

AGENDA NUMBER: 10.5

SUBJECT: Update Amendment No10 to Local Planning Scheme No3

LOCATION/ADDRESS: Nelson Location 1423 BARRABUP ROAD Nannup

NAME OF APPLICANT: David Lewis

FILE REFERENCE: A 089

AUTHOR: Ewen Ross - Manager Development Services

DISCLOSURE OF INTEREST:

DATE OF REPORT: 2 May 2010

Attachments: 1. Location Plan

2. Structural Plan (Development Guide Plan) x 2

3. Certificate of titles

4. Traffic Impact Statement

5. Fire Management Plan

6. Letter received 30 April 2010

## PURPOSE OF THE REPORT

1. The purpose of this report is to:
  - a. Update Council on the key events since Council last considered the scheme amendment initiation request.
  - b. Draft Structural Plan Modified
  - c. Consider key issues
  - d. Confirm if Council wishes to continue the support of this amendment.
  - e. Provide the basis for the final approval subsequent to consultation.

## BACKGROUND:

2. Application has been made requesting Council to initiate an amendment to its Local Planning Scheme No3 (LPS No3) for rezoning Nelson Location 1423 BARRABUP ROAD Nannup (attachment 1) from 'Agriculture' to 'Special Use' to facilitate subdivision of the land into two land parcels (via an approved Structural Plan attachment 2) and introduce land use controls to permit the following non rural land uses:
  - Arts and Craft Centre (LPS No3 "Exhibition Centre/Entertainment Centre/Education Centre")
  - Restaurant (Size not defined)
  - Chalet Development (Number not defined, bush huts, eco-shacks, bunkhouse, caretakers accommodation)
  - Cottage Industry (Defined in LPS No3 but limited as industry light)
  - Camping Area (Size not defined, LPS No3 defined as "Camping Ground" and/or "Caravan Park")
  - Private Recreation (LPS No3 not defined, proposed use is ECO-TOURISM – tours/bird watching, kayaking, canoeing etc)
  - Single Residential Dwelling (One per lot)
  - Ancillary and Incidental Uses (Not in LPS No3 and should not be included)

3. Currently the property has the following planning and building approvals:
  - a. Workshop with accommodation (1980)
  - b. Approval in principle 4 x Chalets (1984)
  - c. Residents x 2 (Pre 1991)
  - d. Chalet guest accommodation only (1991)
  - e. Shack for temporary accommodation whilst residence built (1991)
  - f. Wildlife Sanctuary (1993)
  - g. Chalets x 2 approved (1994)
  - h. Private Camping Ground (Up to 6 sites, 6 x tepee tents, 1 x ablution block and roofed BBQ area for cooking 1995)
4. It is unclear from the file what is exactly legal as there is an indication that buildings were built not by a registered builder, no owner builder certificates (applicable dwellings only) and there is no indication of follow up regards final inspection and licensing of the private camping ground. It is also noted that structures are located within normal setbacks and the "bird viewing hut" is in fact a "chalet". Under current legislation these issues need addressing or that they are addressed as part of the amendment process to ensure the property is compliant. However, given Councils preparedness to provide planning approvals and to initiate the amendment it would be an indication that Council is comfortable with the development.

**Notes:**

1. Bunkhouse: "Residential Building" or "Backpackers" would be a better definition.
2. Arts and Craft Centre would appear to cover "cottage industry" as well. Not sure if Council realises that currently the rezoning is for an "Arts and Craft Centre" which permits a "shop" and "Cottage Industry" which in this case is indicated to include timber processing and furniture making.
3. Ancillary and Incidental Uses cannot be supported as it leaves the amendment open to "any" activity. This should be deleted.
4. Camping Area: If this area is to accommodate caravans and campers, then it should be defined as "Camping Ground" and "Caravan Park". Latter information with the fire management plan indicates "40 sites" which under relevant legislation could be 10 per site (400) or more realistically average 2.5 per site (100).
5. It should be confirmed that this is to be a small eco-tourism proposal and in the consultation process limitations are likely to be placed.
6. It is recommended that the "Special Uses" be amended prior to consultation to be consistent with LPS No3 and clearly identify uses:
  - a. Dwelling – single (one per lot)

- b. Recreation and Leisure (Both lots to permit eco-tourism, canoeing, kayaking, bush walks, bird watching)
- c. Chalet (5 per lot and includes bird hut, eco-shack, bush hut)
- d. Caretaker's dwelling (one per lot in the form of a chalet)
- e. Cottage Industry (Lot 1, small sawmill)
- f. Arts and Craft Centre (Lot 1 includes retail outlet, wood working workshop, furniture making)
- g. Restaurant (Lot 1 limited to 20 persons)
- h. Residential Building (Lot 2 bunkhouse 8 persons)
- i. Caravan and Camping Ground (Lot 2 limited to 20 sites with average 2.5 persons per site)

### Previous Initiations

- 7. It should be noted that Council at its November 2005 meeting it was prepared to initiate an amendment to its then Town Planning Scheme No1 for an identical proposal (R7374).
  - 1. *That Council initiate an amendment to Town Planning Scheme No. 1 for rezoning of Nelson Location 1423 Barrabup Road Nannup from 'Rural' to 'Special Use' zone.*
  - 2. *That Council request the proponent to prepare amendment documents prior to Council considering the amendment for formal adoption.*
  - 3. *That Council deem that this amendment, is a 'Minor' amendment and \$2500 in fees be paid in accordance with Council's Schedule of fees and charges.*
- 8. The proponent advised that due to the uncertainties of the anticipated gazettal of Council's draft LPS No3, that it was decided to not progress the amendment at that time and wait for the gazettal of LPS No3 prior to submitting the amendment.
- 9. Council again at its April 2008 meeting was prepared to initiate an amendment to its then Town Planning Scheme No1 for an identical proposal (R7926). Council at its Meeting held on 24 April 2008 resolved as follows:
  - 1. *That Council initiate an amendment to Local Planning Scheme # 3 for rezoning of Nelson Location 1423 Barrabup Road Nannup from 'Agriculture' to the 'Special Use' zone.*
  - 2. *That Council request the proponent to prepare amendment documents prior to Council considering the amendment for formal adoption.*

3. *That Council deem that this amendment, is a 'Minor' amendment and \$3,300 in fees be paid in accordance with Council's Schedule of fees and charges.*
10. The fee has been paid but the advertising process has not been undertaken, due to the impending gazettal of Council's draft LPS No3, Council could not progress the amendment further from the point of initiating the amendment.
11. At this stage the amendment has been initiated twice without being advertised or consultation occurring. Given the background to this amendment it would be difficult for Council to now not continue with the process of initiating this amendment. However, there are some concerns with what is already approved for this site and the bush fire hazard in the light of recent bush fire experience in Australia.

**COMMENT:**

12. The property has two owners in shared title (attachment 3), whom have developed the land separately. The "multiple" ownership was not acknowledge in LPS No3 as an "Additional Use" and therefore there is no specific acknowledgement with regards subdivision or development. Currently the property has:
- a. **Proposed lot one:**
- Dwellings and associated outbuildings
  - Chalet – one bedroom (permitted)
  - Shed - Furniture workshop (permitted)
  - Small saw mill
- b. **Proposed lot two:**
- Dwelling and associated out buildings
  - "Private Camping Ground" (6 sites) is located on the south west portion of the site – lot 2, (planning approval for the private camping ground 9 October 1995)
  - Chalet – 2 bedroom
  - Bird hut – permitted as a structure only - single bedroom (being used as a chalet)
  - Amphitheatre – under construction, (no plans received).
13. The proposed land uses and subdivision of the land is not permitted under Council's LPS No3 with the existing "Agriculture" zoning so the subject land is required to be rezoned. The Development Guide Plan (attachment No 2) illustrates the proposed development. It should be noted that the lot already is non compliant with LPS No3.

14. The subject land is 64.7ha in area and located approximately 5km northwest of the Nannup Townsite. It has legal frontage to the BARRABUP ROAD to the east and fronts the BLACKWOOD RIVER to the south. Surrounding land is predominantly vegetated State Forest, which occurs to the north and east. Land to the south across the BLACKWOOD RIVER is Agricultural and to the west is private agricultural land that includes tree plantation, grazing land and some horticultural and further north west lot 853, a 25 chalet development. The subject land is adjacent to the existing walk trails, BLACKWOOD RIVER and in proximity to BARRABUP POOL. It has been recognised as a significant "ECO" environment.

#### **Access and the Construction of MOWEN ROAD**

15. Access to the subject land is formally available from BARRABUP ROAD. However, Council will need to consider the increasing density and loading of people in this area. The provision of access to MOWEN ROAD will not alter the legal access for this lot or contribute directly to the fire management plan other than providing two direction of egress to MOWEN ROAD. This provides limited improvement as any fire from the north east would affect both accesses. However, it would provide alternative access to this area. This issue will need to be addressed in the consultation period.
16. MOWAN ROAD is located to the north of the property but BARRABUP ROAD although a legal road reserve has not been continued through State Forest No. 28 to MOWEN ROAD. Road (track) access exists but has been blocked off. Access to the subject land via BARRABUP ROAD to MOWEN ROAD is back to the east via the other special rural zones developed.
17. MOWEN ROAD is undergoing significant improvements, with the objective of completing a bitumen seal between Sues Road and the Nannup Town in the future. The current MOWEN ROAD construction provides access suitable to service the intended tourist development opportunity and this access has been supported through previous decisions of the Shire Council to Lot 853 BARRABUP ROAD. There has been some concern with the limited formal access from the area including Special Rural zones 3, 6, 7 & 9. Additionally, there is another development on BARRABUP ROAD, Loose Goose, which has established a "function centre" for upwards 150 persons. It is unfortunate that consideration of a roading plan for the entire subdivision and further developments has not occurred. The integration of this rezoning application and amendment 4 (lot 853) could have seen BARRABUP ROAD developed as a feeder road to the entire subdivision and lot 853 prime access improved off BARRABUP ROAD not MOWEN ROAD.

### Topography and Vegetation

18. The subject land has a varied topography, declines from 135 AHD in the north east boundary down to the 55 AHD to the south boundary with the BLACKWOOD RIVER. There is a steep gradient to the southern area of the lot prior to reaching the development on proposed lot 2 and a flatter area. There is a small north face slope in the northwest corner with a small "swamp" area.
19. The area that fronts onto the BLACKWOOD RIVER is steep (greater than 30 degrees) and the proponent's suggestion that it be used for emergency fire access is not supported. Not only due to the terrain but also it is over state and private land, not guaranteed all year and not trafficable.
20. The land has a dense cover of native bush consisting of Jarrah, Marri, Yarri and Moitch with intermittent stands of Banksia, Snottygoble and Woody-pear. Remnant vegetation on the subject land has been subject to limited disturbance by the existing developments. The "ECO-TOURISM concept for this development should see the natural fauna and flora as a priority for the proponents.

### Structural Plan (Development Guide Plan)

21. LPS No3 includes at Schedule 14, specific requirements for the preparation of Structural Plans (Development Guide Plans). The SP process is to be run concurrently with this amendment as a component of amending documentation. The issues identified by Schedule 14 have been addressed in the SP and amending documentation where relevant. The proponent should be required to provide an amended SP before consulting as there has been considerable modification since first being submitted with regards access.

### Flood Assessment/ Mitigation

22. The Shire has no records of flood levels of the BLACKWOOD RIVER at this location. The proponent has provided information that indicates that the 1:100 year flood level would be 59.9 AHD. From the Structural Plan the development in the south would be close to the 1:100 flood levels and would need to comply with LPS No3 flood prone land requirements. Department of Water would need to comment in the consultation process.

### Traffic Impact Statement

23. A separate traffic impact statement (attachment 4) has been provided as requested that resulted in further delaying the initiation of the amendment. The traffic plan will be reviewed during the consultation process.

### Fire Risk Assessment

24. In relation to fire risk, a draft Fire Management Plan (FMP) accompanied the initial report. The draft FMP was not accepted by FESA and DEC nor the Shire's Fire Management Officer, due to the extreme fire risk of the locality

and that the proposed building setbacks to the boundary were only 20 metres. The amendment of the FMP has taken some time to address which has delayed the initiation process. (Attachment 5)

25. To ensure protection from possible fire risk, the Shire has recommended habitable buildings are constructed to a higher standard AS3959 1999 (level 2) plus provision of Hazard Separation Zone (HSZ) and Building Protection Zones (BPZ) than may ordinarily be required and that a comprehensive fire/evacuation management plan is implemented. The key issue not resolved is the 100 metre setbacks, building protection zones (complicated by building within setbacks and extreme fire rating), hazard protection zones, fuel loading on the property and access from the southern area. This has been conveyed to the proponent and will need to be finalised as the 100 metre setbacks would effectively veto the development. It is possible that the two lots be considered as one and that there be a 100 metre fire break on the western boundary with the plantation, 40 metre on the other three boundaries. However, this would be a concession and DEC has indicated they will not recommend any reduction and that 100 metres should remain for "fighting the fire". The suggestion from the proponent is the other way, which the fire break should be on the neighbouring lot, the state forest which has some logic.
26. There remain reservations on fuel levels on the site being high, HSZ, BPZ, setbacks from boundaries, access, evacuation triggers and management, safe havens, retention of eco-tourism environment, standard of current buildings which collectively suggest the proposal still has some barriers before approval would be obtained.

#### Eco Tourism

27. The proponent has written to Council (received 30 April 2010 – attachment 6) regarding some consideration of the proposal with regards "eco-tourism". There is an acknowledgment in the assessment but in regards legislative requirements it is difficult to provide variations. In areas such as health and safety there is limited scope to compromise and in this case compliance with fire, building and health controls cannot be relaxed, unless Council is prepared to accept that responsibility.

#### STRATEGIC CONTEXT:

##### Warren-Blackwood Rural Strategy

28. 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 3. The WBRS does make some observations from a strategic perspective that are of relevance to the future development of the subject land, and the place of the proposed Special Use zoning within the general objectives for the region.

29. The WBRS summaries the outcomes of the WBRS, and in this summary of major findings and recommendations, identify the following for the development of tourism relevant to this proposal:
- Up to five chalets may be appropriate within the agricultural zone, however further development requires rezoning;
  - Formal planning consent should be required for all tourism development;
  - Tourism development should not constrain normal agricultural use on adjoining land; and
  - Tourism developments should not conflict with the management objectives of CALM (DEC).
30. It should be noted that this is limited to chalet development, but the proposal also includes camping grounds, arts and craft and eco-tourism which is wider. The WBRS does indicate these activities should be conducted in proximity of support infrastructure, which in this case the subject land is within 5 km of Nannup.
31. The WBRS also identifies the importance of the protection of agricultural land, to which end areas of land strategically important for agricultural purposes have been identified. The subject land is not identified as 'significant agricultural land' in the WBRS, as suitable for perennial horticulture, or as 'versatile agricultural land' in the agricultural quality mapping of the WBRS.
32. The subject land is within the 'Agricultural' designation of Planning Unit BR2 of the WBRS, where low-key tourism is identified as a primary use (subject to a requirement to obtain planning consent from the local authority). With respect to the above, the Amendment:
- proposes specific controls over the future development of the subject land;
  - will require formal planning consent for any future development (although this needs to be clarified in modification to the Amendment);
  - is not anticipated to conflict issues in terms of agricultural activities provided access is from MOWEN ROAD; and
  - will require a fire management regime to the requirements of the Shire and satisfaction of the DEC.

#### WA Tourism Taskforce Report

33. A Ministerial Taskforce reporting to the (then) Hon. Minister for Planning and Infrastructure investigated issues relating to tourism planning and the use of strata title in tourism developments. This 'Tourism Planning Taskforce Report' (TPTR) identified several key findings for the development of tourism projects and the use of strata title, which have been recognised in the Proposal and the proposed zoning of the subject land. Associated with the TPTR an 'Attributes of Success for Strata Titled Tourism' (ASSTT) was produced.



34. These elements have also been incorporated within the Amendment as relevant.

WAPC Planning Bulletin 83 – Planning for Tourism

35. Planning Bulletin No. 83 (PB83) sets out the WAPC's interim position to implement the recommendations of the Tourism Planning Taskforce Reports. PB83 is to be used as an interim guide for local government and the WAPC pending the preparation of a State Planning Policy addressing this issue. Many of the recommendations of the Tourism Planning Taskforce are specific to the development of local government and WAPC policies and strategy however there is also recognition of the use of strata schemes to finance tourism developments, and that this should be qualified by requirements for integrated development and management. PB83 provides that strata subdivision of tourism developments should be subject to consideration of whether the proposal will:
- Facilitate the development of a sustainable tourism facility;
  - Provide for current and future tourism demand;
  - Accommodate the necessary services, management and support facilities without compromising the character, development flexibility or tourism amenity of the site.

The Amendment is consistent with these considerations of PB83.

Local Statutory and Policy Framework

36. The principle 'strategic' document in support of the proposed rezoning of the subject land is the 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."*

37. The Local Planning Strategy has identified that tourist development has provided for the economic development of the Shire and contributed to population growth. The Local Planning Strategy has also noted opportunities exist for nature based tourism within the Shire.
38. The subject land is located within Rural Planning Precinct NR5 of the LPS, where tourism is to be encouraged as a means of rural diversification, subject to addressing land use conflict issues.
39. In general terms, the Local Planning Strategy observes that MOWAN ROAD, when sealed, will provide an important linkage to MARGRET RIVER for tourism

traffic, linking the MARGRET RIVER and PEMBERTON wine regions. BARRABUP POOL is also noted as an important tourist asset to the region.

