ms E Tilly that it will not bear any costs associated with the above alterations which have been specifically requested by Mr Gaunt and Ms Tilly to correct the fact that a major water body has been constructed without approval within the Ethel Road reserve.*
3. *If Mr J Gaunt and Ms E Tilly do not agree to Recommendations 1 and 2 within a month from the date of the Council decision then Council invite them*

*to implement Option 2 and if they do not agree to implement Option 2 then Council commence action in Option 3.*

4. *That Council advise Mr J Gaunt and Ms E Tilly that Planning Approval will be required to formalise the lake which currently encroaches onto Ethel Road, whether or not recommendations 1 or 2 above are followed through with by Mr Gaunt and Ms Tilly.*
5. *That further investigation be undertaken in respect of the building located on Location 6982 with a view to ensuring compliance with the relevant health/building/planning legislation recognizing its current use and setback requirements."*

Both property owners of Lot 4497 and 6982 were informed of Council's decision and the Manager of Development Services has received responses from both parties regarding the matter. Lawyers for Lot 6982 landowners (Baxter, Chugg and North) have responded on their behalf and made points about:

1. Realignment of Ethel Road
2. Access to Water
3. Effects on the Viewscape of Lot 6982

A summary of the responses to the above questions were given, as shown below:

1. Realignment of Ethel Road

*"Council is in the process of negotiating with Department of Environment and Conservation (DEC) to excise a new road alignment for Ethel road to give Lot 6982 appropriate access. Your client will be kept advised of how the process is progressing."*

2. Access to Water

*"The issue of water that may have been available and access to it would normally be dealt with by the Department of Water, if for commercial purposes. In the case of domestic purposes the simplest way to get access would be to apply to the Department of Regional Development and Lands."*

3. Effects on the Viewscape of Lot 6982

*"I refer you to residential properties and the Residential Design Codes and the clauses to prevent Overlooking and Overshadowing. However the construction of a fence on a person's property boundary is usually dealt with as a Dividing Fence issue therefore is a civil matter under clauses of the Dividing Fences Act. Therefore I refer you to the Building Commission for further advice on this matter."*

**COMMENT:**

While carrying out research for the procedure to realign Ethel Road it became apparent that to achieve the end result, that being excising part of the State Forest to use for Freehold (Dam) and road reserve (Ethel Road), some give and take would be necessary to satisfy the Conservation Commission and DEC and ease the request through Parliament.

Therefore staff has provided an alternative option for the realignment of Ethel Road that both achieves legal access for Lot 6982 and assuages the concerns of the Conservation Commission, by exchanging unneeded road reserve for the required land being taken from the State Forest.

Outline of steps to be taken after Council agrees to the recommendation of this report are below:

1. Submit proposal to Pemberton DEC for them to assess and forward to DEC Head office to assess and forward to Conservation Commission
2. Conservation Commission to assess and submit to Parliament
3. Both houses of Parliament must approve the change to the State Forest Boundary.
4. DEC to inform the local government authority of the outcome

As yet there is no indication as to time frame for the above, but it could be as much as six months depending on time to pass through Parliament.

**STATUTORY ENVIRONMENT:**

Land Administration Act 1997  
Local Government Act 1995

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:**

Road survey costs to be borne by Mr J Gaunt.

