

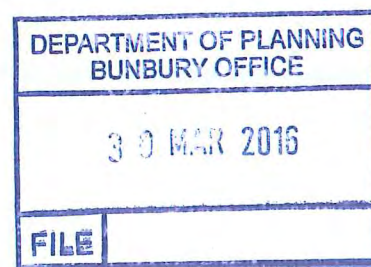
STRUCTURE PLAN

LOT 1 ON DIAGRAM 35769,
HOUSE 272 WYADUP ROAD, YALLINGUP

PREPARED BY:



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This structure plan is prepared under the provisions of the City of Busselton
Local Planning Scheme No.21

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY
RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION
ON: 1 APRIL 2016

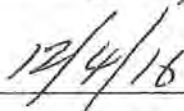
Signed for and on behalf of the Western Australian Planning Commission



an officer of the Commission duly authorised by the Commission pursuant to
Section 16 of the *Planning and Development Act 2005* for that purpose, in the
presence of:



Witness



Date

1 APRIL 2026 _____ Date of Expiry

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1.0 INTRODUCTION

BSO Development Consultants act on behalf of DL Semple, registered proprietor of Lot 1 (House 272) Wyadup Road, Yallingup.

The subject lot is 14.895 ha in area and is located approximately 12 km southwest of the Dunsborough town centre in the City of Busselton. The land adjoins other properties used for rural lifestyle purposes and is currently zoned Rural Landscape pursuant to *City of Busselton District Town Planning Scheme No. 21* (DTPS 21). The subject lot is also identified Ridge Landscape Amenity Area on the Land Use Strategy Plan of *Statement of Planning Policy No. 6.1 – Leeuwin-Naturaliste Ridge Policy* (LNRP).

The relevant provisions of DTPS 21 and the LNRP provide for the creation of one additional lot in this instance. Under the direction of these provisions, a Structure Plan has been prepared as a framework for the future subdivision and development of the land. This Structure Plan properly accounts for the land's true opportunities and constraints and is presented now for City of Busselton adoption and Western Australian Planning Commission (WAPC) endorsement.

2.0 BACKGROUND

18 SEPTEMBER 1998

The LNRP is published in the *Government Gazette* having force and effect from this date. The subject lot is identified in the Ridge Landscape Amenity Area on the Land Use Strategy Plan (Figure 5) of the LNRP.

OCTOBER 2014

DTPS 21 is published in the *Government Gazette* having force and effect from this date. The subject lot is zoned Rural Landscape under DTPS 20 and included in a Landscape Value area.

3.0 SUBJECT LAND

The subject lot is described as Lot 1 on Diagram 35769, as contained on Certificate of Title Volume 1894 Folio 4 (**refer to Attachment 1 – Record of Certificate of Title, Sketch & Diagram**). It is located 16.6 km by road from the Dunsborough town centre, and is 14.895 ha in area on diagram (**refer to Attachment 2 – Location Plan**). The property is generally rectangular in shape with the exception of the western boundary which is angled with a smaller front boundary (248.5 m) than rear (323.14 m) boundary. It is bordered to the south by Wyadup Road. To the north, east and west are adjoining private properties which are generally used for rural lifestyle purposes.

An existing house and several associated outbuildings are situated in the mid north of the property in proximity to the existing gully wall dam and Wyadup Brook. A water tank is located in the southwest corner and this gravity feeds potable water to the residence. Olive groves occupy two separate areas in the mid east and lower northeast. The property is generally fenced at the perimeter boundaries only.

In terms of topography, the land ranges in height from below 30 m AHD along the Wyadup Brook in the north to over 75 m AHD in the very southwest corner adjoining Wyadup Road. Vegetation on the property includes some parkland cleared WA Peppermint (*Agonis flexuosa*) woodland about the existing house and outbuildings. In the mid east and southeast the land is completely cleared, while in the mid west and southwest the once WA Peppermint woodland has been heavily parkland cleared and has no understorey whatsoever.

Access to the property is provided by Wyadup Road which is a constructed to a bitumen-sealed standard. Because an over-width road reserve contains this long sweeping section of Wyadup Road, a long bitumen sealed crossover has been built that connects the subject lot and others to Wyadup Road. From the property boundary a well formed gravel driveway connects to the existing house and outbuildings.