40. The Local Planning Strategy recognises under section 17.1 that tourist development can occur throughout the area including rural areas. With regard to the Proposal, the desirability of locating outside of townsite areas is fundamental, given the nature of the proposed development.
41. The primary policy within the Local Planning Strategy is found at Section 17: 'Local Planning Policy Framework – Tourism'. Section 17 of the Local Planning Strategy again notes the importance of MOWEN ROAD as a connection through the Shire, which is likely to be a conduit for significant volumes of tourist traffic. The following objectives are stated for tourism at Section 17 of the LPS:

*"Ensure that tourism/recreation use and development in the Shire is managed, located, designed and sited in a manner which protects and enhances the special environmental and landscape characteristics of the area.*

*Encourage tourism and recreation uses that:*

- *are located, sited, managed and designed in a manner which protects and enhances the special environmental and landscape characteristics of the district;*
- *minimise adverse impacts on the amenity of local residents;*
- *relate to their immediate environment;*
- *have an appropriate standard of public road access;*
- *enhance the predominantly rural character of the Shire; and*
- *recognises the intrinsic value of existing natural vegetation and its value as a refuge or habitat for wildlife."*

42. The policy statement within the Local Planning Strategy in relation to tourism development also notes that chalet (holiday cottage) developments that propose more than five chalets will require rezoning to 'Special Use' to facilitate the proposal, and also contains a number of considerations with which any such proposal should be consistent.
43. The Local Planning Strategy defines the term 'Major Tourist Facilities' as follows:

*"Major tourist facilities provide leisure and recreation facilities which occupy a site of more than 2 hectares or which provide for more than 50 visitors at any one time".*

The Local Planning Strategy states that major tourist facilities should be located;

- *"within or adjoining Nannup Townsite on sites which can provide convenient access to a full range of retail, community and other support services; or*

- *in rural areas on sites where the proposed facility will be ancillary to an agricultural activity being carried out on the land;*
  - *on sites where the facility can be accommodated without causing any adverse effects on the character and amenity of adjoining and nearby areas; and*
  - *on a site that is connected to reticulated sewerage or is large enough to enable all wastewater to be adequately treated and retained within the boundaries of the lot.*
  - *In the Agricultural, Agriculture Priority 1, Agriculture Priority 2, Cluster Farming and Coastal Landscape zones only where the use will:*
    - *be located to avoid potential conflict with normal farming operations o adjoining or other nearby properties;*
    - *be on sites that are at least 2 hectares or otherwise large enough to provide effective visual screening and buffering of the proposed use from adjoining land and maintain the overall character of the area; and*
    - *not contribute to a concentration of similar land use activities that would alter the established character of the surrounding area or detract from its amenity.*
  - *Where the development of a major tourist facility is proposed on land outside of the Nannup Townsite a rezoning to the Special Use Zone will be required prior to development commencing. Within the townsite, the need for rezoning of the land will be determined by the permissibility of the proposed uses within the existing zoning of the land.*
  - *Development shall be connected to a system suitable for treating the anticipated volume of effluent on-site. In the absence of a reticulated sewerage system being available the need for alternative treatment units will be considered".*
44. It is reasonable for the Amendment (should it be approved) to include a provision reflecting double bed chalets as a maximum of 6 bedrooms for any overall chalet development per lot, lodging house, bunk house to 20 persons and camp sites to an average of 2.5 per site (100 persons).
45. Council's Local Planning Strategy (LPS) contains the following criteria in relation to chalet development of this kind:

#### Chalet Development

- *Chalet development shall not be permitted in the Residential, Town Centre, Mixed Use, Special Residential and Special Rural zones. Rezoning of such land to the Special Use Zone or 'Additional Uses' classification may be considered;*
- *The minimum number of chalets permitted to be developed at a site shall be two (2);*
- *Chalet developments in excess of five (5) units will require rezoning to the Special Use Zone;*
- *Any proposal for chalet development should:*

- *be sited on a lot with a minimum size of one (1) hectare (for two chalets) and two (2) hectares (for more than two chalets) in order to provide effective visual screening and buffering of the proposed use from adjoining land and to maintain the overall character of the area;*
  - *be on a site that will enable the development to be integrated with the character of the surrounding area with minimal impacts on landscapes and vegetation;*
  - *be located to avoid potential conflict with normal farming operations on adjoining or nearby properties; and*
  - *only be established in an area of intensive agricultural production if the proposed accommodation will be ancillary to intensive agricultural production carried out on the land.*
- *Proposed sites shall be serviced by a standard of road capable of accommodating the anticipated volume of traffic generated by the development; and*
  - *Developments shall provide an adequate supply of water for domestic use and fire protection purposes.*
46. The amendment process will confirm if the site is suitable for this type of development by addressing the above criteria within the LPS. Specific issues will need to be addressed within the amendment documents prior to Council adopting the amendment for approval for the purposes of advertising.
47. If Council resolves to ultimately approve the amendment, by including the land in a Special Use Zone, all relevant planning matters are assessed through the amendment process and ultimately form the basis of land use controls to be included in the Local Planning Scheme.
48. These are as follows:
- Land capability
  - Appropriate access to the site via Barrabup Road, any upgrading required and opportunities to service the site via Mowen Road in the future being contributed by the applicant.
  - Internal road standards linking the north portion of the site to the south portion as there is extremely steep terrain between these areas.
  - Water supply
  - Effluent disposal
  - Management of strata via an approved management statement
  - Compliance with Tourism Accommodation policies from the Department of Planning and Infrastructure including the Tourist Accommodation Strata Guidelines and Planning Bulletin No83 – Planning for Tourism
  - Visual impact assessment
  - Compliance with strata title legislation
  - Flood Levels and ensuring that development does not occur within these areas

- Land Capability
  - Chalet design, function, aesthetics and occupation numbers
  - Fire risk management
  - Remnant vegetation considerations
  - Management of Land use conflict and its location within the agricultural area.
  - Maximum occupation of the chalets (noting that they are not to be used for permanent residential occupation)
49. There is some uncertainty about tourism related proposals as such, given that Council are receiving several requests to initiate amendments to rezone land from agriculture to special use to facilitate tourist related land uses without any strategic position on the correct locations of such developments and long term sustainability of the land uses. Council can only be guided by the Western Australian Planning Commission (WAPC) and agencies such as Tourism WA when such amendments are referred and assessed by such agencies.
50. The WAPC have prepared Planning Bulletin 83 - Planning for Tourism which is an interim policy to implement the recommendations of the Tourism Planning Taskforce whilst a State Planning Policy is being prepared by the WAPC and relevant stakeholders. Until these strategic issues are identified all Council can do is treat every application on its merits so therefore it is recommended that Council initiate the rezoning process to test if this type of land use is appropriate for the property.

#### **Conclusion:**

51. Given the development already approved on this lot and that Council has twice initiated this amendment, it leads to the continuation of the process and consultation initiated. Prior to consultation an amended document should be provided to include:
- 52.
- a. amending the proposed "uses" to reflect LPS No3 and define the development;
  - b. amending the Structure Plan to be consistent with the fire management plan;
  - c. amending the fire management plan to reflect comments of DEC, FESA and the Shire;
53. Other issues such as upgrading of BARRABUP ROAD and future arrangements to MOWEN ROAD, traffic management plan and flood assessment/mitigation can be addressed in the consultation process.
54. There are some concerns that the synergy of the whole with regards the compliance with access, fire management (fuel loadings on the site, setbacks, evacuation, and location of evacuation routes on the boundaries, building

construction, evacuation triggers and management) and yield questions the suitability of this land for the proposed amendment. The proponent should be advised that the likely hood of gaining FESA and DEC support is not high and that subsequent Council recommendation and WAPC approval is not guaranteed. With the increasing focus on bush fire protection over the past couple of years, publication of AS3959 2009 and Planning for Bush Fire Protection 2010, the standards have been raised.

#### Next Steps

55. Should Council agree to continue the support to the amendment then following amendment of the Structural Plan a formal request to advertise to the EPA will be initiated and consultation will be carried out.

#### **STATUTORY ENVIRONMENT:**

56. Local Planning Scheme amendments are processed in accordance with the Planning and Development Act 2005 and Town Planning Regulations. This allows the proponent to proceed with preparation of amendment documents with the knowledge that Council has no objections to the rezoning concept. Upon preparation of amendment documents for the rezoning of the land to the Special Use zone, they will be presented to Council for formal adoption.

**POLICY IMPLICATIONS:** Nil.

#### **FINANCIAL IMPLICATIONS:**

57. Fees associated with the processing of LPS No3 amendments are set out in Council's Schedule of Fees and Charges. Council is required to consider if the amendment is a major or minor amendment with the appropriate fees being paid. In this case it was assessed as minor and the fee and payment has been made. Given the time period and amount of consultation with this amendment Council should note that the fee has not covered the costs being incurred.

#### **STRATEGIC IMPLICATIONS:**

58. The subject land is located within Rural Planning Precinct NR5 of the LPS, where tourism is to be encouraged as a means of rural diversification, subject to addressing land use conflict issues.
59. The Amendment establishes some issues of density that need to be addressed in the longer term. The Local Planning Strategy states that:
  - *The minimum number of chalets permitted to be developed at a site shall be two (2);*

- *Chalet developments in excess of five (5) units will require rezoning to the Special Use Zone;*
60. The LPS's direction is useful, however it is limited in that it doesn't address density or yield in relation to chalet development and there is no guidance with regards camping grounds, art and craft centre, restaurants and associated facilities.
61. The yield sought for the Amendment is:
- a. Lot 1: Arts and Craft Centre, Cottage Industry, Residence (existing) plus additional ECO tourism Chalets (eco-shack, no numbers) and Residence on 32 Hectares.
  - b. Lot 2: 6 chalets, (existing, bird huts, bush chalet), Bunkhouse 8, 40 Campsites (100 - 400? people) and Residence (existing) on 32.7 hectares.
62. It is suggested that the Amendment be modified to address the yield of facilities and people on the lots. However, it would be appropriate for council also to consider investigating the establishment of a 'rural/tourist' policy (possibly a modification to the LPS that addresses the above matters).

Environmental: A range of environmental issues have been considered at the draft Amendment stage and will be considered in greater detail at the development application stage by relevant agencies and the Council. The proposal is centred on eco-tourism and is considered to have merit, but the encroachment and density of development on the site could be a conflict.

Economic: Adoption of the Amendment could result in opportunities for low-key tourist development which can assist in providing economic benefits to the local economy.

Social: The proposal will provide additional recreational opportunities for tourists and possibly, locals.

#### **RECOMMENDATIONS:**

1. That Council continues to initiate Amendment No10 to Local Planning Scheme No3 for rezoning of Nelson Location 1423 BARRABUP ROAD from 'Agriculture' to the 'Special Use' zone.
2. That Council request the proponent to prepare amendment documents prior to the consultant process reflecting the above.

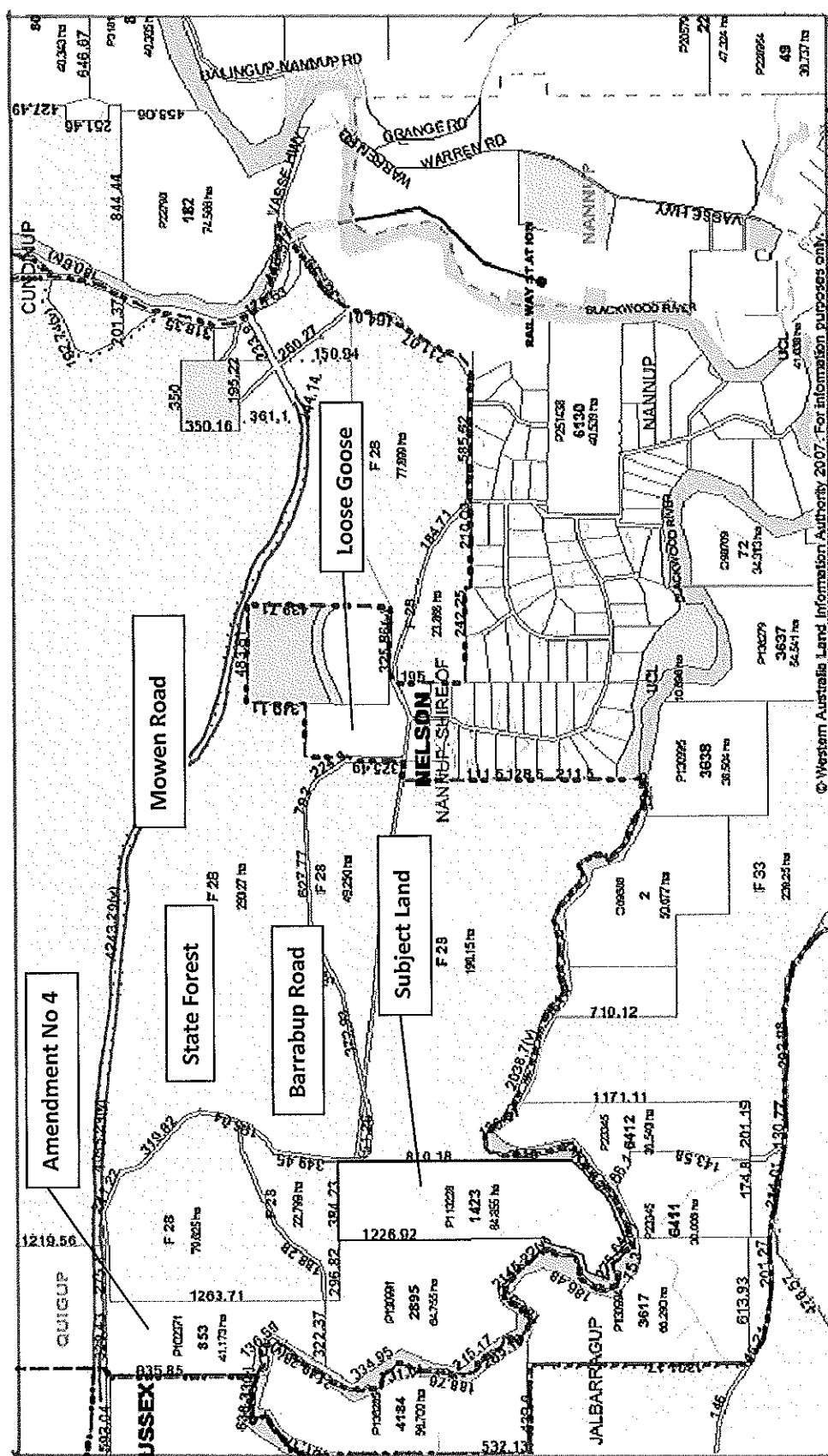
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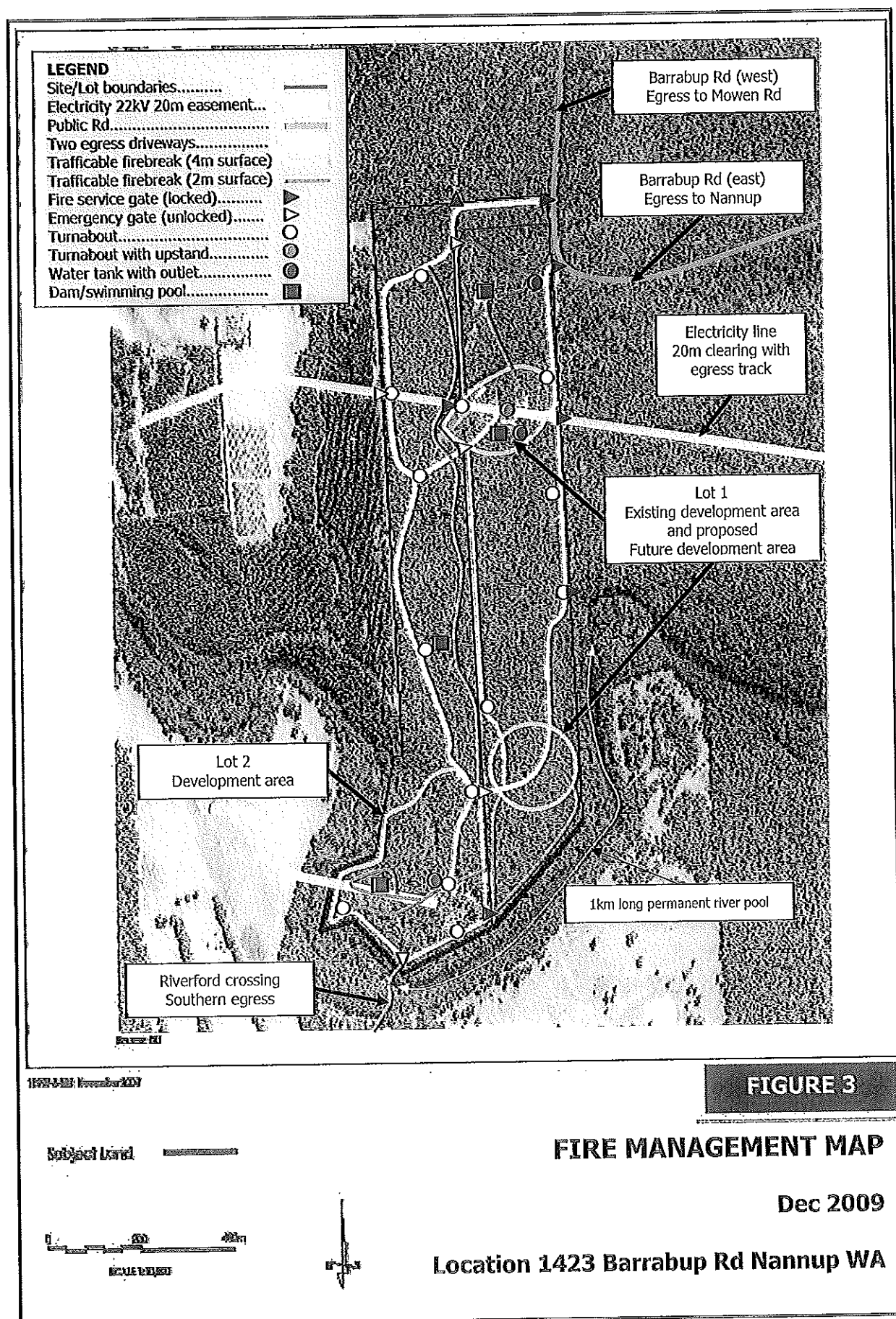
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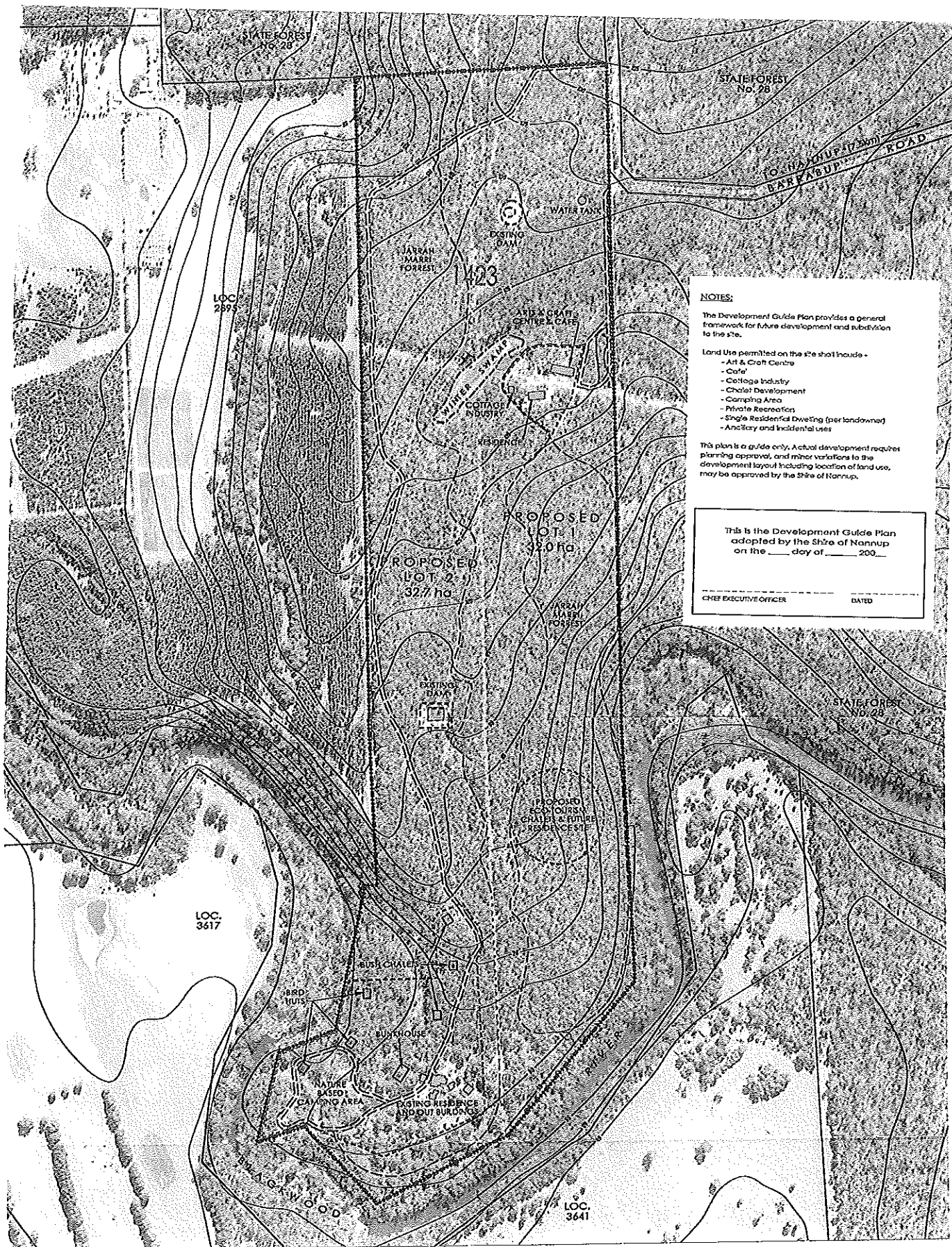
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**LOCAL PLANNING SCHEME NO3: AMENDMENT NO10**







#### NOTES:

The Development Guide Plan provides a general framework for future development and subdivision to the site.