**STRATEGIC IMPLICATIONS:** Nil.

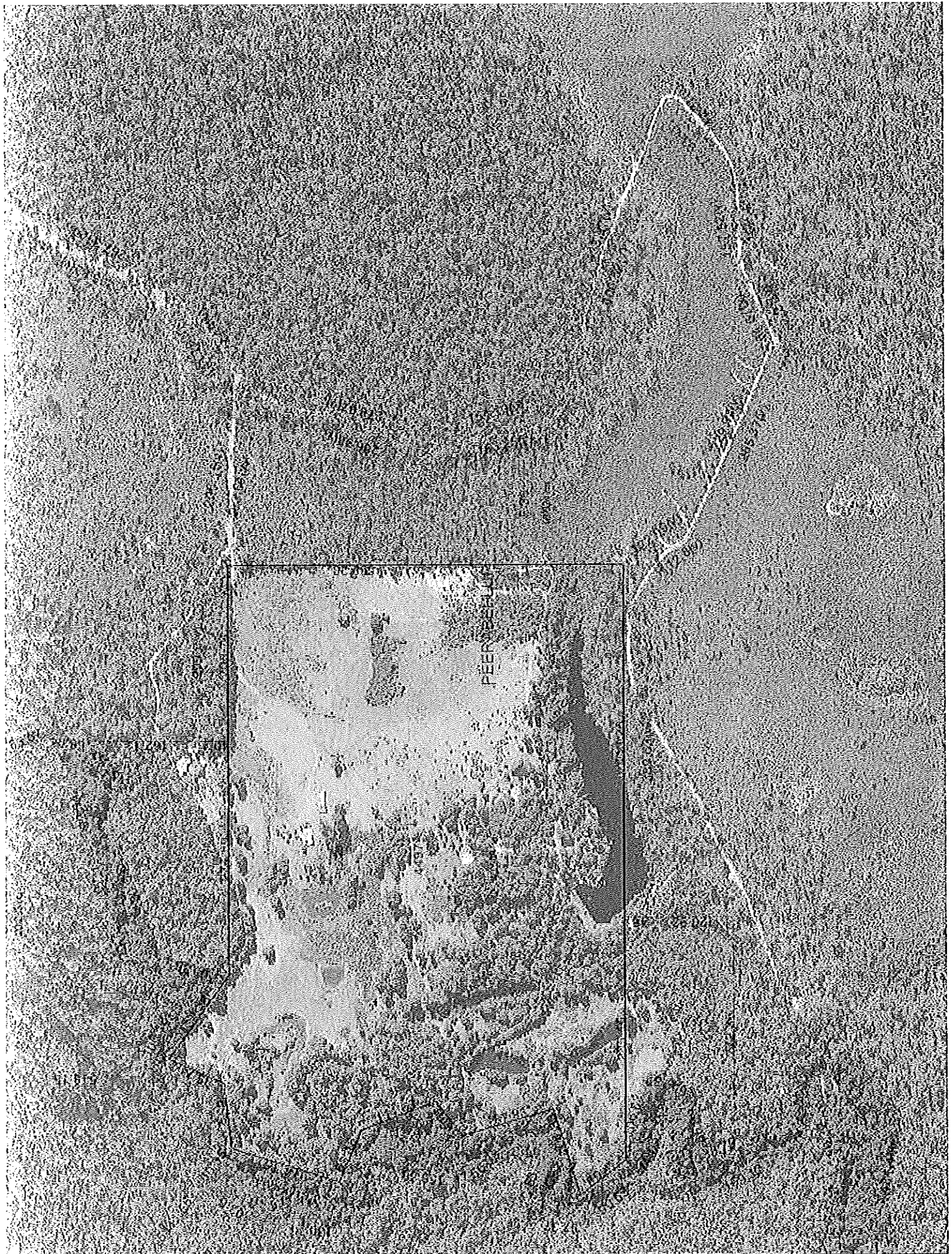
**RECOMMENDATION:**

That Council agree to the realignment of Ethel Road by exchanging unneeded road reserve for the area of State Forest that is needed for the realignment as indicate on Attachment 2.

**VOTING REQUIREMENTS:**

A handwritten signature in black ink, appearing to be 'GB', followed by a long, horizontal, wavy line that extends to the right.