The perimeter firebreaks are maintained in a mineral earth state. These are for the most part trafficable by two-wheel drive vehicle, with only two or three short boggy sections accessible by four-wheel drive vehicle only. Subject to appropriate and modest upgrading, these firebreaks provide good opportunity for appropriate boundary fire defence.

4.0 PROPOSAL

A Structure Plan has been prepared for the subject lot which will act as a framework for the future subdivision and development of the land (**refer to Attachment 3 – Structure Plan**). The Structure Plan proposes a two-lot survey-strata subdivision, including a small area of common property. This common property and access arrangement allows for the retention of vegetation within the Wyadup Road reserve by utilising existing cross-overs.

Proposed Lot 1 is 12.858 ha in area and will contain the existing house, outbuildings, dam, Wyadup Brook, olive grove and other improvements. The lot will have a 23.16 m wide frontage to Wyadup Road. A new water tank may need to be developed for future potable water supplies and for fire fighting needs, although the dam already provides an enormous fire fighting asset. A building envelope is not proposed for Lot 1 given that the existing buildings are clustered.

Proposed Lot 2 is 2.01 ha in area and basically occupies the southwest corner between the existing driveway and the southern and western boundaries of the parent lot. The lot will have a 206.23 m frontage to Wyadup Road. A 2,000 m² building envelope is proposed in the mid northwest of the lot at appropriate setbacks to the proposed boundary to the north (21.3 m) and existing boundaries in the south (50 m) and east (30 m). The existing water tank in the very southwest corner will fall within the confines of this lot. The existing building envelope will not capture this tank, but the envelope is positioned as close to this structure as possible (i.e. so as to be practically clustered) while still providing suitable setbacks and preserving landscape by avoiding the highest point of the site. The relatively new water tank is likely to be reused as part of the development of a new dwelling on the lot in the future. Lot 2 will be released in a vacant state.

The proposed common property is 269 m² in area, and is 15 m wide. It will provide shared reciprocal access over part of the existing gravel formed driveway. This driveway connects onto the existing bitumen sealed crossover. To avoid amending

the existing crossover or clearing and constructing a new crossover, it is considered best practice to share the existing driveway and crossover connection.

A visual landscape assessment (VLA) and fire management plan (FMP) have been prepared by relevant field experts (refer to **Attachments 4 & 5 – Visual Landscape Assessment & Fire Management Plan**). The major findings of these reports have been carried over to the design and conditions of the Structure Plan and / or will be implemented as conditions of subdivision approval.

5.0 STATUTORY FRAMEWORK

CITY OF BUSSELTON DISTRICT TOWN PLANNING SCHEME No. 21 (2014)

ZONING

The subject lot is zoned Rural Landscape pursuant to DTPS 21, it is also included in a Landscape Value area. The Structure Plan is compliant with the following Special provisions relating to this zone:-

“5.38 SPECIAL PROVISIONS RELATING TO THE RURAL LANDSCAPE ZONE

5.38.1 On any lot in the Rural Landscape zone, dwellings and any incidental development shall not be

constructed within 30 metres of any stream or creek without planning approval.

5.38.2 On any lot in the Rural Landscape zone, all buildings shall have -

(a) a minimum building setback of 30 metres from adjacent road reserves; and

(b) a minimum building setback of 20 metres from the front and rear boundaries and 15 metres from side boundaries.

5.38.3 On any lot in the Rural Landscape zone, in areas of remnant vegetation, fencing will be prohibited except within and on the perimeter of a cleared area. All fencing is to be of farm standard post and wire construction.

5.38.4 On any lot in the Rural Landscape zone, keeping of stock is not permitted other than on cleared land, where the approval of local government will be required for fencing to allow limited grazing for the purpose of minimising fire risk through fuel reduction measures.”

Further, the relevant objectives and policies of the zone are as follows:

“4.2.9 RURAL LANDSCAPE ZONE

Objectives

(a) To facilitate limited closer rural settlement on land which is recognised as being of high landscape or scenic value, but generally unsuitable for agriculture or farming use, in order to protect and enhance those values.

(b) To ensure that development maintains the rural character of the locality and minimises disturbance to the landscape amenity through construction of buildings and structures, clearing, earthworks, firebreaks and access roads.

(c) To provide incentives for landowners to implement rural landscape improvements such as rehabilitation/revegetation and soil stabilisation in areas of significant landscape or scenic value.

(d) To enable a range of activities and land uses appropriate to the rural retreat/residential occupation of the land.