Land Use permitted on the site shall include -

- Art & Craft Centre
- Cafe
- Cottage Industry
- Chalet Development
- Camping Area
- Private Recreation
- Single Residential Dwelling (per landowner)
- Ancillary and incidental uses

This plan is a guide only. Actual development requires planning approval, and minor variations to the development layout including location of land use, may be approved by the Shire of Nannup.

This is the Development Guide Plan adopted by the Shire of Nannup on the \_\_\_\_ day of \_\_\_\_ 200\_\_

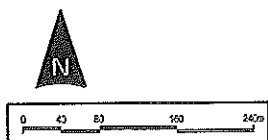
CHIEF EXECUTIVE OFFICER

DATED

#### LEGEND

--- APPLICATION BOUNDARY  
 --- PROPOSED LOT BOUNDARY  
 --- DEVELOPMENT CELL  
 --- 55 --- CONTOUR

□ BUILDINGS (EXISTING)  
 □ BUILDINGS (PROPOSED)  
 □ DAM  
 --- ACCESSWAY  
 --- WALKING TRACKS



## DEVELOPMENT GUIDE PLAN

#### NOTES

Base data supplied by Landgate

D. J. LEWIS : CLIENT  
 1:4,000 @ A2 : SCALE  
 DECEMBER 2008 : DATE

Property Description:

**D.D.C. koltasz** S.A.B.

WESTERN



AUSTRALIA

REGISTER NUMBER N/A	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 1644 FOLIO 627

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

REGISTRAR OF TITLES

**THIS IS A SHARE TITLE****LAND DESCRIPTION:**

1/2 UNDIVIDED SHARES OF  
LOT 1423 ON DEPOSITED PLAN 113228

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

DAVID JOHN LEWIS OF POST OFFICE BOX 108, NANNUP  
AS SOLE PROPRIETOR OF THE SHARE SHOWN IN THE LAND DESCRIPTION  
(T C555073 ) REGISTERED 1 JUNE 1983

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

1. \*E241410 CAVEAT BY GLENN OSSY-ORLEY LODGED 24.11.1989.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1644-627 (1423/DP113228).  
PREVIOUS TITLE: 410-43A.  
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.  
LOCAL GOVERNMENT AREA: SHIRE OF NANNUP.

- NOTE 1: K842868 LAND PARCEL IDENTIFIER OF NELSON LOCATION 1423 CHANGED TO LOT 1423 ON DEPOSITED PLAN 113228 ON 4.02.2009 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
- NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.

WESTERN



AUSTRALIA

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

REGISTER NUMBER

N/A

DUPLICATE  
EDITION

N/A

DATE DUPLICATE ISSUED

N/A

VOLUME  
1644FOLIO  
628

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

*EG Roberts*

REGISTRAR OF TITLES

**THIS IS A SHARE TITLE****LAND DESCRIPTION:**

1/2 UNDIVIDED SHARES OF  
LOT 1423 ON DEPOSITED PLAN 113228

**REGISTERED PROPRIETOR:  
(FIRST SCHEDULE)**

GLENN OSSY-ORLEY OF LOT 1423 OLD BARRABUP ROAD, NANNUP  
AS SOLE PROPRIETOR OF THE SHARE SHOWN IN THE LAND DESCRIPTION  
(T E241409 ) REGISTERED 24 NOVEMBER 1989

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:  
(SECOND SCHEDULE)**

1. \*C555074 CAVEAT BY DAVID JOHN LEWIS LODGED 1.6.1983.
2. \*F743404 CAVEAT BY JULIE DIANNE DUNKLEY LODGED 1.12.1994.
3. \*H512852 CAVEAT BY NICHOLAS JAMES MURFETT LODGED 28.7.2000.
4. \*I037534 CAVEAT BY CHEQUECASH PTY LTD LODGED 8.3.2002.
5. \*I255333 CAVEAT BY NICHOLAS JAMES MURFETT LODGED 4.10.2002.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1644-627 (1423/DP113228).  
PREVIOUS TITLE: 410-43A.  
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.  
LOCAL GOVERNMENT AREA: SHIRE OF NANNUP.

NOTE 1: K842867 LAND PARCEL IDENTIFIER OF NELSON LOCATION 1423 CHANGED TO LOT 1423 ON DEPOSITED PLAN 113228 ON 3.2.2009 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE

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RECORD OF CERTIFICATE OF TITLE

REGISTER NUMBER: N/A

VOLUME/FOLIO: 1644-628

PAGE 2

NOTE 2:

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# APPENDIX D (amended)

## TRAFFIC IMPACT STATEMENT LOCATION 1423 BARRABUP RD SHIRE OF NANNUP LOCAL PLANNING SCHEME #3 AMENDMENT #10

A traffic impact statement has been requested by the Shire of Nannup for consideration of the proposal to rezone Location 1423 Barrabup Rd Nannup (the Site), from Agriculture Zone to Special Use Zone under the Local Planning Scheme #3 (LPS#3). A full description of the proposed rezoning and plans is available within the main body of the scheme amendment report.

This statement has been prepared to provide local government with an insight into the possible impacts upon the efficiency of the local road network and effect upon local amenity and road safety due to the development.

The level of impact has been assessed as Low Impact, that is, "less than 10 vehicle trips in the development's peak hour" and as such "no transport information [is] normally required" (Source: WA Planning Commission 2006).

### *Introduction*

The Site is presently forested and the rezoning would allow the preservation of the Site's remnant forest vegetation whilst allowing the Site to achieve a commercial potential that if otherwise restricted to agricultural activities may require extensive clearing and water harvesting with the resulting impacts upon the local environment. Were the predominant use of the property to be agricultural, the traffic impacts would be unrestricted however the rating revenue would be limited to the unimproved value of the Site. Under rezoning, local government can control the development, instigate fire management plans, require a contribution to upgrading of local roads and rate the Site on its gross rental value.

The scope and objective of this report is to determine traffic impacts for the initial stages of the proposed development and provide consideration for later stages of development. The objective is to determine a suitable level for initial development where the impact upon existing road structure is acceptable and for local government to assess if necessary at what stage of development may trigger a developer's contribution to the upgrade of roads.

### *Current Land Use*

The Site is presently zoned Agriculture and has the existing approved or permitted uses designated 'P'

- Dwellings x 2 (P) - There is to be no increase in the number of residences from the 2 approved under prior planning provisions.
- Camping (P) - presently there are 10 individual sites, including 2 existing 'bird-hides' that form part of the camping facilities. A third 'bird-hide' and bunkhouse are proposed.
- Agriculture Intensive and Extensive (P) - the full potential of which is presently not realised. Small scale processing of native timbers is to be preserved under Cottage Industry/Art and Craft Centre provisions of the Special Use Zone

Under the Site's present Agriculture Zone there is the potential for the following uses designated 'D' - local government discretion required and 'A' - local government discretion with special advertising requirements as per the LPS#3

- Art and Craft Centre - possible under Exhibition Centre (A) and Cottage Industry (D) and proposed to be adjunct to the nature based themes proposed for the Site
- Cafe - possible under Restaurant (A) but it is not proposed to sell liquor or provide meals to the general public but to provide refreshment to patrons of the nature based themes proposed for the Site.
- Chalet Development (A) - the Local Planning Strategy permits 2 to 5 chalets but more than 5 requires the land to be rezoned to Special Use.
- Cottage Industry (D) - limited to 50m<sup>2</sup>
- Private Recreation - possible under Recreation and Leisure (D)
- Ancillary and Incidental uses - these could involve things like; a booking office, caretakers dwelling, workers accommodation, et cetera.



### **Site Access and Local Traffic Conditions**

The Site is presently accessed from Barrabup Rd which also services the special rural area west of Nannup and connects to Mowen Rd at a junction some 300m from the Vasse Hwy. Barrabup Rd from Mowen Rd up to Blackwood River Dr is bitumen sealed to 6m width. Barrabup Rd from Blackwood River Dr to the Site is gravel and presently also services Locations 4027, 2895, and 853, and Lot1 within the special rural area. The rezoning developments proposed for Location 853 are not to use Barrabup Rd but a direct route to Mowen Rd. The Site can also be accessed directly to/from Mowen Rd using the 'right of way' Road No 14759. (Representation has been made to Council for the upgrading of this route or Gracillys Rd as an safe egress route)

Present estimated AADT (Annual Average Daily Traffic volume) for Barrabup Rd sourced from local government are

- 100m south from Mowen Rd last survey in 2005 was 290 AADT. This represents total to and fro traffic movements for the whole special rural area, the Site and Locations 4027, 2895 and 853.
- 50m west of Blackwood River Dr from Oct 2008 was 50.7 AADT. This represents traffic from the Site (Loc. 1423) and from Locations. 4027, 2895 and 853. Loc. 4027 operates as The Loose Goose with 3 chalets and a function centre. Loc. 2895, although used for agriculture, viticulture and blue gums, the owners are absent most of the time. Loc. 853 also has absent owners who appear to mostly use Mowen Rd due to this properties topography. It may be a reliable estimate to assume that most of this traffic relates to Loc. 1423 and 4027.

There is no history of any traffic congestion problems occurring on this road network. There is no accident history available on this road network. The official rate for undivided rural roads is estimated at 0.00000049 accidents per vehicle kilometre (Economic Analysis Manual RTA NSW1990). For a 300 AADT the rate would be 0.000147 /km and for an additional 50 AADT the chance of an accident increases by 0.0000225/km.

All parking requirements for the proposed developments can be contained within the Site. There is little pedestrian activity in the area and most walkers use the Old Timberline Walk Trail that runs parallel to the gravelled section of Barrabup Rd.

### **Proposed Development**

The rezoning of the Site creates certainty for the developers and provides the opportunity to commercially develop the Site, not through agricultural uses, but by making use of the Site's river frontage and its natural forested attributes. The rezoning would restrict the existing agricultural development potential whilst permitting a controlled increase in other commercial/tourism uses that are compatible to the Site and the surrounding area.

- There is therefore a traffic movement offset between the existing and potential Agricultural Zone uses and those proposed under Special Use Zone. Assuming it were viable for the Site to be developed as an intensive or extensive agricultural concern the potential AADT could amount to >20 veh/day.

The following is a list of proposed uses and where available the AADT's have been derived from Road Traffic Authority NSW's Guide to Traffic Generating Developments (GTGD) or Austroads Guide to Traffic Management (AGTM12-09).

- Residences – There is no proposal to increase the number of residences. The estimated AADT for residences is 9 veh/day (GTGD).
- Camping – no Australian AADT figures are available for caravan parks or for private camping facilities. Existing occupancy rates are running at <2 days in seven, with < 30% of campsites used. For the 10 existing Lot 2 campsites @ 1 car per site that gives an estimated AADT of 10 sites x 2 (=return trip) x 0.28 x 0.30 = 1.68 AADT. It is envisaged a double camping sites on Lot 2 to give 3.36 AADT.
- Bunkhouse – allowance for 4 rooms with sleeping for two persons in each. Treated as equivalent to 4 camp sites x 2 (=return trip) x 0.28 x 30% = 0.67AADT
- Bird hides – the existing 2 bird-hides cater for 2 persons gives 2 bird-hides x 2 (=return trip) x 28% = 1.12 AADT and rising to 1.68AADT with completion of the third.
- Chalets– it is proposed to increase the maximum 5 chalet possible under agriculture zoning to a 6. With an occupancy rate similar to camping; gives 6 chalets x 2 (=return trip) x 28% = <3.36 AADT.
- Cottage Industry – is to provide a continuing use for small scale sawmilling in conjunction with the proposed Art and Craft Centre use
- Private recreation - based upon a maximum of 8 walkers per day, 2 persons per vehicle and 100% occupancy the estimated initial AADT for the nature based guided walks for Lot 1 is <8 AADT. Some or all of these walkers may be drawn from those using the accommodation facilities and may not therefore add to the overall AADT.
- Arts and Crafts/Café – the combined gross floor area (the converted shack) of the proposed initial development is <60m<sup>2</sup>, which will include; interpreter centre, toilet facilities, display area, office, kitchen and seating. The seating area available for refreshments would be limited to <8 bush walkers or <8 square metre @ 2 persons per vehicle = <8 AADT.. The GTGD estimates for restaurants is 60 AADT per 100m<sup>2</sup> @ 100% seat occupancy. The



proposed facility initially is only to operate adjunct to the nature based guided walks proposed for the Site and as such would not add to the overall AADT.

The table below represents estimated AADT's for the development. It indicates that the initial traffic impacts will be small or negligible if compared to what is possible under potential Agriculture Zone uses with a AADT of 20. Subsequent future developments may be subject to local government assessment of the traffic impact.

ESTIMATED AADT (Annual Average Daily Traffic Volume; In = 1 + Out = 1)			
USES	EXISTING AADT LOCATION 1423	AFTER DEVELOPMENT LOT 1	AFTER DEVELOPMENT LOT 2
residence x 2	18	9	9
agriculture	2	0	0
campsites x 10 +/-0	1.68	0	3.36
bunkhouse x 4 rooms	0	0	0.67
bird-hides x 3	1.12	0	1.68
chalets x 6	0	1.68	1.68
cottage industry	0	0	0
private recreation	0	8	0
art and crafts/cafe	0	0	0
ancillary/incidental	0	0	2
<b>totals</b>	<b>22.8</b>	<b>18.68</b>	<b>18.39</b>

### ***Traffic Impacts***

**Level of Service (LOS)** There should be no impact upon the LOS or intersection delay times due to the low numbers of traffic recorded at the Mowen Rd intersection at 290 veh/day. For a LOS of B (stable flow) for two-lane rural road @ 80km/h the capacity is about 600 veh/hour (Table 4.5 GTGD) ensuring that even at an AADT of 600 veh/day an LOS of A (unrestricted flow) will ensure giveaway and stop sign intersections maintain their 'good operation' (Table 4.2 GTGD).

**Environmental impacts** will be related to the increase in traffic volume, that is; noise, and dust along the gravel section. The Loose Goose may experience a proportional increase in dust due to the closeness of their function centre (<20m) to the roadway. The estimated AADT's indicate there will be little visibility impediment due to the LOS.

The two other properties that lie adjacent to, but are >20m from, the first gravel portion of Barrabup Rd are part of the special rural area. If the gravelled section up to The Loose Goose were bitumen sealed there may be an increase in traffic noise and speed.

**Impact on road pavement** may increase the periodicity of resurfacing and/or grading on the gravel sections. A certain amount of these costs will be recouped as the gross rental value of the Site increases. Local government may require an additional contribution if addition development is approved and triggers a significant increase in traffic.

**Safety** –the width of the gravel section of Barrabup Rd from Blackwood River Dr appears adequate for the present Level of Service. Closer to the Site the width diminishes from 6m to 5m. Consideration should be given to widening this last section to 6m for the safe passing and overtaking of vehicles especially as the route is used for the school bus.