**GEOFFREY BENSON  
MANAGER OF DEVELOPMENT SERVICES**



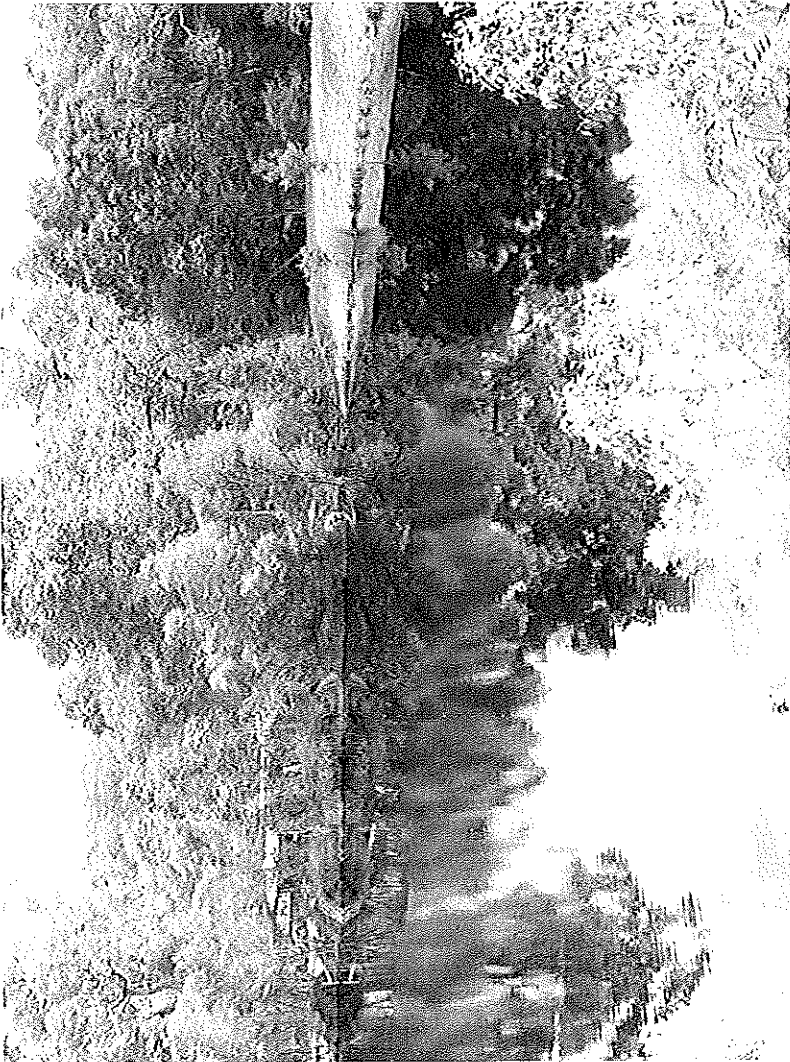




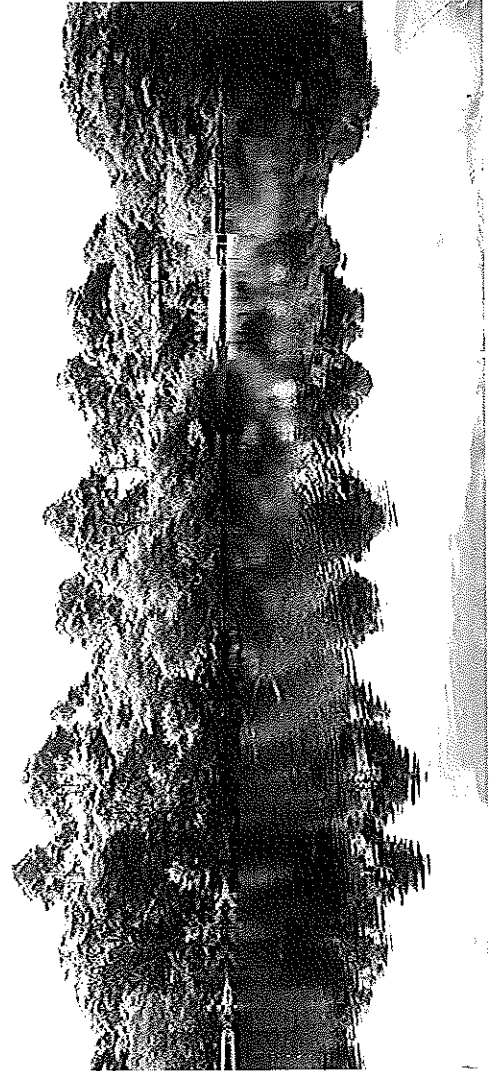




Lot 6982 Fence Line and Survey Peg for the Northern Boundary



Site View of Neighbouring Property (Lot 6982) from Lot 4497 Donnelly Lakes



View from Neighbouring Property (Lot 6982) to Donnelly Lakes (Lot 4497)



Entrance to Lot 6982 Ethel Road



View from Lot 6982's entrance/driveway of constructed dam on Lot 4497



View of dam within metres of entrance to Lot 6982 Ethel

AGENDA NUMBER: 10.3  
SUBJECT: Initiation of Local Planning Scheme No.3, Amendment 12 – Designation of Bush Fire Prone Areas  
LOCATION/ADDRESS: Whole of Shire  
NAME OF APPLICANT: Shire of Nannup  
FILE REFERENCE: TPL1  
AUTHOR: Geoffrey Benson – Manager Development Services  
DISCLOSURE OF INTEREST: Nil  
DATE OF REPORT: 16 March 2011

Attachments: 1. Draft LPP 019 – Designation of Bush Fire Prone Area  
2. Draft Amendment No. 12 Documents

**BACKGROUND:**

The Shire of Nannup Local Planning Scheme No 3 was gazetted on 14 March 2007 and has been the subject of eleven amendments.

The West Australian Planning Commission (WAPC) and the Fire and Emergency Services Authority (FESA) have developed a set of guidelines for local governments to use to assess the risk of bushfire hazard in a proposed development. The objective of these guidelines is to protect life and property from bushfires. These guidelines are the *Planning for Bush Fire Protection Guidelines, edition 2, May 2010*.

The Building Code of Australia (BCA), Parts P2.3.4 and 3.7.4, controls the building of houses in declared bushfire prone areas. The BCA is satisfied if the house complies with Australian Standard AS3959 *Construction of Buildings in Bushfire Prone Areas*.

In the Local Planning Scheme No.3 for Nannup Shire, buildings in some Special Rural Zone areas with bushfire hazards must be constructed to AS3959. Other areas in bush fire prone areas do not carry this requirement. It is the purpose of this Amendment to apply these guidelines over the whole of the Shire of Nannup outside the Nannup Townsite.

At its meeting on 25 November 2010 Council passed the following resolution;

*That Council resolve to prepare a planning policy to designate land in the Shire on which a residential building is proposed to be constructed to be a bush fire prone area in circumstances where the land:*

1. *Contains or adjoins an area of forest of 1 hectare or more,*
2. *The proposed residential building is within 100 metres of a forest, and*
3. *The forest is of the vegetation type described as forest in Table 1 and Figure 1 of Appendix 1 in the WAPC/FESA publication*

*Planning for Bush Fire Protection guidelines, edition 2, May 2010.*

The proposed Local Planning Policy is attached at attachment 1

However advice from Western Australia Planning Commission staff indicates that the provisions in the Building Code of Australia, require an instrument of legislation to designate area as Bush Fire Prone and that a Local Planning Policy is not an instrument of legislation for the purposes of the Building Code of Australia.

**COMMENT:**

Due to the advice from the WAPC, mentioned above, staff have had the necessary documentation prepared to amend the Local Planning Scheme No.3, to include the necessary clause to designate areas of the district as Bush Fire Prone.

During the Scheme Amendment process there is a statutory advertising period of 42 day public comment period, for submissions on the proposed amendment, to be sent to the shire.

It is proposed to advertise the amendment in all the relevant local papers, have notices up on notice boards around town and hold a community forum in the Shirley Humble Room, with Development Services Staff, and FESA representatives, to present the proposed amendment and it's affects on properties in the shire and to answer questions, so that members of the community can make submissions during the public comment period if they wish.

**STATUTORY ENVIRONMENT:**

The Planning and Development Act 2005 is the basis of the Shire's Local Planning Scheme (LPS3) and the State's Statement of Planning Policy 3.4 Natural Hazards and Disasters (SPP3.4).

**The Shire's Local Planning Scheme No.3**

In Clause10.2, three of the several matters to consider when dealing with applications for Council's approval of a proposed development are:

- (g) any Local Planning Policy adopted by the Council under the provisions of clause 2.4....,
- (n) whether the land to which the application relates is unsuitable for the proposal by reason of it being or likely to be subject to – bushfire or any other risk.
- (q) whether the proposed means of access to, or egress from, the site are adequate.