(e) To discourage or prohibit development not compatible with the predominantly rural nature or high landscape value or visual quality of the zone.

(f) To encourage the orderly development of rural-retreat residential designs having consideration for conservation and landscape values.

Policies

(a) To apply this zone to land where rural landscape improvements such as revegetation, rehabilitation and soil stabilisation are necessary to visually improve or enhance the landscape values of the area, to the benefit of the local amenity, where such measures can be achieved through the subdivision process.

(b) To encourage rural-retreat subdivision by recommending a range of lot areas with a minimum average area of not less than 10 hectares and a minimum lot area of 5 hectares using conventional subdivision and providing greater flexibility for lots created by strata or survey strata subdivision, dependent upon the special physical and landscape characteristics of the land and only where it can be clearly established to be consistent with the objectives of the zone.

(c) To encourage the achievement of the objectives of the zone through private land ownership and management by the use of development guidelines, standards and covenants, on a site specific basis, to direct and manage the future and ongoing uses and development of lots within the zone.

(d) To encourage the preservation of vegetation and fauna and the protection of areas of visual or landscape quality.

(e) To prohibit the clearing of any vegetation on the land, unless required for firebreaks, dwellings or associated outbuildings within defined building envelopes, or to allow for vehicular access to such buildings.

(f) To ensure that where the keeping of livestock may be acceptable, stocking rates are controlled in order to avoid degradation and erosion of the landscape, and to ensure that the keeping of livestock does not occur where this would be inconsistent with the intent and objectives of the zone.

(g) To encourage the use of development guidelines and covenants, where appropriate, to further ensure that the objectives and policies of the zone are achieved on a site specific basis."

The proposal is considered to be consistent with the above objectives and policies for the following reasons:

- The subdivision facilitates a controlled form of closer rural settlement on land which has some level of landscape / scenic value but which has marginal agricultural capability.
- The subdivision maintains the rural settlement character, as there will be undetectable impact to the landscape due to the zoning and Structure Plan limitations placed on clearing / pruning, earthworks, building construction, firebreaks and access roads.
- The subdivision provides a stimulus and incentive for the owner to undertake further environmental improvement rehabilitation / revegetation of the land, particularly about Wyadup Brook.
- The restrictions imposed via the Structure Plan and DTPS 21 demand development that is orderly and completely compatible with the rural landscape.

- The land has special physical / landscape characteristics and the subdivision is consistent with the objectives of the zone, therefore lot sizes below the 10 ha average and 5 ha minimum can be considered via survey-strata subdivision.
- The subdivision will preserve vegetation for landscape and fauna habitat by making use of existing clearings for firebreaks, future buildings (within the defined building envelope), and vehicular access to such buildings.
- The Structure Plan conditions and DTPS 21 provisions, when read in conjunction with the outcomes of the VLA and FMP, further ensure that the objectives and policies of the zone are achieved over the subject area.

CLAUSE 6.4 – LANDSCAPE VALUE AREA

As already mentioned, the subject land is included within the Landscape Value area pursuant to DTPS 21. This area designation has assessment implications for any subdivision or development.

The relevant sub-clauses under clause 6.4 are as follows:

"6.4 LANDSCAPE VALUE AREA

6.4.1 The local government shall not grant planning approval for the clearing or development of any land identified within a Landscape Value area on the Scheme map, unless it has considered -

- (a) whether the development will be compatible with the maintenance and enhancement, as far as is practicable, of the existing rural and scenic character of the locality;*
- (b) whether the development will materially affect any wildlife refuge, significant wetland, coastal environment or any identified site containing Aboriginal archaeological relics;*
- and*
- (c) disturbance to the natural environment, including -*
 - (i) visual effects of clearing for development;*
 - (ii) maintenance of rural character; and*
 - (iii) habitat disturbance.*

6.4.2 The local government shall not grant planning approval for the carrying out of development on land within the Landscape Value area or on land on or near any ridgelines where, in the opinion of the local government, that development is likely to substantially detract from the visual amenity of the area, having regard to, among other things, the cumulative visual effect of the development related to other development that may be anticipated in the locality and in the area generally.