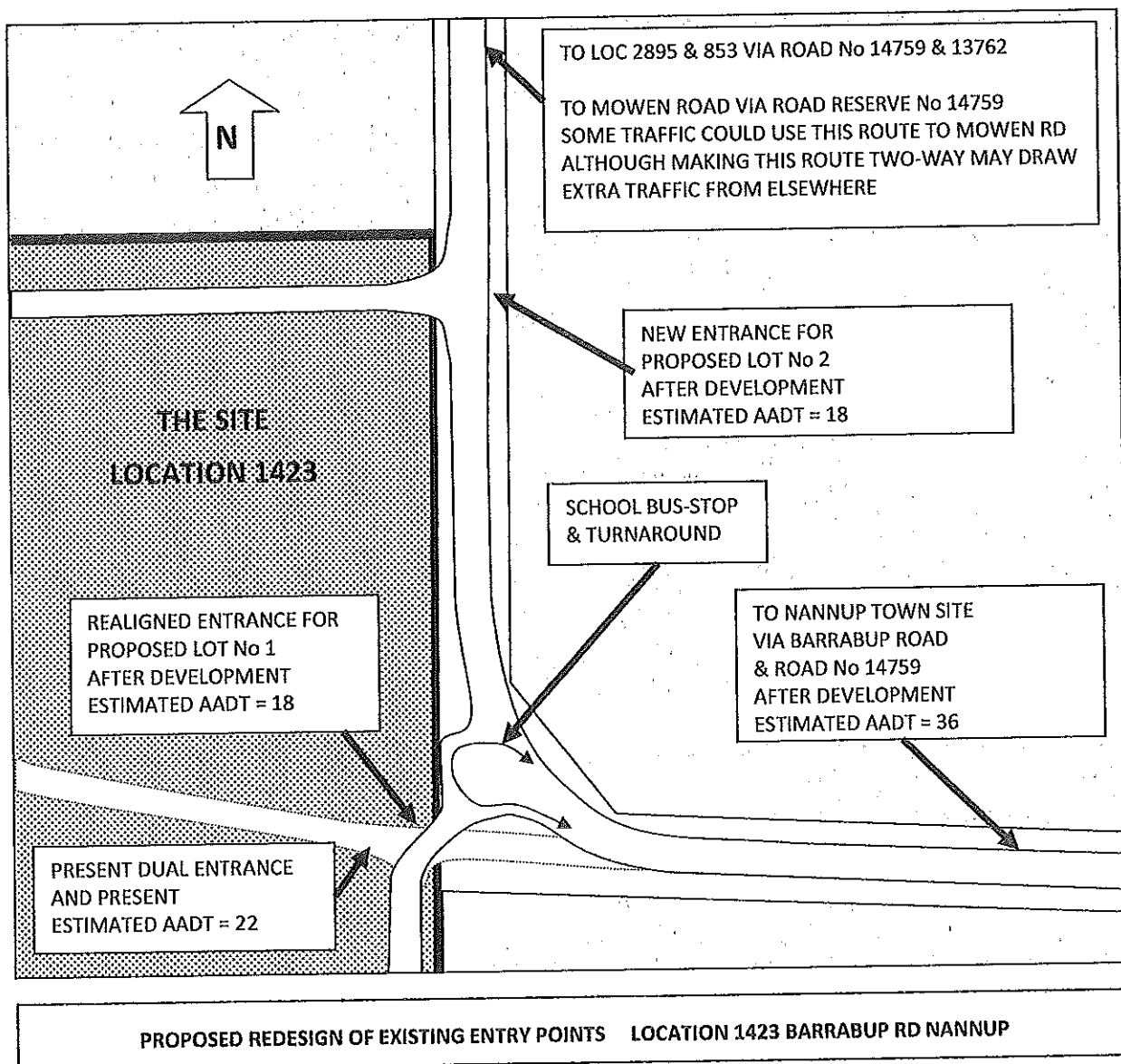
**Egress route** - Local government consideration should also be given to the retention of the egress route utilising Old Barrabup Rd, that is, the extension of Road No 14759, (see Appendix C Supporting Information 3a) that could provide one-way egress at the western end of Barrabup Rd to Mowen Rd and alleviate extra traffic along the eastern portion of Barrabup Rd. This would also provide an additional emergency egress route in case of bushfire for all residents in the vicinity. Passing bays @ 200m intervals (to FESA requirements) could be installed to allow two-way movement of emergency vehicles.

### Access Design

All internal driveways are to be constructed to FESA requirements as detailed in the Appendix B Fire Management Plan. The two proposed gravel driveways will provide all weather surfaces, two-way traffic, passing bays, and turnarounds, for the safe movement of both patrons and emergency vehicles.

The existing dual entrance to the Site is to be split and redesigned to improve flow, safety and visibility. The two new entry points to the Site are depicted on the accompanying diagram that shows the estimated present AADT's and those after development.

Additional traffic impact statements may be required by local government to accompany any future development.



**Summary**

The scale of proposed development is assessed as Low Impact as there are less than 10 vehicle trips in development's peak hour. The trigger for raising this to Moderate Impact is 10-100 vehicle trips at development's peak hour or for an entertainment venue/restaurant it is 100-1000 seated persons or 200-2000m<sup>2</sup> gross floor space (WA Planning Commission 2006).

The trigger for a developer contribution to upgrading roads could be determined either by;

- the development going from Low to Moderate Impact as determined by local government, or
- an application for cafe development that would be open to the public, or
- where the road improvement and/or maintenance costs would not be amortised from the rate revenue from the Site alone or other broader or local benefits attributable to the Site's development.

The developers can discuss with local government aspects regarding suitable trigger points for contributions including the timing of any works on Barrabup Rd, supply of gravel from the developer's Site and upgrading of the egress route to Mowen Rd via Rd No 14759 as suggested. These works may include the following;

**Barrabup Rd –**

- Widen to 6m the narrower gavelled sections of Barrabup Rd that are within 1km of the Site. There appears to be enough room to remove gravel from the road side embankment without the need to remove many trees.
- Re-sheeting of some gravel sections if required

**Public egress route via Rd No 14759 –**

- Install 5 passing bays @ 200m intervals
- Install one-way and no entry signs at either end
- Install culvert and gravel surface at Mowen Rd

**Upgrading entrance points into the Site --**

- To be undertaken by the developers after approval by local government.

***Prepared by D.J.LEWIS (B App Sc) 2010 March 20***

---

**APPENDIX B**

**FIRE MANAGEMENT PLAN**

**NELSON LOCATION 1423, BARRABUP ROAD, NANNUP**

**SHIRE OF NANNUP**

**December 2009**

**Prepared by**  
**DJLEWIS**  
**Bach App Sc (Mech.Eng.)**

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**1**

## INTRODUCTION

This fire management plan has been prepared for the purpose of safeguarding life, buildings and property within the proposed development and is consistent with the following:

- Homeowner's Bush Fire Survival Manual (HBFSM)
- DC3.7 Policy of the Western Australian Planning Commission prepared in conjunction with Fire and Emergency Services Authority (FESA).
- Planning for Bush Fire Protection document (PFBFP) prepared by FESA in consultation with the Dept. of Planning and Infrastructure (DPI).
- AS3959-1999 - Construction of buildings in bushfire prone areas [this is the Standard currently in use in WA because the recently released AS3959-2009 has not yet been adopted by the Australasian Fire Authorities Council (AFAC)]
- An Introduction to Fire Dynamics – Drysdale 2<sup>nd</sup> Ed 2008
- Bush Fire Act 1954 (as amended)
- Advice from FESA regarding compliance with the PFBFP (DC3.7 section 5.4.2).
- Advice from DEC regarding land abutting the Site that is managed by DEC (DC3.7 section 5.4.3).

## 2 SITE DETAILS

The Site is described as Nelson Location 1423 Barrabup Road Nannup. A Fire Management Plan (FMP) is a condition for the rezoning and subsequent development and subdivision of the Site under the Special Use zone of the Local Planning Scheme No 3 of the Shire of Nannup.

The Site is 64.75ha and located 7.5km west by road from the Nannup townsite and 5km from the North Nannup Volunteer Bush Fire Brigade headquarters. Access is from Barrabup Road that runs parallel to the Site's north eastern boundary.

The Site is bounded by the Blackwood River around its southern half, and agricultural land and State Forest around the northern half. The Site consists mostly of jarrah/marri forest with an average slope of 2 degree from 130 AHD in the north to 60m AHD in the south.

## 3 STATUTORY CONDITIONS

The FMP is consistent with the requirements for the Department of Planning and Infrastructure Bushfire Protection Policy DC3.7, the Planning For Bush Fire Protection (PFBFP), and the Australian Standard for construction of buildings in bushfire-prone areas AS3959-1999. Notwithstanding the above, fire management strategies may require amendment in the future to meet changing weather patterns and land use or local government may enforce additional conditions under provisions of the Bush Fire Act 1954 (as amended).

## 4 BUSH FIRE HAZARD ASSESSMENT

### 4.1 PFBFP Assessments

The Site is within a bushfire prone area. The PFBFP bushfire hazard assessments are categorised into three types. Type 1 provides an external bushfire hazard assessment of the bushfire attack level that would exist at the boundary of the Site from the external area surrounding Site. Type 2 provides an internal bushfire hazard assessment posed by the Site vegetation as experienced at points within the Site. Type 3 provides a detailed assessment of the hazards affecting specific developments within the Site.

Each Type of assessment involves the determination of ground gradients from contour mapping and the overlying vegetative type 1-28 determined using Figure 1 of the PFBFP. The Predominating Vegetative Class A-F can then be determined from the PFBFP Figure 1 and Table 2 of the PFBFP allowing determination of the Hazard Assessment Level as Low, Medium, High or Extreme using Table 3 for Type 1 and 2 assessments and Table 4 for Type 3 assessment.

The PFBFP classification of "bushfire hazard" is derived from the currently in use AS3959-1999 into; low, medium, high and extreme; to provide four levels of construction for habitable buildings. The yet to be

adopted AS3959-2009 provides for six bushfire attack or construction levels using different site assessment methodology based upon radiation intensity in kW/m<sup>2</sup>. AS3959-2009 Appendix G4 names the six levels; very low, low, moderate, high, very high, and extreme; however Clause G2 states: "it is NOT appropriate to compare the construction requirements from a level in the 1999 edition with those of this [2009] edition".

PFBFP Table 1 provides Fire Protection Performance Criteria for Low, Medium, High and Extreme bushfire hazard sites. Construction of habitable buildings within Extreme proximities are "generally not permitted" and those within Low hazard areas do not warrant specific AS3959 construction requirements. Construction of habitable buildings may be permitted within a Medium or High hazard zone provided they meet "Australian Standard 3959".

## 4.2 Type 1 Assessment

A Type 1 Bush Fire Assessment was made using PFBFP Table 3 and a 10m topographical contour map and found the ground slopes over the area surrounding the Site were generally less than 10° (1 in 5.7, 18%).

The vegetation within the river reserve along the southern portion of the Site comprises riverbanks and the river watercourse under the jurisdiction of the Dept. of Environment and Conservation (DEC) or Dept of Water (DoW). According to the AS3959-2009 Section 2.2.3.2 Exclusion (d), the river vegetation alongside either side of the river-course may be classified as low hazard as it mostly represents "strips of vegetation less than 20m in width regardless of length and not within 20m of.....other areas of vegetation". This Low hazard assessment is justified when the river reserve is taken in isolation from the Site's private property vegetation because Type 1 Assessment concerns only the "external" hazard assessment and is not pertinent to an "internal" Type 2 assessment of the Site itself which is or will be subject to fuel reduction modification.

The vegetation Class Type surrounding the southern half of the Site south of the Blackwood River comprises private property pasture and horticultural land and falls into AS3959-1999 vegetation Class Types 15-28 representing a Low to Medium hazard.

The vegetation abutting the northern part of the west boundary of the Site comprises private pasture and blue-gum plantation falling into AS3959-1999 Class Types 6-28 representing a Low to High hazard. The local government Hazard Reduction Notice requires bluegum plantations to have "firebreaks not less than 10m wide" and "clear of all flammable material" along property boundaries.

The vegetation surrounding the north-east portion of the Site is State Forest (subject to logging) consisting of medium trees less than 30m high, foliage cover 30-70%, fuel loads governed by the DEC control burning regime, falls into vegetative types 5-6, open forest to woodland and may represent an Extreme hazard at proximity to the Site boundary.

The Type 1 Bush Fire Hazard Assessment Levels therefore range from Low/Medium in the south to High/Extreme in the north.

## 4.3 Type 2 Assessment

A Type 2 Bush Fire Assessment was made using the PFBFP Table 3, by dividing the Site into a 100m x 100m grid and determining the prevalent vegetative type within each grid sector and the slope using a 5m topographical contour map. The vegetation across most of the Site generally consists of medium trees less than 30m high, foliage cover 30-70%, and falls into open forest to woodland type 5 to 6. In areas surrounding the existing developments the vegetation ranges from woodland type 6, orchards type 10, gardens type 18, lawns type 28 and gravel driveways.

Data collected from the Site shows the existing forest canopy height averages less than 25m. Evidence from past sleeper-cutting, ring-barked trees and old felled logs suggests the original mature forest height on the Site rarely exceeded 30m.

The Site slopes from 130 AHD in the north to 60AHD in the south with internal slopes less than 10° (1 in 5.7). At two parts on the boundaries at the east and west sides where the Blackwood River first meets and then finally departs from the Site, and at the north-west corner of the property, some slopes do exceed 10°.

The Type 2 Bush Fire Hazard Assessment Level for the predominating vegetation within the Site will be subject to fuel reduction to maintain the fuel load at 8t/ha. The type 2 assessment therefore falls into High.



#### 4.4 Type 3 Assessment

A Type 3 Bush Fire Assessment was made using the PFBFP Table 4, and by determining the vegetative type and class in a radius up to 350m from both residences within the proposed Development Cells of Lots 1 and 2 (per Scheme Amendment DGP). From the existing residences the existing predominate vegetation class was determined in the distances 0-15m, 15-40m, >40-100m, and >100m, and the average slope was found to be less than 10° (1 in 5.7).

The existing local government Fire Hazard Reduction Notice for rural properties require a "2m firebreak abutting all homesteads and buildings" with a "Reduced Flammable Fuel Zone [RFFZ] extending a further 20m". The RFFZ is required to "be cleared of all flammable material" except for "live standing trees" and "live garden plants". The existing local government fire reduction notice is observed for existing developments including a hazard separation zone where the surface fuel load is maintained below 8 tonne/hectare as per the PFBFP part AS3.6(iii) requirement.

The vegetation surrounding the existing and proposed developments is to be further modified under this FMP with the implementation of building protection and hazard separation zones and construction of habitable buildings in accordance with AS3959. The Type 3 Bush Fire Hazard Assessment Level within the areas of development will then be of a level that will be acceptable for further development and subdivision.

### 5 BUSHFIRE PLAN

The primary aim of the FMP is to contain the spread of bushfire and reduce the threat of bushfire to persons within the Site, be they residents, patrons or firefighters, by the following measures:

- Restricting relevant development to designated development cells where Building Protection and Hazard Separation zones are to be installed and maintained.
- Maintaining bushland fuel loads outside of development areas at 8t/ha
- Providing protection to persons by having habitable buildings constructed to AS3959. The standard is primarily concerned with improving the ability of buildings to better withstand attack from bushfire thus giving a measure of protection to the building occupants (until the fire front passes) as well as to the building itself.
- Utilising the main residence within each development cell to provide a safe refuge should evacuation from the Site be not possible.
- Ensuring adequate fire suppression response.
- Providing an efficient firebreak and access system.
- Having sufficient egress routes for persons to escape from the Site and avoid a bushfire where that is possible.
- Providing adequate access and space for firefighters to operate within the Site.
- Providing adequate water supplies.
- Providing solutions acceptable within the intent of the PFBFP.

#### 5.1 Development Design

Primary development, including all habitable buildings, is to be confined to the designated Development Cells. All habitable buildings are to be constructed to AS3959 and be able to provide immediate refuge for persons occupying those buildings in the event of bushfire.

The residence within each developmental area is to act as primary focal point in case of fire, refuge for persons when evacuation from the Site is not favourable and the place to plan a bushfire response. This building and the area around the building must in the event of bushfire be able to accommodate the number of persons within that development cell commensurate with the permitted use, the fire response available and the seasonal threat of bushfire.

A low fuel area or Building Protection Zone (BPZ) is to be maintained immediately abutting all buildings to minimise the likelihood of flame contact. All habitable buildings are to have an area extending beyond the BPZ to be maintained as a bushfire Hazard Separation Zone (HSZ), and the remaining bushland is to be subject to a fuel reduction regime.

## 5.2 Bushfire Alarm Procedure

The primary objective for the safety of people is to protect them from radiant heat and direct flame contact. Smoke generated from bushfires, although distressing and even disorientating is not life threatening (PFBFP section 1.5) and there is no clear evidence that smoke from a bushfire entering a building is a risk (AS3959-2009 Section 1.1 Note 2). Patrons should be informed of the dangers posed by radiant heat, direct flame contact, smoke and burning debris, and the protection afforded to persons by habitable buildings constructed to AS3959.

Campsites and chalets are to be provided with a copy of the Homeowner's Bushfire Survival Manual and patrons informed of the precautions necessary to prevent bushfire, the bushfire alarm procedure, and the bushfire survival plan. Installation of fire siren, smoke detectors or intercom system may assist in a co-ordinated bushfire response.

All patrons should vacate the Site on any day where the Fire Danger Rating for the area is declared "extreme" to "catastrophic" as publicised by the Bureau of Meteorology and through the media.

## 5.3 Fire Suppression Response

The local North Nannup Bush Fire Brigade fire fighting appliances have a response time of 5-10 minute from their headquarters in the event that personnel are available to operate the appliance. The response time meets the minimum 20 minute for rural development fire protection levels. The local brigade headquarters have personnel trained for bush fire suppression; have appropriate communications, protective clothing and a 2.4 appliance.

Immediate on-site fire suppression consists of pump and/or gravity fed outlets at residences, fire-hoses situated at the existing campsites, and fire hoses planned for the proposed bunkhouse, eco-shacks and chalets. Water is also available from potable storage tanks, gravity feed from dams, mains powered bores and pumps, back up emergency electricity generator, and on-site knapsacks. It is proposed to house a mobile fire-fighting unit permanently on the Site.

The Site is serviced by landline telephones to each residence, satellite internet, and "NextG" mobile phone coverage is available from within the Site.

## 5.4 Firebreak System

The topography, physical features, lie of the land, ground slope, banksia groves, erosion concerns, spread of dieback, risk to remnant native vegetation and existing track systems have dictated the route of the existing and proposed firebreak system for the Site.

The driveways to Development Cells for Lots 1 and 2 follow as close as possible to the boundaries of the Site to provide firebreaks along northern, western and eastern portions of the Site. Specific erosion risks occur at the northwest corner, and on the eastern and western flanks of the Site where it is impracticable to install trafficable firebreaks directly on the boundary due to the slope. The driveway sections of the firebreak system consist of all weather gravel surfaced access roads providing access to the residence within each Development Cell and are to conform to the PFBFP guidelines for driveways AS 3.4.3(iv).

A combination of trafficable internal roads, firebreaks and walktrails provide a mineral earthen firebreak system separating the proposed lots.

A 1km long permanent river pool 20m-30m wide affords protection along the south-east boundaries adjacent to the Blackwood River. A driveway access road and graded walk-trail is to traverse the eastern and southern portions of the Site. These firebreaks, in conjunction with the Blackwood River permanent pool, will form the fire protection system along the south-east portion of the Site.