**State Planning Policy 3.4 - Natural Hazards and Disasters**

Local government must have regard to this policy in the preparation or amendment of town planning schemes, strategies and policies, and when providing comment and advice that deal with applications that may be affected by natural hazards (clause 2).

The Policy applies throughout Western Australia and to the preparation and assessment of matters by the WAPC (clause 3) and to local planning schemes and their amendment (clause 4). It should be used by governments to determine those areas that are most vulnerable to bushfire and where development should not be recommended (clause 5). It authorises the WAPC to prepare guidelines for protection from hazards which should be considered in the determination of proposals (clause 6).

The WAPC/FESA publication *Planning for Bushfire Protection guidelines* has a method in Appendix 1 to assess the level of the hazard from a bushfire in a particular area.

It authorises local government to identify hazards:

*Bush fire prone areas may be designated by the local government. In designated bush fire prone areas, all new habitable buildings must comply with AS3959. For the purposes of the guidelines, all areas with a moderate or extreme bush fire hazard level are considered to be bush fire prone areas for planning new subdivisions and developments and for building controls. (page.4).*

The Act, LPS3 and SPP3.4 give Council the power to designate a bush fire prone area. Once the local government designates an area to be bush fire prone, the area will be required to comply with AS3959 and a higher standard of house construction (Class 1 buildings under the BCA).

Consistent with the Model Scheme Text, Clause 8.2 (b) of the Scheme exempts the need for planning approval for a single house except where the proposal; -

- (i) requires the exercise of a discretion by the local government under the scheme to vary the provisions of the Residential Planning Codes;
- (ii) is located in a Heritage Area designated under the Scheme;
- (iii) requires the exercise of a discretion by the Council under the scheme to vary the setback provisions of a specific zone.

In order to ensure that the Council has the opportunity to impose planning conditions relating to bush fire management, this Amendment seeks to remove this exemption for single houses in a Designated Bushfire Prone Area.

**POLICY IMPLICATIONS: Nil.**

**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

That Council agree in pursuance of Section 75 of the Planning and Development Act 2005 to initiate and amendment to the Shire of Nannup Local Planning Scheme No. 3 by, adding provisions to designate a Bushfire Prone Area over the whole Shire outside the Nannup Townsite area.

**VOTING REQUIREMENTS:**

Absolute Majority



**Geoffrey Benson**  
**Manager Development Services**

## LPP 019 Designation of Bush Fire Prone Area

### BACKGROUND

For the protection of life and property from bushfires the West Australian Planning Commission (WAPC) and the Fire and Emergency Services Authority (FESA) developed a set of guidelines for local governments to use to assess the risk of bushfire hazard in a proposed development. These guidelines are the *Planning for Bush Fire Protection guidelines , edition 2, May 2010.*

The Building Code of Australia (BCA), Parts P2.3.4 and 3.7.4, controls the building of houses in declared bushfire prone areas. The BCA is satisfied if the house complies with Australian Standard AS3959 Construction of Buildings in Bushfire Prone Areas.

In the Local Planning Scheme No.3 for Nannup Shire, buildings in some Special Rural Zone areas with bushfire hazards must be constructed to AS3959. Other areas with bush fire hazards do not carry this requirement. Consequently, this policy is meant to apply to the whole of the Shire of Nannup.

### STATUTORY ENVIRONMENT

The Planning and Development Act 2005 is the basis of the Shire's Local Planning Scheme (LPS3) and the State's Statement of Planning Policy 3.4 Natural Hazards and Disasters (SPP3.4).

**The Shire's Local Planning Scheme No.3.** In Clause 10.2, two matters to consider when dealing with applications for Council's approval of a proposed development are:  
 (n) whether the land to which the application relates is unsuitable for the proposal by reason of it being or likely to be subject to – bushfire or any other risk.  
 (q) whether the proposed means of access to, or egress from, the site are adequate.

### Statement of Planning Policy 3.4 Natural Hazards and Disasters.

Local government must have regard to this policy in the preparation or amendment of town planning schemes, strategies and policies, and when providing comment and advice that deal with applications that may be affected by natural hazards (clause 2). The Policy applies throughout Western Australia and to the preparation and assessment of matters by the WAPC (clause 3) and to planning schemes and their amendment (clause 4). It should be used by governments to determine those areas that are most vulnerable to bushfire and where development should not be recommended (clause 5). It authorises the WAPC to prepare guidelines for protection from hazards which should be considered in the determination of proposals (clause 6).

The WAPC/FESA publication Planning for Bushfire Protection guidelines has a method in Appendix 1 to assess the level of the hazard from a bushfire in a particular area.

It authorises local government to identify hazards:

*Bush fire prone areas may be designated by the local government. In designated bush fire prone areas, all new habitable buildings must comply with AS3959. For the purposes of the guidelines, all areas with a moderate or extreme bush fire hazard level are considered to be bush fire prone areas for planning new subdivisions and developments and for building controls. (p.4).*

The Act, LPS3 and SPP3.4 give Council the power to designate a bush fire prone area.

**Policy Implications:** The declaration of a bush fire prone area will implement AS3959 and a higher standard of house construction in areas that may be affected by a bushfire.