6.4.3 Before granting planning approval for the erection of a building on land within the Landscape Value area, the local government shall make an assessment as to whether it should impose conditions relating to -

- (a) the siting of the proposed building;*
- (b) the use of prescribed materials on the external surfaces of the building; and*
- (c) the number, type and location of existing trees and shrubs which are to be retained and the extent of landscaping to be carried out on the site.*

6.4.4 In clause 6.4.3 -

"external surfaces" *means the external walls and cladding (if any), external doors, external door and window frames, columns, roofs, fences and any surface of a building or work visible from the exterior of a building or work; and*

"prescribed materials" means materials with dark tones or dark colouring and of low reflective quality or materials which are painted or similarly treated with dark toned or dark coloured paint or pigment of low reflective quality."

The subdivision as proposed by the Structure Plan is considered compliant with the above sub-clauses given that-

- * the building envelope for the additional lot is set back appropriately, screened by remnant vegetation, and is situated at a lower level than Wyadup Road to ensure it is not evident from this important tourist road;
- * the building envelope for the additional lot has been positioned to take account of near existing structures (i.e. water tank) and has been positioned in a screened location to avoid landscape impacts and changes in settlement character;
- * all areas with true environmental qualities for biodiversity, will be preserved and enhanced, particularly the areas about Wyadup Brook; and
- * minimal clearing of remnant vegetation is required so there will be no real impact or threat to local endemic flora or fauna.

In terms of Aboriginal archaeological relics, these are protected under the *Aboriginal Heritage Act 1972* whether they are known or not. The site has already been disturbed for past recreation agriculture, however, contractors will need to be mindful of Aboriginal archaeological material when undertaking any earthworks in the future.

An updated Fire Management Plan has been prepared and forms part of this Structure Plan submission. It is asked that this be approved by the City of Busselton as it has already received endorsement by the Department of Fire and Emergency Services (DFES).

Finally, the VLA has been prepared which recommends further restrictions on building height, and this recommendation has been carried over to the Structure Plan and its conditions.

6.0 POLICY IMPLICATIONS

STATE PLANNING POLICY No. 2 – ENVIRONMENT AND NATURAL RESOURCES POLICY (2003)

State Planning Policy No. 2 - Environment and Natural Resources (SPP 2) broadly defines the principles and considerations that represent good and responsible planning in terms of environment and natural resource issues within the framework of the State Planning Strategy.

The objectives of the policy are-

- “* to integrate environment and natural resource management with broader land use planning and decision-making.*
- * to protect, conserve and enhance the natural environment; and*
- * to promote and assist in the wise and sustainable use and management of natural resources.”*

The above objectives provide the context for the policy measures which are logical and aimed at preserving water resources, air quality, soil and land quality, biodiversity, landscapes etc. The subdivision proposed by the Structure Plan is considered consistent with the broad applying policy measures and objectives of SPP 2.

STATE PLANNING POLICY 2.5 – LAND USE PLANNING IN RURAL AREAS (2012)

The Structure Plan is consistent with the following purposes of the relevant sections of *State Planning Policy No. 2.5 – Agriculture and Rural Land Use Planning* (SPP 2.5) being to address-

“4. Objectives of this policy

- a) To protect rural land from incompatible uses by:
 - i) requiring comprehensive planning for rural areas;*
 - ii) making land use decisions for rural land that support existing and future primary production and protection of priority agricultural land, particularly for the production of food; and*
 - iii) providing investment security for the existing and future primary production sector.**
- d) To protect and improve environmental and landscape assets.*
- e) To minimise land use conflicts.*

5.1 Protection of rural land

The overarching policy requirements are:

- a) land use change from rural to all other uses is to be planned and provided for in a planning strategy or scheme;*
- c) beyond its principle function for primary production, rural land is also required for public purposes, natural resource management, biodiversity conservation and protection of landscapes and views;*

5.7 Managing and improving environmental and landscape attributes

The planning system is well placed to address environmental and landscape issues when land use change is contemplated, to ensure that any adverse impacts from development are minimised.

Environmental and landscape attributes will be managed and improved by:

- a) supporting and promoting private conservation areas within Western Australia in addition to the State's conservation estate;*
- b) supporting the establishment of environmental corridors in strategies and schemes, including connection of the State's conservation estate and waterways and wetlands with private conservation areas;*
- c) considering future management and ownership of conservation areas at strategy stage, and prior to the zoning or subdivision of land;*
- d) supporting rural living proposals with a conservation theme that result in improved environmental outcomes, where that land is identified as suitable for future rural living subdivision in a strategy or scheme in accordance with the criteria listed at 5.6 (b); and*
- e) supporting the inclusion of provisions into strategies and schemes that promote improved landscape outcomes, as required.*