Along the south-west boundaries adjacent to the Blackwood River a similar trafficable firebreak/walktrail system exists. This firebreak is to be extended and widened to 4m so as to encompass the developments proposed for Lot 2.

A similar 4m wide trafficable firebreak, that may comprise driveways and existing tracks, is to encompass the existing and future developments for proposed Lot 1.

Power transmission easements dissect the Site in two places providing 20m clearings, additional emergency access ways, firebreaks and escape routes within or from existing developmental areas

Combining the Building Protection Zones, Hazard Separation Zones, bushland fuel reduction, driveways, internal roads, firebreak/walktrails, developmental area firebreaks and power easements are to provide a comprehensive and integrated firebreak system to control, fight and escape fires.

## 5.5 Access and Egress

Public access to the Site is affordable along a 144m section of Barrabup Road that runs parallel to the north eastern boundary of the Site. The Barrabup Road reserve (No 14759) provides access eastwards to Nannup townsite and northward to Mowen Road.

Two internal driveways along the eastern and western boundaries connecting all development are to provide two emergency egress routes from the Site to the north. The driveways are to interconnect the proposed development cells and are required to accommodate two-way traffic for fire appliances and/or residents.

In addition to the required two egress routes there exists along the interface with the Blackwood River a river crossing connected to the Site's internal trafficable firebreak system providing an emergency southern escape route for vehicles and/or persons on foot. This river crossing has a solid and level pebble base, is ankle deep from spring to autumn, the embankment approaches on each side are on firm ground and of low incline. The approaches are to be upgraded to trafficable standard acceptable to FESA and local government. The river ford abuts private property and egress would be available to FESA or DEC in an emergency.

Fire service and emergency exit or egress points are provided at strategic intervals along the Site's boundaries that abut private or state land. Entrance gates, gates abutting state forest and those separating the proposed Lots may be required to be locked by common key available to the local fire service. These gates require locking as uninvited and uncontrolled intrusions onto the proposed Lots will increase fire risk from marron fishers, pig hunters, roo-shooters, day trippers, trail-bikers, snoopers and the like.

The driveways, internal access roads and trafficable firebreaks are to have a hard surface, have erosion control measures in place, long term maintenance arrangements and are to meet to the following standards:

- All weather surface with minimum 4m vertical clearance
- Egress Routes and Driveways 4m minimum mineral earthen surface, 6m horizontal clearance
- Internal Access Roads 4m minimum mineral earthen surface, 4m horizontal clearance
- HSZ Perimeter Firebreak 4m minimum mineral earthen surface, 4m horizontal clearance
- Other Firebreak/Walktrail 2m minimum mineral earthen surface, 3m horizontal clearance
- Maximum grade 1 in 8 with maximum average grade 1 in 7
- Maximum individual grade over <50m to be 1 in 5
- Minimum capacity 15 tonne
- Maximum crossfall 1 in 33
- Minimum inner curve radius 12m
- Turnabout as per the PFBFP to be placed at the end of driveways and within 50m of a residence.
- Turnabouts as per the PFBFP to be placed at 500m maximum intervals.
- Passing bays comprising a 6m trafficable width for a minimum 20m length or turnabouts at intervals no greater than every 200m.
- Fire control gates used to restrict traffic to provide a 3.6m minimum opening.
- Fire control gates to be easily opened in emergency and to a design/construction approved by local government.
- Gates providing for emergency access must not be locked.
- Gates providing for fire service access may be locked but only with a common key available to the Local Bush Fire Brigade.
- Gates that provide access for emergency or fire service are to have signs per AS3.4.3(x) of the PFBFP or where those gates provide for other authorised access, such as electricity supply contractors or forest product commission employees, may have signs displaying "Authorised Access Only" if locked or "Emergency Access Only" or to the satisfaction of local government.

## 5.6 Water Supply

The residence within each developmental area is to be the focal point in case of fire, the place to plan a fire response and to take refuge should evacuation from the Site be unfavourable. Each residence is to have sufficient fire fighting facilities to provide initial protection from the onslaught of fire. A minimum 50kL water supply by way of upstand or tank with approved instantaneous couplings is to be situated adjacent to the residence or minimum 200kL dam storage available within 20 minute turnaround time for a 2.4 fire appliance. All PVC or poly pipe water supply lines to be a minimum 300mm below ground level. All upstands to be suitably protected against fire or of copper or galvanised pipe.

Notwithstanding the above, as a condition for future development, water supply, upstands, instantaneous couplings, hardstands, turnarounds, other fire requirements and appliances are to be installed to the satisfaction of local government.

The proposed developments including chalets, bunkhouse, eco-shacks, bird huts or camp-grounds are to have fire hose reels installed in accordance with the Caravan and Camping Grounds Regulations.

The existing developmental areas have the following water supplies. The location of the water supply points is included in the FMP for distribution to the local fire brigade.

### 5.6.1 Lot 1

Inside the residence are water outlets from pump, bore, dam and rainwater supplies, fire fighting equipment, reticulation controllers and pump switches including a 250V 8kVA standby diesel generator with appropriate switch over mechanism from mains to auxiliary power. Water supplies consist of:

- For the refilling of fire appliances; upstands with valves and instantaneous couplings are situated at front of the residence with appropriate fire appliance turnabout area. The upstands are fed by 50mm gravity line and/or pumped using a 40mm supply line utilising rain, bore or dam water.
- A 400L/600L fast attack portable unit is proposed to be housed within Lot 1 Development Cell.
- A swimming pool at south west corner of the residence provides 40kL of water, is kept full throughout the year and is accessible to fire appliances.
- Within the Development Cell and 25m south of the residence there is situated a 100kL rainwater tank utilising roof catchments and a 20kL transfer tank for bore/dam water. Both tanks are kept full during summer with bore or dam water. The 100kL tank is equipped with an instantaneous coupling for fire fighting appliances.
- North of the developmental area, some 400m from the residence and 50m from Barrabup Road are a 200kL rainwater tank and a 10kL bore/dam header tank that gravity feed the residence, outbuildings, orchards, gardens and fire appliance refill upstands. The 200kL tank is to have an instantaneous coupling and is refilled from the 100kL tank below the house when it reaches half full. The 10kL tank is kept at maximum capacity automatically with bore/dam water. Refill water is supplied at >50L/min.
- Earthen dam is situated north of the residence near the above tanks. The dam runs low of water by early summer and is accessible by 2.4 appliances. The dam is connected by 40mm siphon line to the residence and 20kL tank.

### 5.6.2 Lot 2

The existing developmental area for proposed Lot 2 has the following water supplies;

- Bore pump that supplies water at approximately 125L/min
- Earthen dam that is kept in excess of 200kL capacity within 2 minute driving time of the Development Cell and accessible by 2.4 appliances.
- Water supply system fed by gravity from the above earthen dam and is to be connected to upstands at the residence and to fire hoses at campsites, huts and chalets
- An additional earthen dam within the developmental area
- 10kL rainwater tank
- 10kL header tank
- Fire hose reels are installed at the existing camping grounds and bird-hide huts in accordance with the Caravan and Camping Grounds Regulations.

## **5.7 Buildings**

### **5.7.1 Habitable Buildings**

Existing and new habitable buildings are to be upgraded and/or built to conform to;

- The Homeowner's Bushfire Survival Manual,
- Shire of Nannup specifications and requirements,
- AS3959-1999 Level 2 Construction,
- Building Protection and Hazard Separation Zones to be installed prior to development approval

All buildings, carports or other structures attached to or located within 6 metre of a habitable building may be considered part of the habitable building.

### **5.7.2 Adjacent Structures**

Non-habitable structures should be situated more than 6m from habitable buildings, and if the outbuilding is un-enclosed, more than 40m if they contain significant amounts of flammable materials such as volatile liquids or hay bails (refer HBFSM).

### **5.7.3 Siting of Buildings**

All habitable buildings, residences, chalets, bunkhouses, and camping facilities are to be situated within a Development Cell as predicted by the Development Guide Plan. Residences are to be situated at least 40m from Lot boundaries and Extreme bushfire hazards. Other habitable buildings are to be constructed no less than 20 metres from Lot boundaries or 40m from Extreme bushfire hazards.

The PFBFP AS3.6 provides an Acceptable Solution where habitable buildings a "minimum distance of 100m from an extreme bushfire hazard" are not required to meet any Construction Level in compliance with AS3959 placing such a building in a PFBFP Low hazard zone. The PFBFP does allow construction in a High or Medium hazard zone where a building can be either at 15m-40m or at >40m-100m respectively from any Extreme bushfire hazard (PFBFP Table 4). The WAPC Policy No DC3.7 Clause 4.3 also permits more "intensive development" to occur in areas classified as an Extreme hazard where "permanent hazard level reduction measures [are] being implemented to reduce that hazard to high, medium or low.

The Blackwood River foreshore vegetation in most instances does not exceed 20m in width and in places considerably less than 20m especially during seasonal fluctuations in river level. Such vegetation by itself does not fall into an Extreme fire hazard but falls into low zone according to AS3959-2009 section 2.2.3.2 (d) due to the width of the intervening river course and as a consequence of the fire hazard reductions proposed for the Site.

Where habitable buildings that are constructed to standard BCA requirements and have no fuel reduction/modification carried out, the buildings must be setback 100m from the extreme fire rated area. The PFBFP section 2.2 states; "where it can be demonstrated that bushfire fuels will be maintained throughout the life of the development at hazard reduced levels or as a result of approved works which permanently change the character of the land, reduced [hazard] levels can be assigned accordingly".

## 6 HAZARD REDUCTION

The main threats of bushfire on the safety of persons and property are flame contact, radiant heat energy and ember attack. The PFBFP section 1.5 states "smoke generated from bushfires, although distressing and even disorientating is not life threatening". To reduce the threat posed by radiant energy, ember attack and flame contact the flammable fuel loads in proximity to habitable buildings are to be reduced by Building Protection Zone (BPZ) and Hazard Reduction Zone (HRZ) determined in accordance with the relevant AS3959 Bushfire Hazard or Attack Level.

Effects of thermal radiation (ref Fire Dynamics p61); the maximum level for prolonged exposure to human skin is  $1\text{kW/m}^2$ , pain is experienced after 8 second at  $6.4\text{kW/m}^2$  and 3 second at  $10.4\text{kW/m}^2$ , volatiles of wood may ignite by pilot after prolonged exposure at  $12.5\text{kW/m}^2$ , blistering of skin after 5 second at  $16\text{kW/m}^2$ , wood ignites spontaneously after prolonged exposure at  $29\text{kW/m}^2$  and fibreboard ignites spontaneously in 5 seconds at  $52\text{kW/m}^2$ .

### 6.1 Building Protection Zone

The aim of the Building Protection Zone (BPZ) is to reduce bush fire intensity close to dwellings, and to minimise the likelihood of flame contact with buildings. The BPZ is a low fuel zone immediately surrounding a building.

Non flammable features such as bare earth, driveways, vegetable patches, lawn, and landscaped gardens (including deciduous trees and fire resistance species) should form part of the BPZ. Isolated shrubs and trees may be retained within the BPZ. Branches which may fall onto a house are to be removed, and lower branches trimmed. To minimise the loss of remnant native vegetation a reduction of lot yield or the planting of fire resistant plant species may be appropriate.

A BPZ of a minimum 20 metre is to be constructed around all buildings and fulfil the following conditions;

- If the ground downslope exceeds  $10^\circ$  (1 in 5.7) within part of the BPZ the width of the zone is to be increased in accordance with the PFBFP AS 3.6.2
- Bushfire fuels to be maintained below 50mm in height.
- The first 5m of the BPZ to be cleared of all flammable material. Reticulated gardens may be located in this zone
- For the next 15m (ie from 5m-15m) surrounding any building the tree spacing should be a minimum of 10 m apart.
- Branches which may fall or overhang buildings must be removed for a minimum of 2m away from the edge of the roof of any building.
- All leaves, tall grass and clearing slash of trees must be removed.
- Grass is to be trimmed and maintained to no more than 50mm.

### 6.2 Hazard Separation Zone

A Hazard Reduction Zone (HRZ) is required to separate buildings from extreme bush fire hazards and is to extend beyond the BPZ in order to protect buildings from burning debris and radiant heat.

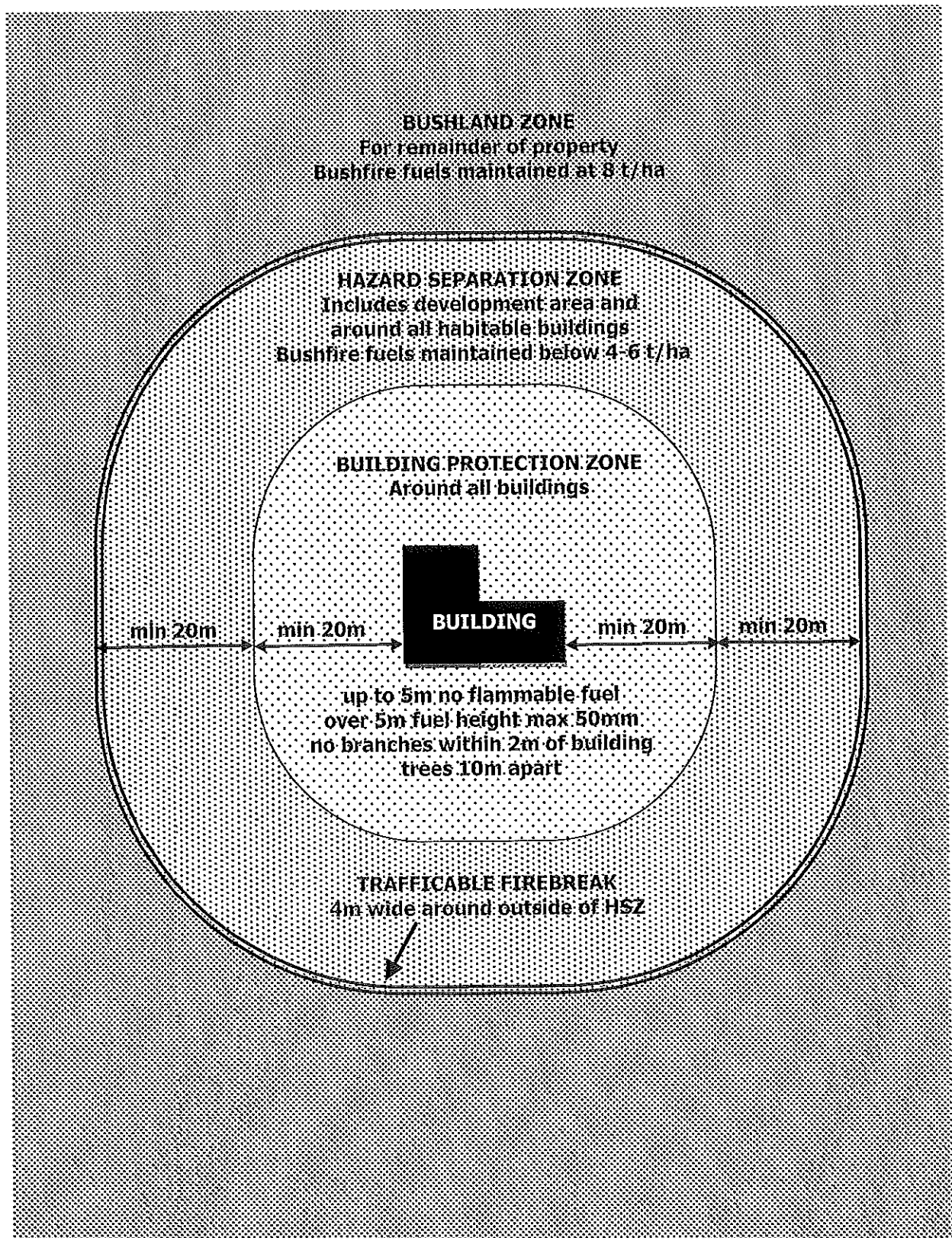
A HSZ extending at least a further 20 metre beyond the BPZ is to be constructed around all habitable buildings and fulfil the following conditions;

- HSZ bushfire fuels must not exceed 4-6 tonne/hectare and maintained by burning or mechanical means.
- A 4m wide trafficable firebreak is to form the outside of the HSZ unless a boundary firebreak exists or that the HSZ is extended to existing firebreaks.
- The HSZ is to include all of the Development Cell

### 6.3 Bushland Zone

In addition, the bushfire fuels in the remaining bushland of the Site outside of the BPZ and HSZ is to be reduced to 8 t/ha prior to development and maintained at 8 t/ha by rotational control burning or other means.

#### 6.4 Hazard Reduction Zones Diagram





## **7 SUMMARY**

### **7.1 Overall Fire Threat**

The proposed development together with the implementation of the Fire Management Plan will reduce the risk of fire to persons and property.

### **7.2 Developer's Responsibilities**

Prior to development or subdivision being given clearance the developer shall be required to carry out all necessary works prescribed in this Fire Management Plan and will be responsible for the following:

- Lodging a Section 70A Notification on each Certificate of Title proposed by this development. The notification shall alert purchasers of the land and successors in Title of the responsibilities of this Fire Management Plan
- Construction and upgrading of habitable buildings as per Section 5.7
- Construction of firebreaks, building protection zones, hazard separation zones and reduction of remaining bushland to 8 t/ha.
- Construction and installation of trafficable access-ways, passing bays, turnarounds, gates and signage.
- Installation of on-site fire suppression equipment.