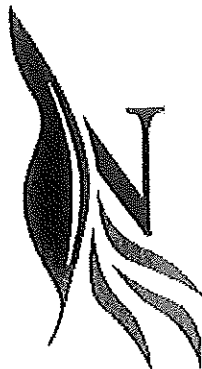
#### **POLICY**

Council shall designate land in the Shire to be a bush fire prone area in circumstances where:

1. a residential building is proposed to be constructed on land that contains or adjoins an area of forest of 1 hectare or more,
2. the proposed residential building is within 100 metres of a forest, and
3. the forest is of the vegetation type described as forest in Table 1 and Figure 1 of Appendix 1 in the WAPC/FESA publication *Planning for Bush Fire Protection guidelines , edition 2, May 2010.*

S. Collie  
Chief Executive Officer.





*Shire of*  
**N A N N U P**  
*The Garden Village*

**TOWN PLANNING SCHEME No 3**  
**(District Scheme)**  
**AMENDMENT No 12**

Designation of Bush Fire Prone Areas

March 2011

**PLANWEST**  
(WA) PTY LTD A.B.N. 77 665 477 168

**CONSULTANTS IN PLANNING,  
DESIGN AND MANAGEMENT**

**PLANNING & DEVELOPMENT ACT 2005**

**RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME**

**Shire of Nannup**

**LOCAL PLANNING SCHEME No 3**

**AMENDMENT No 12**

RESOLVED that the Council in pursuance of Section 75 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

Adding provisions to designate a Bushfire Prone Area over the whole Shire outside the Nannup Townsite area.

Dated this ..... day of .....20...

.....  
Chief Executive Officer

.....  
Date

FILE NO.....

PART OF AGENDA.

**MINISTER FOR PLANNING AND INFRASTRUCTURE**

**PROPOSAL TO AMEND A SCHEME**

1. **LOCAL AUTHORITY:** Shire of Nannup
2. **DESCRIPTION OF LOCAL PLANNING SCHEME:** Local Planning Scheme No. 3
3. **TYPE OF SCHEME:** District Zoning Scheme
4. **SERIAL NUMBER OF AMENDMENT:** Amendment No. 12
5. **PROPOSAL** To add a new Part to designate the whole Shire outside the Nannup Townsite area as a Bushfire Prone Area.

**REPORT BY: Shire of Nannup**

**1 INTRODUCTION**

The Shire of Nannup seeks the WA Planning Commission's support and the Hon. Minister's approval to a Scheme Amendment that seeks to add a new Part to designate the whole Shire outside the Nannup Townsite area as a Bushfire Prone Area.

**2 BACKGROUND**

The Shire of Nannup Scheme No 3 was gazetted on 14 March 2007 and has been the subject of eleven amendments.

The West Australian Planning Commission (WAPC) and the Fire and Emergency Services Authority (FESA) have developed a set of guidelines for local governments to use to assess the risk of bushfire hazard in a proposed development. The objective of these guidelines is to protect life and property from bushfires. These guidelines are the *Planning for Bush Fire Protection Guidelines, edition 2, May 2010*.

The Building Code of Australia (BCA), Parts P2.3.4 and 3.7.4, controls the building of houses in declared bushfire prone areas. The BCA is satisfied if the house complies with Australian Standard *AS3959 Construction of Buildings in Bushfire Prone Areas*.

In the Local Planning Scheme No.3 for Nannup Shire, buildings in some Special Rural Zone areas with bushfire hazards must be constructed to AS3959. Other areas in bush fire prone areas do not carry this requirement. It is the purpose of this Amendment to apply these guidelines over the whole of the Shire of Nannup outside the Nannup Townsite.

The Council has prepared a draft Local Planning Policy (LPP) under the provisions of the Scheme. A copy of this LPP is included in **Attachment 1**. It is likely that this LPP will be adopted as an interim measure until this Amendment is finalised.

Whilst the LPP has been prepared and adopted under the provisions of the Scheme it is necessary that the Scheme also be amended to ensure that the provisions of the LPP are adhered to.

Other Councils have established that a LPP is not always supported by the State Administrative Tribunal (SAT) in appeal cases. The SAT has previously determined appeals against a Council that has based its decision on an adopted LPP.

### **3 STATUTORY ENVIRONMENT**

The Planning and Development Act 2005 is the basis of the Shire's Local Planning Scheme (LPS3) and the State's Statement of Planning Policy 3.4 Natural Hazards and Disasters (SPP3.4).

#### **The Shire's Local Planning Scheme No.3**

In Clause 10.2, three of the several matters to consider when dealing with applications for Council's approval of a proposed development are:

- (g) any Local Planning Policy adopted by the Council under the provisions of clause 2.4.....,
- (n) whether the land to which the application relates is unsuitable for the proposal by reason of it being or likely to be subject to – bushfire or any other risk.
- (q) whether the proposed means of access to, or egress from, the site are adequate.

#### **State Planning Policy 3.4 - Natural Hazards and Disasters**

Local government must have regard to this policy in the preparation or amendment of town planning schemes, strategies and policies, and when providing comment and advice that deal with applications that may be affected by natural hazards (clause 2).

The Policy applies throughout Western Australia and to the preparation and assessment of matters by the WAPC (clause 3) and to local planning schemes and their amendment (clause 4). It should be used by governments to determine those areas that are most vulnerable to bushfire and where development should not be recommended (clause 5). It authorises the WAPC to prepare guidelines for protection from hazards which should be considered in the determination of proposals (clause 6).

The WAPC/FESA publication *Planning for Bushfire Protection guidelines* has a method in Appendix 1 to assess the level of the hazard from a bushfire in a particular area. It authorises local government to identify hazards:

*Bush fire prone areas may be designated by the local government. In designated bush fire prone areas, all new habitable buildings must comply with AS3959. For the purposes of the guidelines, all areas with a moderate or extreme bush fire hazard level are considered to be bush fire prone areas for planning new subdivisions and developments and for building controls. (page.4).*

The Act, LPS3 and SPP3.4 give Council the power to designate a bush fire prone area. Once the local government designates an area to be bush fire prone, the area will be required to comply with AS3959 and a higher standard of house construction (Class 1 buildings under the BCA).