5.8 Avoiding land use conflicts

Land use conflicts will be managed such that:

- a) the introduction of land uses in rural areas that may constrain existing or potential rural land uses will generally not be supported;*
- b) existing and future land use conflicts are understood and demonstrated in strategies and schemes as appropriate; and*
- c) in the absence of site-specific technical studies, buffer distances will be guided by the Environmental Protection Authority's Guidance Statement No. 3 – Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses."*

In respect to key objective 5.8 (above), the proposed new dwelling site will be suitably separated and buffered from agricultural practices carried out both within this subject land and on adjoining properties. These land uses include perennial horticulture and also a horse stud to the west.

STATE PLANNING POLICY No. 6.1 – LEEUWIN-NATURALISTE RIDGE POLICY (AMENDED 2003)

The Land Use Strategy Plan (Figure 5) of the LNRP (also referred to as the LNRSP) identifies the subject lot Ridge Landscape Amenity Area. Further, the Landscape Classes Map (Figure 3) of the LNRP identifies the portion of the lot closest to the road as Travel Route Corridor within Rural Landscape Significance. The thin middle section of the site is identified Rural Landscape Significance while the lower area about Wyadup Brook and dam is identified as Natural Landscape Significance.

The most pertinent land use strategy (LUS) statements within this document are listed in italics below:

LUS 3.6 *Maintaining or enhancing the conservation and landscape values of the Ridge Landscape Amenity Area will be the primary criteria against which proposals for land use, subdivision or development within these areas will be assessed.*

LUS 3.7 *In the Ridge Landscape Amenity Areas, there is a general presumption against further subdivision. Development will normally be restricted to one dwelling per lot and low-impact recreation facilities in limited locations, if considered compatible with conserving the ecological and landscape values of the Ridge, National Park and Principal Ridge Protection Areas.*

LUS 3.8 *As an incentive for landowners to maintain the conservation and landscape values of the land in perpetuity, the following will be considered—*

- *for lots 40 ha and above, subdivision based on a ratio of one lot per 20 ha. Subdivision should be in clustered form - unless based on existing dwellings; or*
- *for lots below 40 ha at the date of Gazettal of this LNRSP, subdivision of one additional lot; or*
- *low-impact tourist development;*

subject to:

- *no detrimental impacts on existing remnant vegetation other than for the approved development envelope and services;*
- *conforming with other policies under this LNRSP, particularly those relating to fire management;*
- *the owner entering into an agreement for —*

- *rehabilitation of the land or retention of vegetation other than for the approved development envelope and services;*
- *continued management of the land to guarantee the maintenance of conservation and landscape values in perpetuity; and*
- *an absolute caveat on the title of the lot to secure performance of the agreement in perpetuity."*

In respect to the above land use strategies, the proposed subdivision will have no affect on rural landscape values as it utilises an existing disturbed site near an existing structure; a site which is subordinate to and (with applied height controls) virtually undetectable within the landscape.

Further, the subdivision is consistent with the subdivision criteria, whereby lots below 40 ha at the 1998 gazettal date are eligible for the creation of one additional lot.

In addition to the above, the following broad policy statements (PS) also have some relevance:

- | | |
|----------------|--|
| <i>"PS 2.2</i> | <i>There is a general presumption against clearing of remnant vegetation.</i> |
| <i>PS 2.6</i> | <i>Proposals for development adjacent to natural bushland areas will be required to include an effective bushfire protection plan that is consistent with conservation values.</i> |
| <i>PS 2.7</i> | <i>Proposals of development must ensure that it does not significantly increase the threat of bushfires nor is it to be located in an area of high fire hazard.</i> |
| <i>PS 2.8</i> | <i>Proponents of development must ensure that it does not adversely affect the quality or quantity of surface and groundwater resources where required for the conservation of natural environmental values.</i> |
| <i>PS 3.2</i> | <i>Development must be responsive to local values, and be compatible with the natural characteristics and traditional settlement patterns of the area.</i> |
| <i>PS 3.3</i> | <i>Development will have due regard for the landscape integrity and value of Ridge backdrops when viewed from the coastline, bays or Travel Route Corridors.</i> |
| <i>PS 3.4</i> | <i>In areas of Natural Landscape Significance, including where they are in Travel Route Corridors, the significant natural characteristics will be protected and provide adequate development setbacks. In these areas development will be screened from Travel Route Corridors except public recreation or safety facilities which may be seen in the foreground.</i> |