### **7.3 Land-owner Responsibilities**

The respective Landowners of the Site and the proposed Lots will be responsible for the following:

- Compliance with the local government annual Fire Hazard Reduction Notice under the Bush Fires Act
- Compliance with the Fire Management Plan
- Maintenance of habitable buildings to AS3959
- Maintenance of the firebreak system, building protection zones, hazard separation zones and remaining bushland at 8 t/ha
- Maintenance of trafficable access-ways, passing bays, turnarounds, gates and signage.
- Removal of branches that overhang buildings and ensuring gutters are free of flammable material.
- Retain 50kL in storage at all times within a 20 minute turnaround time for 3.4 fire appliances and if stored in water tanks to fit a 50mm instantaneous coupling to the satisfaction of local government.
- Maintenance of on-site fire suppression equipment.
- Supply patrons with fire safety information and emergency evacuation procedures

### **7.4 Local Government Responsibilities**

The local government is the statutory body responsible to ensure implementation of this Fire Management Plan, community safety, and to

- Ensure that this FMP is implemented by the developer, property-owner or occupier
- Provide copies of the FMP to future property-owners.
- Provide copies of the Home Owners Bushfire Survival Manual to future property-owners



## **LIST of ATTACHMENTS**

FIGURE 1 - Location of Site

FIGURE 2 - Type 1 and 2 Bush Fire Hazard Assessment Map

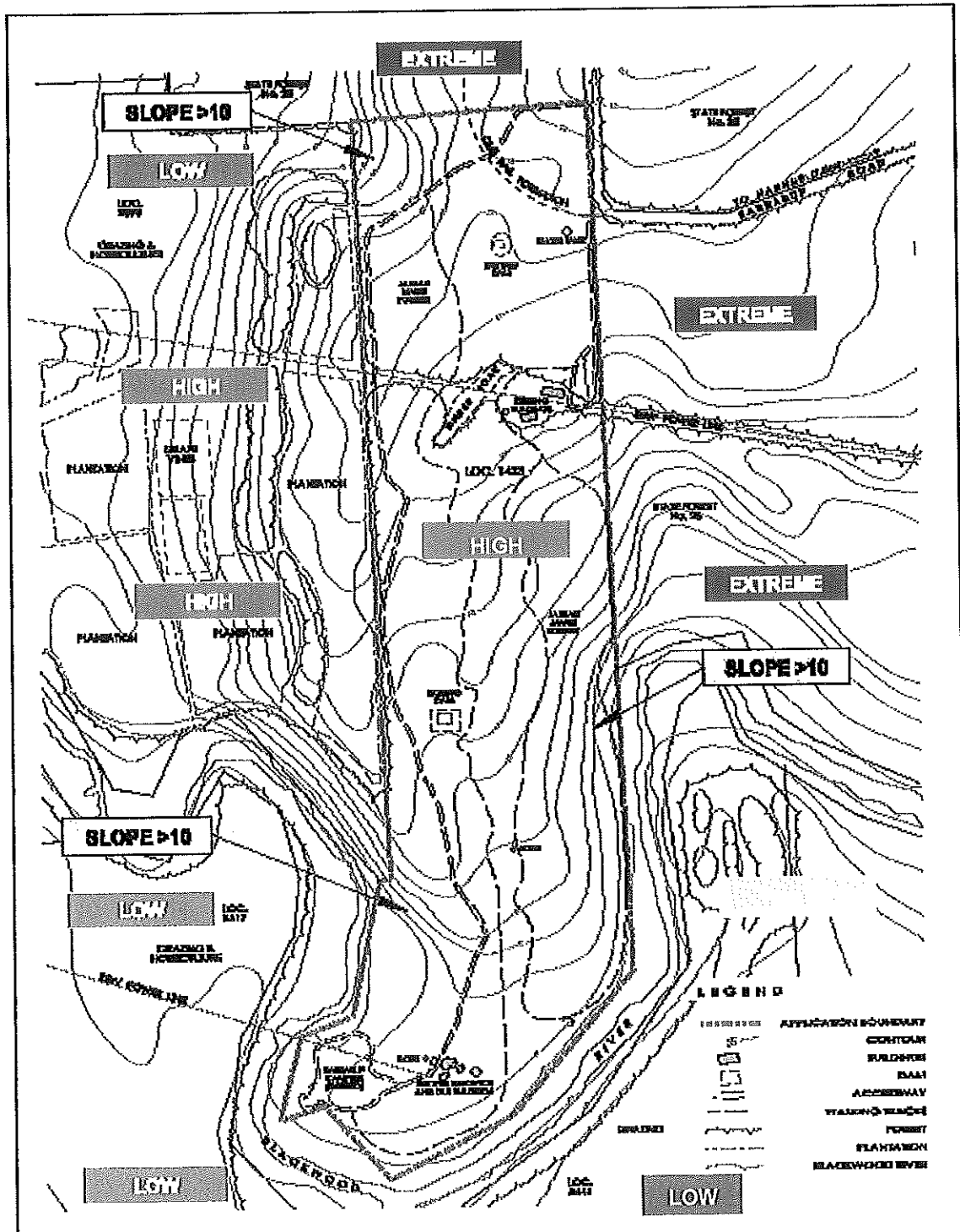
FIGURE 3 - Fire Management Map

FIGURE 4 – Lot 1 Hazard Reduction Map

FIGURE 5 – Lot 2 Hazard Reduction Map

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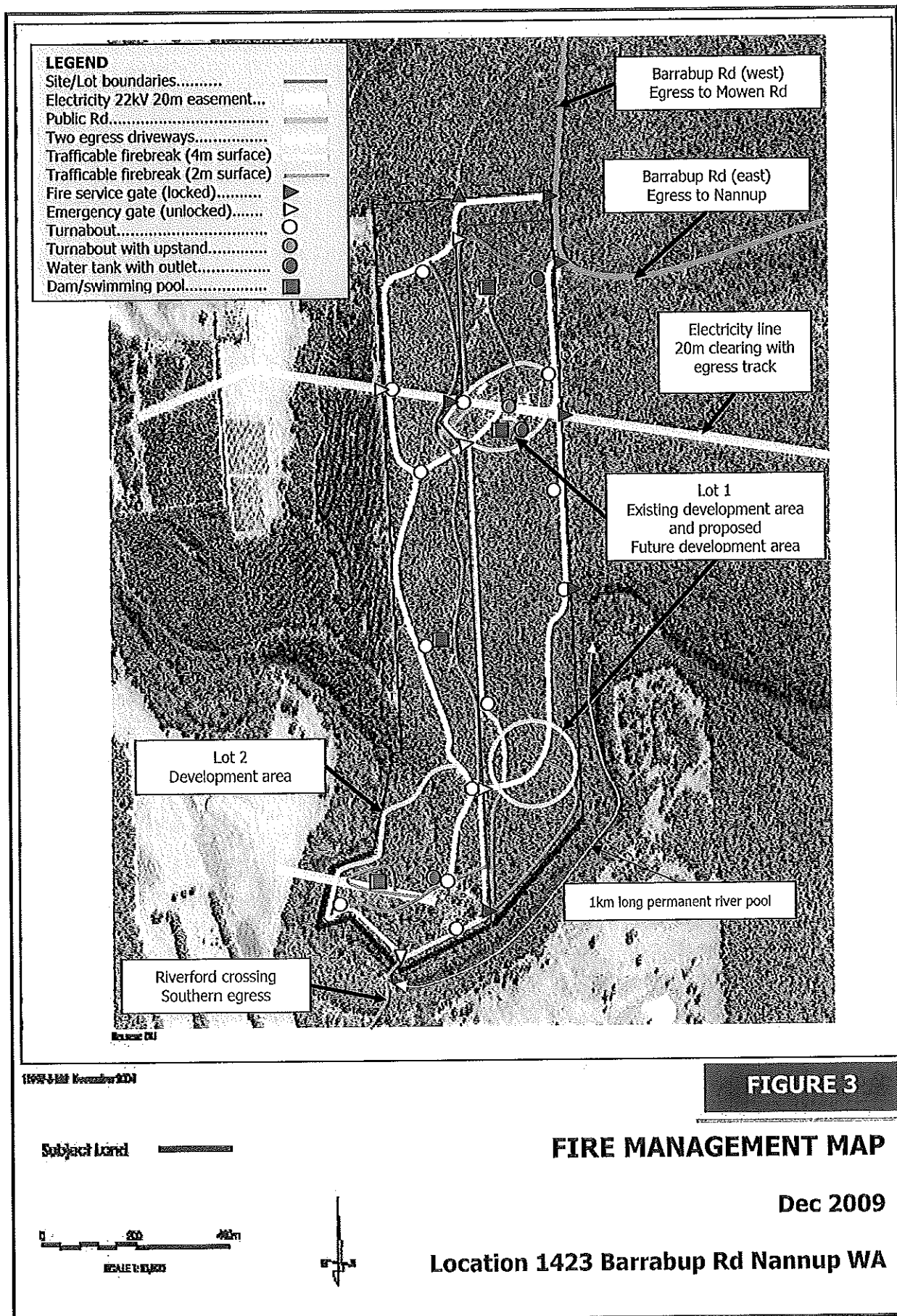
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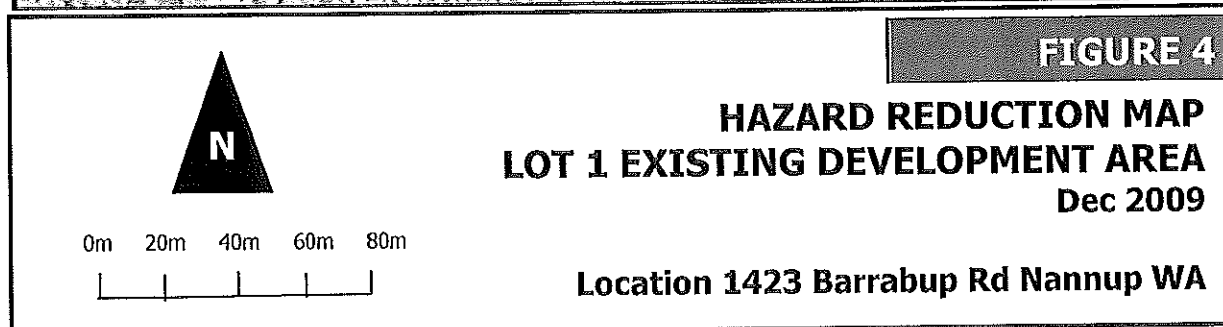
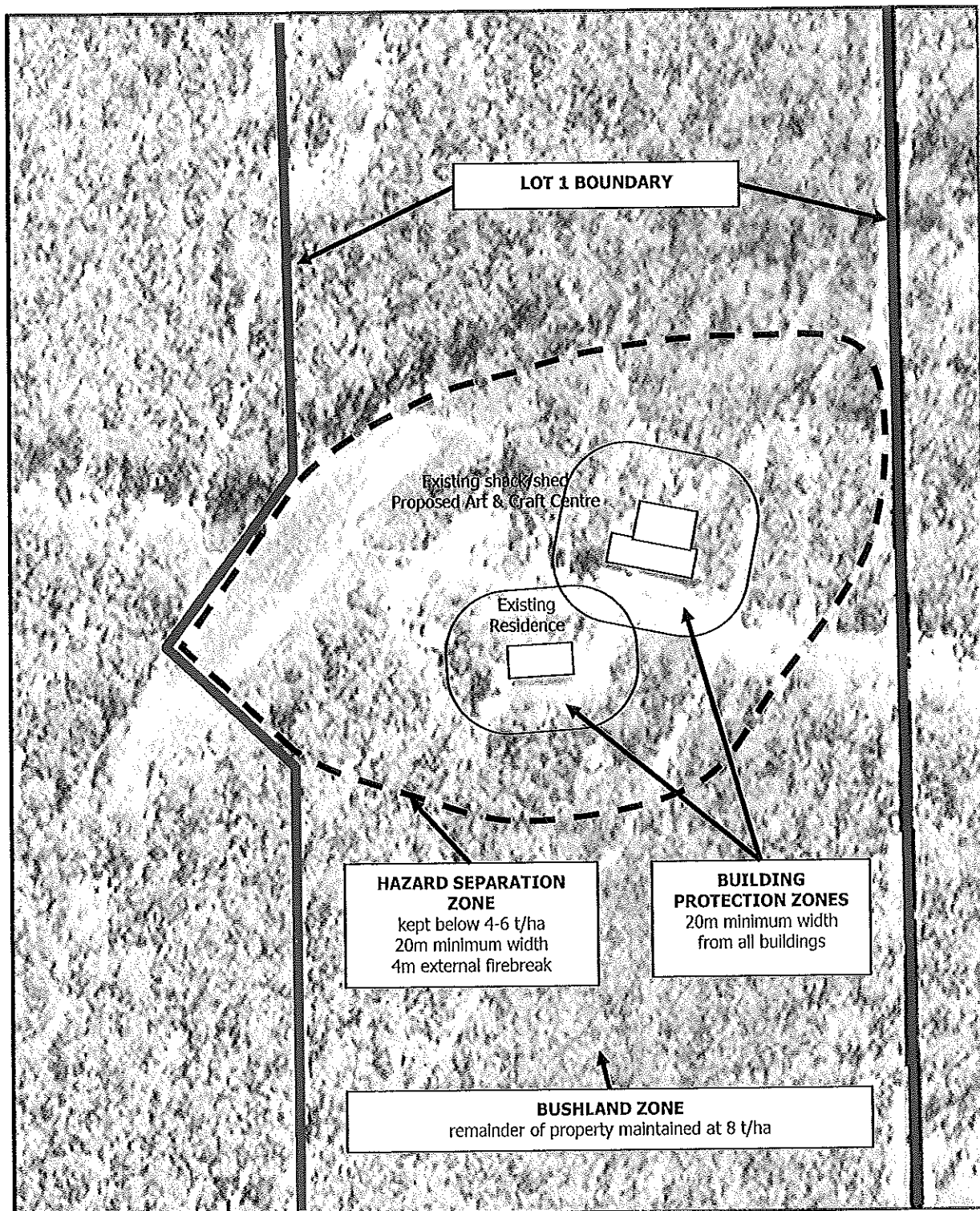


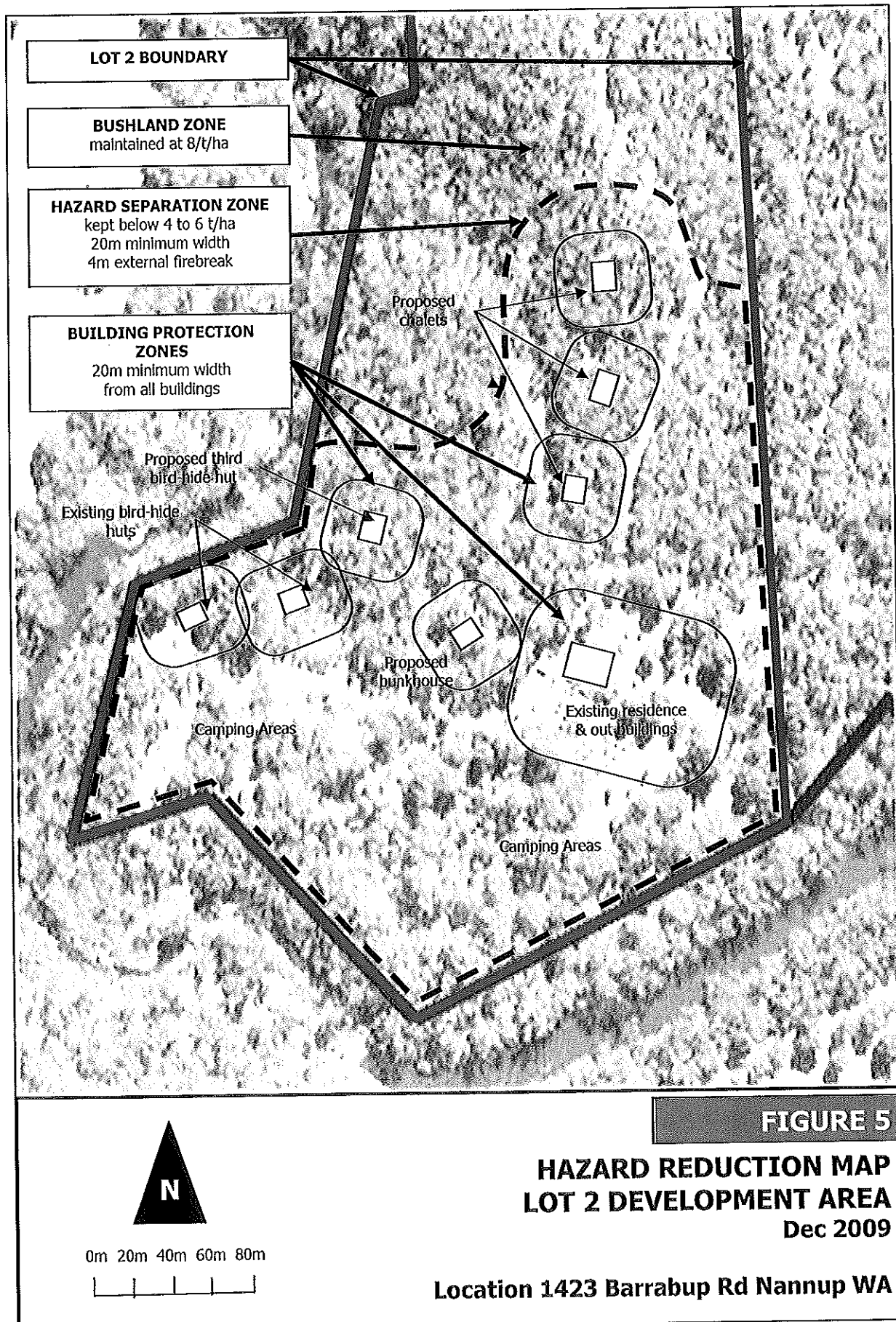
**FIGURE 2**

**TYPE 1 & 2 BUSHFIRE  
HAZARD ASSESSMENT MAP**

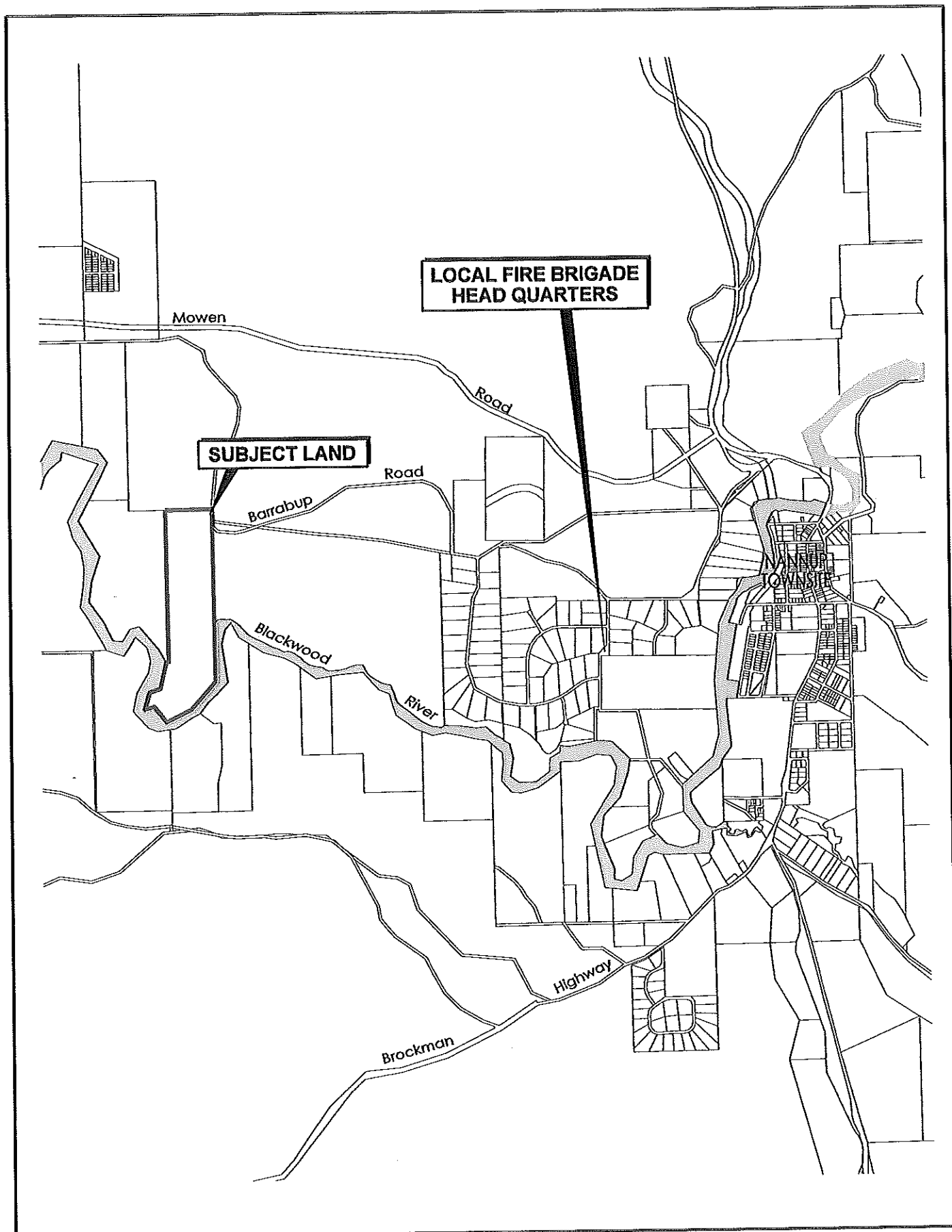
Loc. 1423 Barrabup Road,  
Nannup











Source: Landgate

**FIGURE 1**

## LOCATION PLAN

Loc. 1423 Barrabup Road, Nannup



0 800m 1600m  
1:40,000@A4 10999-5-001 DEC 2008

David Lewis  
 Quigup/Barrabup Sanctuary  
 Location 1423 Barrabup Rd  
 PO BOX 108 NANNUP WA 6175  
 Phone/manual fax 9756 1076  
 Email quigup@reachnet.com.au