#### 4 LOCAL PLANNING MANUAL

The WA Planning Commission has prepared an example of a Special Control Area to deal with bush fire management provisions in its Local Planning Manual (March 2010). However it is evident that a SCA over the whole Shire (except the Nannup Townsite) is not practical and an alternative method of designating bush fire prone areas is preferred.

#### 5 EXEMPTION OF SINGLE DWELLINGS FROM PLANNING APPROVAL

Consistent with the Model Scheme Text, Clause 8.2 (b) of the Scheme exempts the need for planning approval for a single house except where the proposal; -

- (i) requires the exercise of a discretion by the local government under the scheme to vary the provisions of the Residential Planning Codes;
- (ii) is located in a Heritage Area designated under the Scheme;
- (iii) requires the exercise of a discretion by the Council under the scheme to vary the setback provisions of a specific zone.

In order to ensure that the Council has the opportunity to impose planning conditions relating to bush fire management, this Amendment seeks to remove this exemption for single houses in a Designated Bushfire Prone Area.

#### 6 FORMAT OF PROPOSED PROVISIONS

The main objective of this Amendment is to designate areas of the Shire as 'Bushfire Prone' to ensure that the Australian Standards 3959 are made obligatory.

In order to do this a new Part will be inserted in the Scheme that refers to a plan that designates the 'Bushfire Hazard Assessment Plan' of the Shire. This plan will sit outside the Scheme and may be amended from time to time.

This Plan shall be referred to as Designated Bushfire Prone Area Plan and be made available at the Shire office for inspection.

The provisions will include the following clauses;

##### **'PART 13 - DESIGNATED BUSHFIRE PRONE AREAS**

13.1 A Designated Bushfire Prone Area is any area identified on the Bushfire Hazard Assessment Plan. Dwelling construction within Bushfire Prone Area will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia (BCA) and Australian Standard 3959.

13.2 The Bushfire Hazard Assessment Plan held at the local government offices (and as may be amended from time to time) form part of the Scheme for the purposes of this clause.

13.3 The Bushfire Hazard Assessment Plan may designate specific hazard levels as and when this information becomes available.

13.4 If an owner disputes the designation of his land within a Bushfire Prone Area that owner may request in writing the local government to reconsider that designation.

13.5 On receiving a request made under clause 13.3, the local government may, by notice in writing served on the person who made the request, determine that -

- a) the land is not within a Designated Bushfire Prone Area;
- b) the land is in an alternative hazard level; or
- c) the designation of the land on the Bushfire Hazard Assessment Plan is correct.

## 7 CONCLUSION

In view of the consistency of this Amendment with State policy, the Amendment will be advertised for submissions on receipt of clearance from the Environmental Protection Authority.

# PLANNING AND DEVELOPMENT ACT 2005

## Shire of Nannup

### LOCAL PLANNING SCHEME No. 3

### AMENDMENT No 12

The Nannup Shire Council under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005, hereby amends the above Local Planning Scheme by:

- 1 Inserting a new Part in the Scheme as follows;

#### **'PART 13 - DESIGNATED BUSHFIRE PRONE AREAS**

13.1 A Designated Bushfire Prone Area is any area identified on the Bushfire Hazard Assessment Plan. Dwelling construction within Bushfire Prone Area will be subject to the relevant bushfire prone requirements pursuant to the Building Code of Australia (BCA) and Australian Standard 3959.

13.2 The Bushfire Hazard Assessment Plan held at the local government offices (and as may be amended from time to time) form part of the Scheme for the purposes of this clause.

13.3 The Bushfire Hazard Assessment Plan may designate specific hazard levels as and when this information becomes available.

13.4 If an owner disputes the designation of his land within a Bushfire Prone Area that owner may request in writing the local government to reconsider that designation.

13.5 On receiving a request made under clause 13.3, the local government may, by notice in writing served on the person who made the request, determine that -

- a) the land is not within a Designated Bushfire Prone Area;
- b) the land is in an alternative hazard level; or
- c) the land's designation on the Bushfire Hazard Assessment Plan is correct.

- 2 Delete the full stop at the end of sub-clause 8.2 (b) (iii) and replace it with a semi-colon.

- 3 Inserting a new sub-clause as follows;

'8.2 (b) (iv) is included in a Designated Bushfire Prone Area as identified on the Bushfire Hazard Assessment Plan referred to in Part 13.'

**PLANNING & DEVELOPMENT ACT 2005**

**Shire of Nannup**

**LOCAL PLANNING SCHEME No. 3**

**AMENDMENT No. 12**

**ADOPTION**

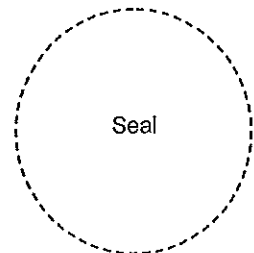
Adopted by resolution of the Council of the Shire of Nannup at the meeting of the Council held on the ..... day of .....20.....

.....  
SHIRE PRESIDENT ..... Date .