2010 March 29

Ewen Ross,  
 Manager Development Services  
 Shire of Nannup  
 Adam St  
 Nannup WA 6275

Dear Ewen:

CEO MCS WM MDS	AO EO CDO CR:	LIB PUB	FMO YO RO
20 MAR 2010			
Ref: No.			
RECEIVED			
SHIRE OF NANNUP			
Ref: No.			
30 MAR 2010			
CEO MCS WM MDS	AO EO CDO CR:	LIB PUB	FMO YO RO

### LOCATION 1423 and PROPOSED LPS #3 AMENDMENT #10

Thanks for your letters of the 12<sup>th</sup> and 15<sup>th</sup>, and "attachment 1" on the history of Location 1423. It's taken some time to provide comment on all the matters you have raised and Glenn and I would like to meet to discuss your queries in person, in case we have some misconceptions.

In overview, every endeavour was made to be consistence with FESA's Planning for Bush fire Protection (PFBFP) in accordance with WAPC policy DC3.7 clause 5.4.3 which states that "advice of FESA should be sought where compliance with the PFBFP is not likely to be achieved or additional measures are considered necessary". The FMP is consistent with FESA's advice.

Advice was also sought from DEC in accordance with WAPC policy DC3.7 clause 5.4.3 which states "advice from CALM [now DEC] should be sought on applications..... where the land..... abuts land managed by CALM". DEC did make comments also regarding compliance with the PFBFP which was contrary to our advice from FESA. However, FESA's interpretation of its PFBFP is considered to take precedence.

We note from your "attachment 1" that additional advice was not sought from FESA after the presentation of our updated FMP but only from DEC. If this is the case, then any DEC interpretations of compliance with the PFBFP, which are not consistent with FESA's advice or DEC advice upon land abutting the Site which is not managed by DEC, may have unduly influenced some of your comments.

### FIRE MANAGEMENT PLAN

1. cl4.2 The classification of the "river" and "blue gums" to Extreme does not materially alter our submission because the building setbacks from extreme hazards required by PFBFP and AS3959-1999 Level 2 is 15m-40m. A Site inspection will reveal that the blue-gums are planted some 20m from our boundary. An understanding of the PFBFP and AS3959 reveals that for a hazard to be extreme it must be within 15m, and from 15m- 40m that hazard can only be high. Even though Type 1 and 2 are 'point assessments' it must follow that the assessed hazard at our boundary is 'distance dependent'. The literature also doesn't necessarily confer that all of the "river" can be considered Extreme. The fuel reduction proposed for the development cells reduces the overall predominate vegetative type in the vicinity of development. An on-site inspection might be appropriate.
2. cl4.3 The property can't be classified as Extreme because;
  - The Site is to be subject to a permanent fuel reduction regime. To be Extreme the forest areas would be allowed under the FMP to attain a full fuel load of up to 29t/ha.



- The PFBFP states that 8t/ha and 100mm fuel height is acceptable for Hazard Reduction Zones (see PFBFP Part 3 p39 and AS3.6 iii ) but our proposal is half that requirement and also to maintain the Bushland outside of BPZ and HSZ at <8t/ha.
  - The PFBFP Table 1 says “development should generally not be permitted” within an Extreme hazard hence the requirement for a fuel reduction regime to reduce that hazard to High or less. We have reduced the HSZ to 4-6t/ha and the whole Site to 8t/ha which is greater than required by the PFBFP.
3. cl5, 5.1, 5.2 I’ve have referred only to “AS3959”, same as the PFBFP does, so as not to preclude the acceptance of a new AS3959 such as AS3959-2009 which uses different construction terminology. I have under cl5.7.1 stipulated AS3959-1999 –Level 2 Construction because of FESA’s advice. All instances can be referenced ‘Level 2’ as you require.
  4. cl5.2 I made this suggestion to FESA to include this evacuation clause whilst finalising the FMP with FESA and they thought it was a good idea. The AS3959 construction levels are based upon radiant energy levels from full fuel loaded forests determined by: wind velocity, humidity and ambient temperature, with some built in safety margins. Nevertheless, as precaution, in Catastrophic conditions because these parameters could be exceeded and the residences and buildings may not be relied upon to protect the occupants or act as a haven for campers the evacuation plan was set to trigger at extreme/catastrophic thereby including extreme as an additional safety margin. In addition the FMP has exceeded the PFBFP requirements for extreme conditions by; halving BPZ and HSZ fuels; instigated additional bushland reduction to <8t/ha; increased building setbacks from the PFBFP/AS3959 requirements, and raised the construction to Level 2. Lowering the trigger still further has ramifications: firstly it will reduce our occupancy rates and traffic impacts, secondly; it reduces the need for the additionally stringent FMP measures, and thirdly it may reduce the projects viability, fourthly it sets a precedent for other developments. I don’t know how many days/year are declared >very-high and how much business we might loose. Also, there is a compelling argument that DEC public campsites in the near locality don’t have any such plans, have only one ‘trafficable’ egress route and no fuel reduction regimes such as are proposed for our Site. We believe the present wording is adequate and extension to “very-high to severe” will limit occupancy to the cooler and wetter months of the year, and reduce the need for more stringent FMP requirements than those within the PFBFP.
  5. Cl5.7.3 This requirement doesn’t accord with the interpretation and consultations we had with FESA because at 100m from an Extreme hazard no building requires any AS3959 Level of Construction. The Level 2 Construction requirement allows a building to be 15m-40m which is much closer than 100m (refer FESA’s PFBFP Table 4). Any advice contrary to FESA’s interpretation might need to be taken up and clarified with FESA as it is their advice which should be sought for compliance with the PFBFP (WAPC DC3.7 cl5.4.2).
  6. Cl7.3 As with your above point #2, I can add “Level 2 Construction” after AS3959. The wording I chose for cl7.2 and 7.3 was to cover the introduction of an upgraded standard (such as AS3959-2009) that might require the maintenance of buildings using different terminology.
  7. Figure 5 If ‘bird-hides’ are upgraded to Level 2 Construction then PFBFP Table 2.1 for “Type 5 Forest” would allow these buildings to be situated 15m-40m from an Extreme fire hazard. The Site’s “Type 5 Forest”, using FESA’s Visual Fuel Load Guide peaks at 29t/ha, but under our proposal will be subject to a fuel reduction regime of <8t/ha. We don’t think there is necessarily a lack of conformity with the river foreshore fuel loads, although they are out of our control. I did provide FESA with radiant energy calculations to show the proposed upgrading of bird-hides would satisfy AS3959-2009. Even though this updated standard hasn’t yet been accepted by the AFAC the engineering principles used are sound.

8. Cl5.5 The controlling sentence preceding the list of access-way standards requires Passing Bays on all "driveways, internal roads and trafficable firebreaks" in conformity to PFBFP Acceptable Solutions. The Traffic Impact Statement relates to impact upon external roads. The spacing of passing bays on internal access-ways is stated in the FMP and the actual location of them is site specific and, we understand, if the rezoning amendment succeeds an FMP inspection will be required before proposed developments can proceed.
9. Cl5.5 Our original draft FMP had an internal egress route (to driveway standard) to the north, one that would have been installed upon future development of lot 1, and one using the river crossing but FESA, after consultation, accepted two interconnected egress routes to the north and the river crossing would be available to FESA and DEC to open in an emergency. An additional central 4m access-way egress route is shown in the FMP. The requirement to evacuate the Site (re level of fire weather warnings) is a further addition to mitigate bushfire conditions, which you wish to now trigger at "very high to severe". A legal right of way hasn't proved practical with the over-the-river private property owners without them giving away some of their rights and reducing their land value. If concurrent developments occurred between us then a river-crossing legal agreement would be possible.
10. Cl6.2, 6.3 FESA wording has been used in cl6.2 and says the HSZ is to be maintained by "burning or mechanical means". FESA was explicit in keeping the wording simple and understandable to future owners. In the Bushland Zone the most practical means for aesthetic reasons is rotational or mosaic burning as stated in cl6.3. FESA indicated that the timing and spacing of the burns would be up to the owners. Hence the particular choice of wording in cl6.3 and an allowance for "other means" should they achieve the same result.
11. Cl5.5?? I don't understand your reference to the 10% gradient. The maximum access-way gradient levels are stipulated in Cl5.5 and listed verbatim from PFBFP AS3.4.3 (iv) for "driveways", which means they are better than required for the other access-ways. I've kept the FMP simple by making the standards for all internal access-ways the same.

#### Your Overall Assessment

- We feel there are grounds to comply with all your comments;
- The whole Site is to be subject to permanent fuel reduction regimes that are <8t/ha, whereas the fuel loads for Type 5 jarrah dominant forest can be up to 29t/ha, hence the classification of the Site is in accordance with the PFBFP. In our FMP cl5.7.3, the PFBFP s2.2 para2 and the WAPC policy DC3.7 cl4.3 are quoted, which also confirms our interpretation related to "permanent hazard level reduction measures being implemented".
  - Your 100m interpretation appears to be at odds with FESA and our consultations with them, simply because; at 100m from an extreme hazard no AS3959 Construction Level is required. As the PFBFP is a FESA prepared document we consider them to the final arbitrator of its intended meaning. A consultation with the AS3959 setbacks and PFBFP Table 2.1 for "Type 5 Forest" allows Construction Level 2 buildings to be situated 15m-40m, and Construction Level 1 buildings >40m-100m from an Extreme Hazard, which is a hazard that is not subject to a permanent fuel reduction regime as this Site will be. Other FMP's submitted to the Shire (e.g. Amt #2 and #4) also confer this meaning. Beyond 100m you can basically build anything you want which would make a reference to "level 2" and 100m setbacks in the FMP incomprehensible.
  - Internal road gradients are specified in Clause 5.5 along with all other requirements per the PFBFP.
  - We believe the FMP does comply with FESA's PFBFP

We also realise that the Shire of Nannup has only about 15% of rateable land with most of the remainder forest or coastal scrub that all pose bushfire risks to development. If commercial activity is to be encouraged so as to benefit the whole Shire, then our only hope is to mitigate this risk. Any effort to eliminate this risk entirely is impracticable and may make investment in the Shire unworkable. We are committed to reach an acceptable compromise comparative to the risk.

## TRAFFIC IMPACT STATEMENT (TIS)

You're referring to a Traffic Plan or Traffic Management Plan. It is my understanding, from the literature, that those types of plan are required for larger developments. A Traffic Impact Statement appears to be the more appropriate term but for our size of development no such transport information is normally required by the WA State Planning Commission.

I made a technical error with the original TIS and a mathematical mistake with campsite numbers. You are quite right the TIS must be consistent with the DGP and I made the mistake of making future projections for developments beyond those of the DGP. I doubled the planned DGP development to make both lots equal forgetting that such "future" developments would necessitate approval by Council and amendments to the DGP, FMP and TIS.

By making the TIS consistent with the Rezoning Amendment proposals and the DGP for development upon both Lots produces more respectable traffic figures. The existing traffic falls to 22 AADT (2 AADT=1 return trip) and for the individual proposed lots, after the planned development, to 18 AADT each or 36 AADT in total. I have attached an amended TIS for your perusal

These development figures are based on setting some limits on numbers, sizes or area for each use, as proposed for each Lot. Some of the limits are already set such as: number of chalets; area of cottage industry; size of proposed interpretive centre/cafe/gallery (the shack); or contained within the scaled concept plans attached to the rezoning amendment. Other limits can be set by the TIS and development approval, e.g. walk-trail numbers and campsites. Future development outside of those limits may, from my previous discussions with Rob Paull, trigger additional Council acceptances, along with upgrading of the TIS, FMP and maybe the DGP.

Comments regarding your numbered points;

1. Current land use issues you have raised need to be resolved.
  - The bunkhouse – a scaled concept plan is attached to the Rezoning Amendment
  - Evacuation/safe haven –evacuation would occur per daily fire weather warnings and safe haven is provided within the residences, with the upgrading of buildings to AS3959 Level 2, and maintenance of BPZ, HSZ and Bushland fuel reduction regimes. The construction of habitable buildings to AS3959 is in conformity with the AS3959 objective to provide protection to occupants and buildings in the event of a bushfire (at least until the fire front passes). Construction to AS3959 "level 2" is greater than that required for the proposed fuel reduction regimes according to the AS3959-1999 and the PFBFP setbacks.
  - Development guide plan;
    - a) I made a mathematical error with the number of existing campsites. Glenn would like Lot 2 campsite numbers to increase to 20. I mistakenly doubled that again.
    - b) Bird-hides were meant, from my understanding, to be an extension of the camping experience and I wasn't aware there could be an issue with their status and approvals but this needs to be resolved.
    - c) Concept plan of the bunkhouse, its size, scale, number rooms 4 (max say 4 couples), is included in the Rezoning Amendment.
    - d) Consistency should now be reached
2. Old Barrabup Rd - I brought this issue up in a letter addressed to Shane, the Planning Office and Teresa early last year, and as yet I have no reply on this specific matter. The "Old Barrabup Rd" is a surveyed road and has been continuously used for as long as I know and may therefore have a common-law

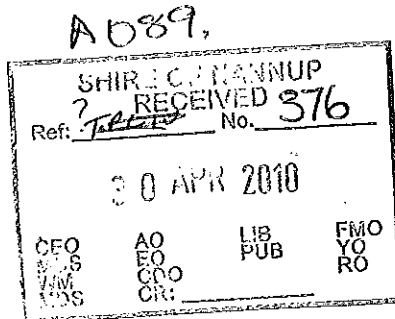
"right of way". Also the local fire brigade (NNVBFB) has been interested in providing a second egress route for local residents. Representation has been made to Council on the issue of Old Barrabup Rd and an alternative idea is to upgrade Gracillus Rd (refer NNVBFB March 2010 Newsletter).

Regarding your list of building and planning approvals etc and there are a number of stamped buildings approvals and planning applications that you have not listed. I look forward to meeting soon to resolve all these issues.

Regards

DAVID LEWIS  
Bach App Sc Mech Eng

Shane Collie CEO  
Nannup Shire  
15 Adam Street  
Nannup WA 6275



Dear Mr Shane Collie

It has come to my attention that the shire of Nannup may not have provisions in its current Local Planning Scheme (LPS) for the embracing of Nature Based Tourism or Eco-tourism.

Ecotourism is one of WA tourism's fastest growing sectors. Our range of ecotourism product is expanding at a time when an increasing number of visitors are seeking environmental tourism experiences.

Ecotourism is more than visiting National parks and travelling to unspoilt natural areas. The ecotourism industry has developed significantly in WA to cater for tourists with an interest in the environment - a desire to learn, to appreciate, to understand and to conserve. The focus is on the experience rather than the destination.

Ecotourism is about:

- environmentally responsible travel to relatively undisturbed natural areas
- travel in order to enjoy, study and appreciate nature
- the promotion of conservation
- combining sustainable development with the natural environments
- the use of natural assets and resources in ecologically sensitive areas to create unique visitor experiences with minimal impact on the areas

It is important to recognise that ecotourism products and services are not defined by their scale of operations (like Barrabup Sanctuary) but rather by their adoption of the following key principles of ecotourism:

- dependent on the natural environment;
- ecologically sustainable;
- contributes to the conservation of nature;
- involves education and interpretation;
- culturally responsible;
- sustains local communities; and,
- commercially viable and profitable.

Continuation and development of eco-tourism opportunities such as Barrabup sanctuary should be supported to enable all to experience Nannup's great natural assets and natural environment within the shire. Ventures linking passive recreation change awareness and promote the whole Shire, communities and the business sector

## ACTION

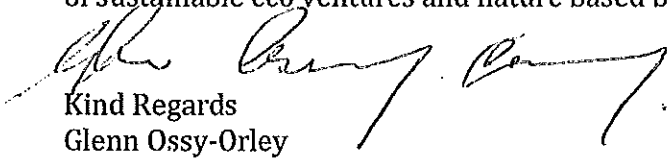
It is necessary for Nannup Shire to have some Strategic planning and promotion of a sustainable eco tourism ethic ie

- To guide development through a sustainable land use code planning tool
- To investigate and implement low carbon emission strategies for community, business and eco-tourism

*"Ecotourism encompasses a spectrum of nature-based activities that foster visitor appreciation and understanding of natural and cultural heritage and are managed to be ecologically, economically and socially sustainable."*

I humbly suggest that the need to embrace Nature Based Tourism and Eco-tourism within the boundaries of such a rich Eco area as Nannup, by introducing an amendment to the Local and Town Planning Scheme 3 ***to accommodate the introduction and expansion of Eco-tourism.***

I believe this is of the utmost importance to ensure ventures such as Barrabup Sanctuary are evaluated within relevant planning scheme guidelines. Currently the existing parameters of Town and Local Planning Scheme are detrimental to the success of sustainable eco ventures and nature based businesses within the shire.