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

**FINAL APPROVAL**

Adopted for final approval of the Shire of Nannup at the meeting of Council held on the ..... day of ..... 20..... and the Common Seal of the Shire of Nannup was hereunto affixed by the authority of a resolution of the Council in the presence of:



.....  
SHIRE PRESIDENT ..... Date

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

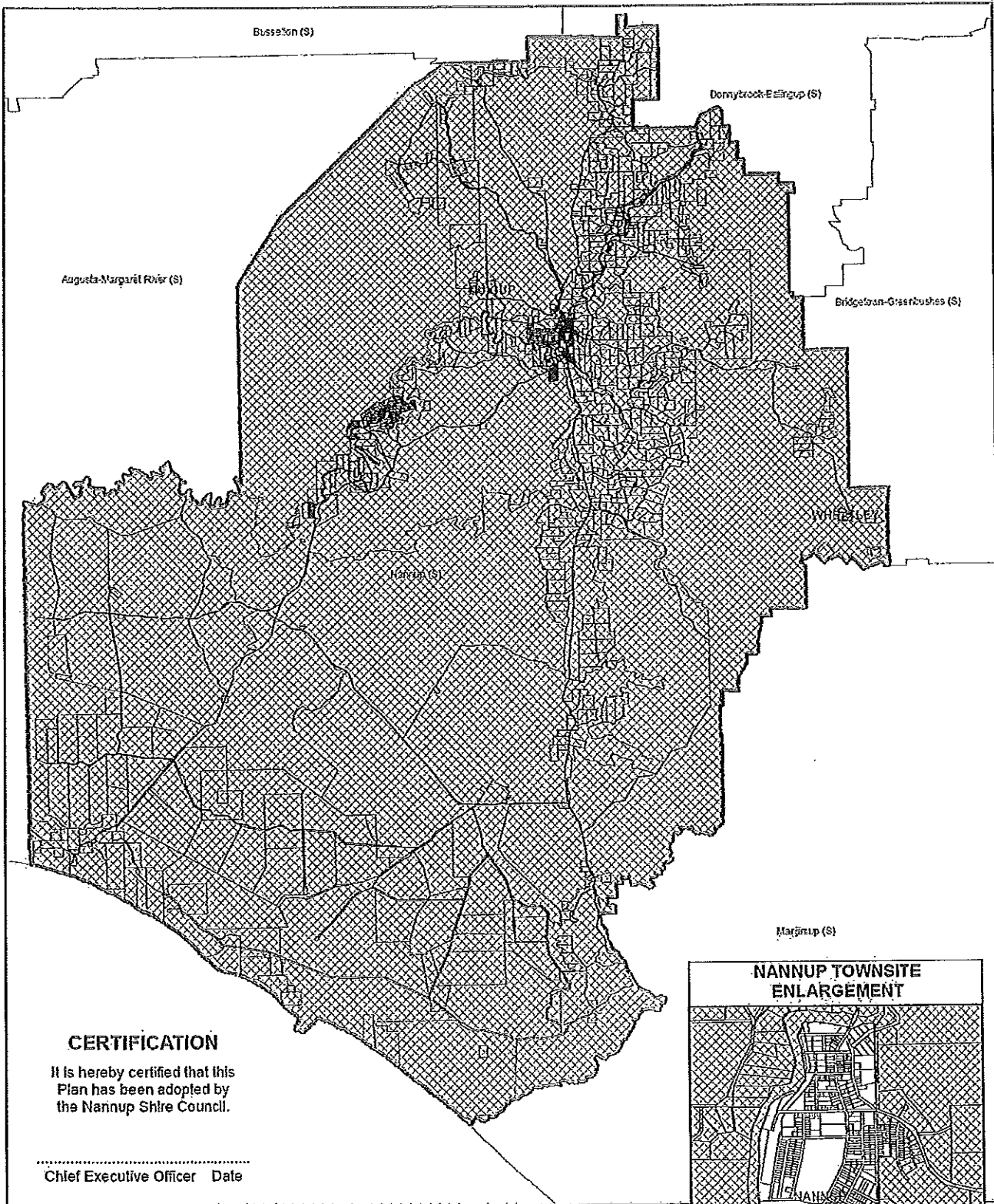
**RECOMMENDED/SUBMITTED FOR FINAL APPROVAL**

.....  
Delegated under S. 16 of PD Act 2005 ..... Date

**FINAL APPROVAL GRANTED**

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

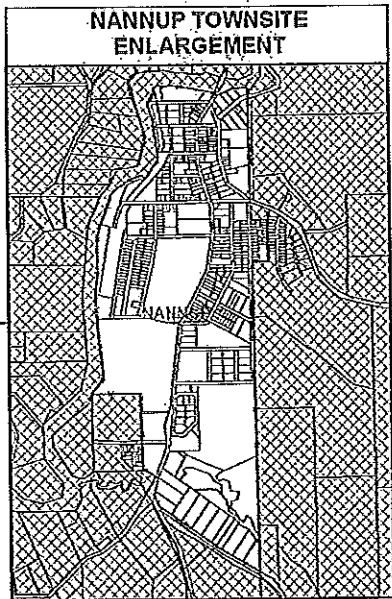




**CERTIFICATION**



It is hereby certified that this Plan has been adopted by the Nannup Shire Council.