Kind Regards  
Glenn Ossy-Orley  
Barrabup Sanctuary  
97561332

CC

Shire Councillors  
Cr Barbara Dunnet  
Cr Stephanie Camarri  
Cr David Boulter  
Cr Carol Pinkerton  
Cr Tony Dean  
Cr Charles Gilbert  
Cr Robin Mellama  
Cr Joan Lorkiewicz

Cr Camarri left the meeting at 4.57 pm

AGENDA NUMBER: 10.6  
SUBJECT: Monthly Financial Statements for 30 April 2010  
LOCATION/ADDRESS: Nannup  
NAME OF APPLICANT:  
FILE REFERENCE: FNC 15  
AUTHOR: Craig Waddell – A/Chief Executive Officer  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 11 May 2010

Attachment: Monthly Financial Statements for the period ending 30 April 2010.

**COMMENT:**

The monthly Financial Statements for the period ending 30 April 2010 are attached.

**STATUTORY ENVIRONMENT:**

Local Government (Financial Management) Regulation 34 (1)(a).

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

That the Monthly Financial Statements for the period ending 30 April 2010 be received.

**8389 PINKERTON/LORKIEWICZ**

That the Monthly Financial Statements for the period ending 30 April 2010 be received.

**CARRIED 7/0**

## SHIRE OF NANNUP

## STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2009 TO 30 APRIL 2010

	Y-T-D Actual	Y-T-D Budget	2009/10 Budget	Variances Y-T-D Budget to Actual
<u>Operating</u>	\$	\$	\$	%
<b>Revenues/Sources</b>				
Governance	0	0	0	0%
General Purpose Funding	1,551,663	1,570,177	807,500	(1%)
Law, Order, Public Safety	116,951	67,436	89,690	73%
Health	1,610	1,660	2,000	(3%)
Education and Welfare	5,785	0	0	0%
Housing	27,763	25,770	30,940	8%
Community Amenities	102,031	99,950	82,400	2%
Recreation and Culture	176,185	2,465,002	1,691,742	(93%)
Transport	2,498,275	4,828,630	5,367,683	(48%)
Economic Services	41,349	14,160	17,000	192%
Other Property and Services	35,612	20,830	25,000	71%
	<u>4,557,224</u>	<u>9,093,615</u>	<u>8,113,955</u>	<u>(50%)</u>
<b>(Expenses)/(Applications)</b>				
Governance	(170,720)	(197,563)	(240,234)	(14%)
General Purpose Funding	(110,875)	(118,066)	(146,284)	(6%)
Law, Order, Public Safety	(160,543)	(148,649)	(212,889)	8%
Health	(27,350)	(26,647)	(32,970)	3%
Education and Welfare	(84,933)	(91,908)	(110,196)	(8%)
Housing	(22,499)	(27,422)	(46,556)	(18%)
Community Amenities	(254,588)	(441,279)	(510,493)	(42%)
Recreation & Culture	(468,371)	(508,208)	(626,026)	(8%)
Transport	(483,809)	(567,888)	(2,107,877)	(15%)
Economic Services	(155,347)	(186,280)	(230,376)	(17%)
Other Property and Services	197,943	127,028	(21,017)	56%
	<u>(1,741,091)</u>	<u>(2,186,881)</u>	<u>(4,284,918)</u>	<u>(20%)</u>
<b>Adjustments for Non-Cash</b>				
<b>(Revenue) and Expenditure</b>				
(Profit)/Loss on Asset Disposals	26,891	0	2,861	0%
Depreciation on Assets	1,408,258	1,294,782	1,782,936	9%
<b>Capital Revenue and (Expenditure)</b>				
Purchase Land and Buildings	(394,916)	(2,139,320)	(2,286,404)	(82%)
Purchase Infrastructure Assets - Roads	(1,884,132)	(4,750,910)	(4,906,000)	(60%)
Purchase Plant and Equipment	(609,296)	(422,060)	(495,400)	44%
Purchase Furniture and Equipment	(1,217)	(12,500)	(12,500)	(90%)
Proceeds from Disposal of Assets	(1)	181,830	211,000	(100%)
Repayment of Debentures	(10,455)	(16,130)	(19,375)	(35%)
Proceeds from New Debentures	0	51,209	449,209	0%
Leave Provisions	136,165	136,165	136,165	0%
Depreciation - Plant Reversal	0	0	(56,542)	0%
Accruals	23,728	23,728	23,728	0%
Transfers to Reserves (Restricted Assets)	0	0	(265,000)	0%
Transfers from Reserves (Restricted Assets)	0	0	620,500	0%
 ADD Net Current Assets July 1 B/Fwd	 87,271	 87,271	 87,271	
LESS Net Current Assets Year to Date	1,927,886	0	0	
 Amount Raised from Rates	 <u>(329,457)</u>	 <u>1,340,799</u>	 <u>(898,514)</u>	



# SHIRE OF NANNUP

## STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2009 TO 30 APRIL 2010

	2009/10 Actual \$	Brought Forward 01-July-2009 \$
<b>NET CURRENT ASSETS</b>		
<b>Composition of Estimated Net Current Asset Position</b>		
<b>CURRENT ASSETS</b>		
Cash - Unrestricted	2,025,304	327,890
Cash - Restricted	92,334	1,662,903
Cash - Reserves	925,639	900,232
Receivables	467,192	325,478
Inventories	0	0
	<u>3,510,469</u>	<u>3,216,503</u>
<b>LESS: CURRENT LIABILITIES</b>		
Payables and Provisions	<u>(564,610)</u>	<u>(566,097)</u>
	2,945,859	2,650,406
Less: Cash - Reserves - Restricted	(1,017,973)	(2,563,135)
<b>NET CURRENT ASSET POSITION</b>	<u><u>1,927,886</u></u>	<u><u>87,271</u></u>

## **SHIRE OF NANNUP**

### **STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2009 TO 30 APRIL 2010**

#### **REPORT ON MATERIAL VARIANCES BETWEEN YEAR TO DATE BUDGET ESTIMATE AND YEAR TO DATE ACTUAL.**

All except nine of the variances shown in the above named statement of financial activity are outside of the adopted variance of 10%.

The main reason for the variances is that expenditure and income is not occurring as predicted by Officers during the budget development stage. This is due to a number of reasons, the main one being not accurately projecting cashflows throughout the year, i.e. predicting when the budgeted income or expenditure will occur as opposed to when it actually occurs. Other reasons are not receiving a grant for grant dependant expenditure, projects controlled by Advisory Committees, suppliers/contractors not having the capacity to undertake the works within Council's timeframes, altered Council priorities, etc.

The following provides the major reasons for the programs that have variances outside of the adopted variance:

#### **REVENUE:**

Law, Order and Public Safety: FESA grants (\$30,000) not been received when anticipated and receipt of offsetting grant and expenditure for Nannup Brook fast attack (-\$95,000) not budgeted for.

Recreation and Culture: An accrual for a grant for the refurbishment of the Town Hall chairs (\$10,000) and a grant for the rock climbing wall (\$45,000) has not been received when anticipated. Three grants for outdoor gym equipment (-\$10,000), Royalties for Regions (-\$50,000), cycle path (-\$35,931), and bicycle racks (-\$7,710) were not budgeted for. Grant income of \$240,000 associated with the ablution blocks and Marinko Tomas playground upgrade have not been received as budgeted. Income relating to the Co-location Building (Grants, Reserve & Loan Funds totalling \$2,131,000 will not be received as the project has been discontinued.

Transport: Income from various Main Roads WA grants not received as predicted in budgeting process (-\$2,132,000). Income from Sale of Assets not received as budgeted (-\$177,000). Income from loan for plant not received as budgeted (-\$51,000).

Economic Services: Received more fees for building licenses and sale of material than predicted in budgeting process (\$12,000) and Ferel Pig Program income (\$15,000) received but not budgeted for.

Other Property and Services: Received more Private Works income than budgeted for (\$15,000).

## **EXPENDITURE**

Governance: Councillor Allowances (-\$11,000), Refreshments and Functions (-\$3,000), Donations (\$2,000) and Conference Expenses (-\$6,000) not expended as predicted in budgeting process.

Housing: Maintenance on housing (-\$4,000) not expended as predicted in budgeting process.

Community Amenities: Expenditure not occurring as predicted in budgeting process in the areas of Parking Strategy (-\$8,000), Town Planning Scheme (\$5,000), Town Planning Services (-\$86,000), Contractors Collection fees (-\$5,000), Administration Expenses (-\$18,000), Sale of Land expenses (-\$6,000), Annual Leave Expenses (\$6,000), Rubbish Site Maintenance (-\$33,000), community infrastructure plan (-\$12,000), Local Planning Scheme amendments (-\$20,000), Public conveniences (\$10,000), and cemetery operations (-\$16,000).

Transport: Expenditure not occurring as predicted in budgeting process in the areas of Bridge Maintenance (-\$4,000), Depot Maintenance (-\$6,000), Local Road Maintenance (-\$51,000), Profit and Loss on Sale of Assets (\$27,000), depreciation (\$130,000) and Gravel Pit rehabilitation (-\$5,000).

Economic Services: Expenditure not occurring as predicted in budgeting process in the areas of Functions and Events (\$4,000), Ferel Pig Program (\$23,000), Caravan Parks (-\$19,000), Superannuation (-5,000), noxious weeds and pests (-\$4,000), Warren Blackwood Economic Alliance (\$3,000) and salaries (-\$27,000).

Other Property and services: Recovery of expenses via Public Works Overheads and Plant Operating Costs not occurring as budgeted.

## **OTHER ITEMS**

Purchase Land and Buildings: Expenditure not occurring as predicted in budgeting process in the areas of Co location Building (-\$1,966,000), Foreshore Park and Balingup Rd Caravan Park Ablution Blocks (\$218,000), Bush Fire Brigade and Depot Construction (\$4,000).

Purchase Infrastructure Assets Roads: Expenditure not occurring as predicted in budgeting process in the areas of Council Road Program (\$513,000), Mowen Road (\$82,000), MRWA bridge program (-\$573,000), Balingup Rd Blackspot (-\$80,000) Jalbarragup Bridge (-\$2,800,000) and TIRES projects (\$-14,000).

Purchase Plant and Equipment: Purchase not undertaken as budgeted (-\$187,000).

Purchase Furniture and Equipment: Purchase not undertaken as budgeted (\$11,000).

Proceeds from Disposal of Assets: Sale of plant not occurring as budgeted (-\$181,000).

Repayment of Debentures: Not undertaken as budgeted (\$5,000).

**8390 DEAN/MELLEMA**

That standing orders be suspended to allow free discussion on item 10.7 Local Government Initiatives Fund.

**CARRIED 7/0**

Cr Camarri returned to the meeting at 4.59pm

AGENDA NUMBER: 10.7 SUBJECT: Local Government Initiatives Fund LOCATION/ADDRESS: South West Region NAME OF APPLICANT: FILE REFERENCE: FNC16 AUTHOR: Craige Waddell – A/Chief Executive Officer DISCLOSURE OF INTEREST: DATE OF REPORT: 11 May 2010
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Attachment: Copy of letter from SWDC

**BACKGROUND:**

Shire President and A/Chief Executive Officer attended a meeting 7 May 2010 arranged by the South West Development Commission (SWDC) as per the attachment.

The aim of the meeting was to explain that SWDC has been allocated \$100,000 to assist South West Councils with developing business plans to support the regional projects as determined by various groupings of local government in the South West. These regional projects are to be funded via the regional component of the Royalties for Regions for the coming financial year.

**COMMENT:**

This Council has formally resolved to submit regional projects to be funded via this allocation of Royalties for Regions through the Warren Blackwood Strategic Alliance, however has not formally adopted a list of priority projects suitable for funding under these arrangements.

Although the guidelines on the type of project to be funded from this initiative have not been released, it has been suggested that the three major criteria are that the project be supported by more than one local government, that it clearly demonstrates a regional benefit, and that it be of an infrastructure nature.

The meeting was informed that Councils should not necessarily restrict their projects to areas of Local Government responsibilities, as other levels of government funding may be available to a non Local Government project. For example, if a project were submitted for the upgrade of a regional hospital, although not a Local government

responsibility, the business plan supporting the project may include both state and federal funding to secure the project as a whole.

After the meeting, an informal gathering of member Councils of the Warren Blackwood Strategic Alliance met to discuss the path forward. It was agreed that we would still maintain the desire to submit projects through the alliance, however there is scope to submit a project with another grouping of Councils if a particular Council can see merit in this.

The alliance is consolidating a list of proposed projects as submitted by its member Councils. The following list of projects has been developed with input from the Chief Executive Officer and the Shire President. The list should be endorsed by Council prior to formally presenting it to the alliance. Please note the list has informally been given to the alliance to allow preliminary discussions to occur in terms of commonality between member Councils.

Heavy Industrial Site.  
Gas pipeline.  
Service and Provision of Western Power supplies.  
Dairy Roads AMR and Nannup Shires.  
Red Meat Precinct.  
Aged Care.  
Upgrade to Bunbury to Manjimup rail line.  
Regional Airport.

The list should be reviewed by Council and when agreed to, forwarded to the alliance as Council's list of preferred regional projects. The Alliance will then discuss the preferred projects as submitted by alliance members and consolidate the list for submission to the SWDC for the development of business plans prior to being submitted through the Royalties for Regions process.

For Councils information, the following is the list as submitted by the Shire of Manjimup:

Heavy Industrial site at Greenbushes.  
Upgrade Bunbury to Manjimup rail line.  
Reticulated natural gas pipeline from Bunbury to Albany.  
CNG take off facility in Manjimup to service local towns.  
Widen SW Hwy south of Vasse Hwy intersection and other SW highway improvements.  
Reducing rising energy costs (by installation of renewable energy thru solar panels on large recreation centres or replacement of street lighting with LED lights).  
Waste Management. Weighbridge at Manjimup facility to cover short term. Identify location for longer term regional facility.  
Sewerage. Provide integrated system at Northcliffe. Increase the capacity at Walpole. Undertake infill sewerage to all other towns.

Improve health infrastructure.  
Improve condition of key tourism roads.

**STATUTORY ENVIRONMENT:** Nil

**POLICY IMPLICATIONS:** Nil

**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:** Nil

**RECOMMENDATION:**

That the following list be forwarded to the Warren Blackwood Strategic Alliance as Council's list of preferred regional projects for the purposes of the regional component of the Royalties for Regions funding for the coming financial year.

Heavy Industrial Site.  
Gas pipeline.  
Service and Provision of Western Power supplies.  
Dairy Roads AMR and Nannup Shires.  
Red Meat Precinct.  
Aged Care.  
Upgrade to Bunbury to Manjimup rail line.  
Regional Airport.

#### **8391 PINKERTON/LORKIEWICZ**

That the following list be forwarded to the Warren Blackwood Strategic Alliance as Council's list of preferred regional projects for the purposes of the regional component of the Royalties for Regions funding for the coming financial year.

Vasse Highway – Upgrade and installation of overtaking lanes  
Dairy roads AMR and Nannup shires.  
Agrifood processing precinct  
Ageing population facilities  
Heavy industrial site.

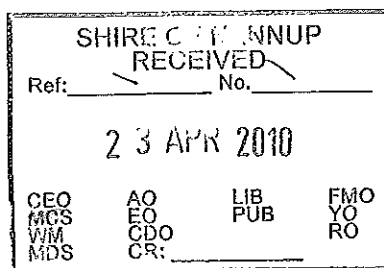
**CARRIED 7/1**

Councillors voting for the motion: Boulter, Camarri, Dunnet, Gilbert, Lorkiewicz, Mellema and Pinkerton.

Councillor voting against: Dean.



Cr Barbara Dunnet  
Shire President  
Shire of Nannup  
PO Box 1  
NANNUP WA 6275



Dear Barbara

### LOCAL GOVERNMENT INITIATIVES FUND

The Minister for Regional Development, Hon Brendon Grylls MLA has requested regional development commissions facilitate the identification of regional projects by groups of councils under the 2010/11 Local Government Initiatives Fund. In addition, the SWDC has been allocated funding to assist this process across the South West and to specifically develop business cases to support larger projects.

This is a facilitation role with two objectives. Firstly, assisting councils to identify projects under the guidelines that may be suitable for funding. Secondly, to then assist with the development of a business case to assess the costs, benefits, risks and value for money of the project.

Projects will need to demonstrate a regional benefit to be eligible for funding and regional in this sense means a benefit which has the support of a group of councils.

In order to start this process, I would like to invite you and your Chief Executive Officer to a working lunch with myself and Commission staff. The lunch will be held on Friday, 7 May 2010 at Chamber House, 15 Stirling Street, Bunbury commencing at 12.30 p.m.

The purpose of this meeting is to develop an agreed pathway forward, and to review criteria for how decisions and priorities will be made and importantly, those projects that will be required to undergo a business planning process.

I understand that councils will have been developing project concepts and to this end, I propose that the attached proforma be completed by all councils prior to our meeting. This can then be circulated to all participants. If this could be e-mailed to Don Punch at the Commission ([don.punch@swdc.wa.gov.au](mailto:don.punch@swdc.wa.gov.au)) by 30 April 2010, it will assist in compiling the information and its distribution. This would not be a definitive list and new projects may emerge.



2.

I would like to reassure councils that this is not a process designed to lessen your ability to make decisions on priorities affecting your area. The role of the Commission is to assist all councils in developing across-boundary priorities and to ensure that both State and local government has access to business plans that can underpin accountable decision-making.

I have attached a draft agenda for the workshop for your information. I would appreciate if you could advise Colette Fitzgerald, Executive Officer ([colette.fitzgerald@swdc.wa.gov.au](mailto:colette.fitzgerald@swdc.wa.gov.au)) if you are able to attend the workshop.

Kind regards

A handwritten signature in black ink, appearing to read 'Steve Harrison', with a stylized 'S' and 'H'.

STEVE HARRISON  
CHAIRMAN

20 April 2010

cc. Shane Collie, Chief Executive Officer