.....  
Chief Executive Officer    Date



**BUSHFIRE HAZARD ASSESSMENT PLAN**

**Legend**

-  Designated Bushfire Prone Area
-  Shire of Nannup Boundary

  
SCALE 1:250,000  
(at A3)



# **WORKS & SERVICES**

AGENDA NUMBER: 10.4  
SUBJECT: Mowen Road  
LOCATION/ADDRESS:  
NAME OF APPLICANT:  
FILE REFERENCE: R047  
AUTHOR: Chris Wade – Works Manager  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 10 March 2011

## **BACKGROUND:**

Mowen Road is an ongoing road construction project funded entirely through Main Roads Western Australia. The current estimated completion year will be 2015/16. Council's approach to the management up to date had been to supply as many of its own resources as possible with the normal works program being adjusted accordingly with resealing and gravel processing. There has not been any formal endorsement of this approach.

## **COMMENT:**

The 2011/12 construction works on Mowen Road can be managed in several different ways;

- Continue as per 2010/11 will full resource commitment
- Partial resource commitment and complete council's own road construction program
- Only complete council's road program and use contractors on Mowen Road

The preferred option would be option 2 for the coming year and the following year go back to full resource commitment again. This option will still allow council to obtain an income on a private works basis employing casual labour and supplying plant as available for the project.

It will also be a positive for rate payers to see more activity on local roads. Next year's normal construction program will be reasonably busy as Council have requested the addition of two extra roads.

**STATUTORY ENVIRONMENT:** Nil.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:**

A budget windfall of approx \$40,000 for Supervision Fees (Private Works income) in 2011/12.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

That Council endorse partial resource commitment to Mowen Road construction in 2011/12 and complete Council's own road construction program.

**VOTING REQUIREMENTS:**

A handwritten signature in black ink, appearing to read 'C Wade'.

**CHRIS WADE  
WORKS MANAGER**

AGENDA NUMBER: 10.5  
SUBJECT: Main Street Upgrade  
LOCATION/ADDRESS: Warren Road  
NAME OF APPLICANT:  
FILE REFERENCE: WRK33  
AUTHOR: Chris Wade – Works Manager  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 9 March 2011

Attachments: 1. Briefing Notes  
2. Plan – Large copy on pin up board

**BACKGROUND:**

As part of Council's Forward Plan, the upgrade of Nannup's Main Street is programmed to commence in 2011/12. These works will include road surface, road markings, drainage, footpaths, street furniture and other miscellaneous items that Council desire subject to funding and budget deliberations.

**COMMENT:**

Mr Bret Howson from Howson Technical has been engaged to develop a draft concept plan for the main street upgrade of Nannup. The attached briefing sheet highlights the brief and description of the conceptual plan that was provided to Councillor's at its February Information Session.

Council will have attended a workshop this afternoon and considered the draft 'Main Street Conceptual Development Plan'. A public consultation session will follow next month and then Council will have another workshop session before the plan is submitted to Council for adoption.

**STATUTORY ENVIRONMENT:** Nil.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:**

Subject to funding and budget deliberations the estimated cost of the project is \$3million to be staged over two years.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

That Council endorse the draft 'Main Street Conceptual Development Plan' subject to:

- Changes arising *out of* workshops
- Public consultation

**VOTING REQUIREMENTS:**

A handwritten signature in black ink, appearing to read 'C Wade', written in a cursive style.

**CHRIS WADE  
WORKS MANAGER**

## Nannup Mainstreet Development – Briefing Note

### Summary

The Nannup Mainstreet Development Project is the upgrade of Vasse Highway (Warren Road) through Nannup Townsite. The section involved in this project is from the Vasse River Bridge to Kearney Street, approximately 720m.

The project aims to enhance the safety and appearance of the mainstreet with the following key results:

- Maximising retail opportunities by improving shop accessibility and parking.
- Improve both the on-street and off-street parking facilities.
- Improvements to drainage in the town centre which is currently subject to flooding in heavy rainfall.
- Improvement to pedestrian safety and the movement all types of vehicles, including heavy vehicles.
- Enhancement of the appearance of the main street of town through landscaping.

### Concept Theme

A conceptual plan has been developed to “start the ball rolling”. The theme behind creating this plan was to open up the mainstreet by removing hard barriers and conflict points such as the restrictive median islands and intersection nibs. Whilst these features are proven traffic management techniques, they generally give a more aggressive appearance to a street or road. The conceptual plan proposes the use of coloured asphalt, bold line marking and landscaping to provide a passive narrowing effect to the street.

### Ownership

The mainstreet in Nannup is actually Vasse Highway, which falls under the control of Main Roads Western Australia. However, Main Roads over the past few years have amended their responsibility through townsites only to include the central 8.5m of the road, the remainder falls under the control the Local Authority.

This means that any works on Vasse Highway, or works which are adjoining Vasse Highway must be approved by Main Roads before they can commence. It is proposed to approach Main Roads in Bunbury as soon as possible with this project to ensure sufficient time for Main Roads to make budget allowance any proposed contributions in the 2011/12 financial year.

### Consultation Strategy

This is a major project for the Shire, and as part of its commitment to the community, it is proposed to ensure the community, key stakeholders and the Council have ample opportunities to provide input into key aspects of the project. Objectives have been developed which aim to identify the methods required to achieve this project.

The objectives are:

- To engage the community and stakeholders in developing a vision for Nannup's mainstreet.
- To provide opportunities for community and stakeholders to gain meaningful input into relevant aspects of the project.
- To ensure the community is informed about the project as it progresses.

### **Timeline**

The proposed timeframe for this project is summarised as follows:

- Conceptual design – March 2011.
- Consultation Strategy –April 2011.
- Preliminary Design – May 2011.
- Final Design, Specifications and Contract Documents – June 2011.

### **Budget**

At this stage, the budget to have "construction ready" documents is \$15,000. The estimate for the entire construction works is \$3million.