- PS 3.5 *The environmental integrity and natural landscape values of the Western Coastal and Eastern Slopes of the Leeuwin-Naturaliste Ridge as identified in Figure 4 and near-shore waters will be given high priority in land use decisions.*
- PS 3.6 *In areas of Rural Landscape Significance, as identified in Figure 3, development or change of use should protect the rural character of the land.*
- PS 3.8 *Where the LNRSP identifies development opportunities on the Ridge, such development will:*
- *maintain the natural character where this exists;*
 - *utilise sites of least visual impact;*
 - *conform with a sustainable bushfire plan;*
 - *maintain the values of adjacent conservation reserves; and*
 - *avoid the steeper and higher slopes.”*

Because the above provisions were effectively incorporated into DTPS 21 (i.e. which followed the gazettal of the LNRP) it is not felt necessary to respond to each. The policy statements are or will be covered by responses to the corresponding provisions of DTPS 21 and local planning policies, so no specific response is seen as necessary to the above provisions.

Notwithstanding this, relevant field experts have prepared a VLA and a current FMP, and these investigations / reports satisfy the requirements of the above policy statements and the provisions of DTPS 21 carried over from the LNRP.

LOCAL RURAL PLANNING STRATEGY (2007)

The Local Rural Planning Strategy (LRPS) was endorsed by the WAPC on 26 March 2007 and comprises the City's current policy framework for rural land use, zoning, subdivision and development along with DTPS 21.

The subject land is located within Precinct 8 – Western Coastal. The LRPS identifies that this precinct contains land with significant landscape values. It also identifies major issues as follows:

- “• *Retaining the unique character and landscape value of the area while accommodating tourist and other user demands.*
- *Loss of environmental values and habitat due to clearing of remnant vegetation.*
- *Management of nutrient export.*
- *Fire risk management.”*

In summary, the precinct vision is to retain and conserve the natural environment and rural landscape values and character of the area.

No precinct objectives are directly relevant to the proposal, and this is not surprising given the very limited application of the Rural Landscape zone under DTPS 21.

The only relevant subdivision criteria is quoted as follows:

“*In accordance with the Natural (Ridge) Landscape Amenity criteria in the LNRSP except where varied by the 'Conservation' and 'Rural Landscape' zone provisions pursuant to the Scheme. Variations between the LNRSP and the Scheme will be resolved through the Local Planning Scheme review process.*”

From the commentary in earlier sections of this report, and in the viewing of the Structure Plan, it is obvious the proposed subdivision is compliant with the LRPS. This is primarily because of the predominance of the LNRP in guiding low-impact landscape / conservation type subdivision in this western coastal precinct.

PLANNING FOR BUSH FIRE PROTECTION GUIDELINES – EDITION 2 (2010)

The *Planning for Bush Fire Protection Guidelines – Edition 2* document requires fire risk to be considered in planning decisions to avoid increasing the risk through inappropriately located or designed land use and development. It generally requires that a bush fire hazard assessment should be undertaken to determine the nature and extent of controls necessary to reduce fire risks inherent in the subdivision and development of land.

The guidelines document provides that more intensive and closer development (such as residential, rural-residential, hobby farms, tourist and industrial developments) should not be permitted in moderate or extreme fire hazard areas without permanent hazard level reduction measures being implemented to reduce the hazard level. In such cases, compliance with the performance criteria and acceptable solutions set out within the guidelines is required.

The guidelines generally require that where there is a potential fire risk, a subdivision must be accompanied by a statement or report which demonstrates that all fire protection requirements (including those relating to fire suppression response, subdivision / development design, access, water supply, siting of buildings etc.) can be achieved.

As already mentioned, a comprehensive FMP forms part of this report submission, and has been prepared in compliance with the *Planning for Bush Fire Protection Guidelines – Edition 2* (2010) document. The original report has been updated by Percy Wild to ensure its compliance with current DFES requirements and that Department have endorsed this updated FMP. The Structure Plan has necessarily followed the outcomes of this FMP in terms of design and conditions.

It should also be noted that, following subdivision, lot owners will be required to comply with the ongoing requirements of the FMP and normal *Bush Fires Act 1954* duties, including maintenance of internal firebreaks.

7.0 ENVIRONMENTAL CONSIDERATIONS

There are no significant environmental impacts arising from the proposed subdivision and development works. No declared rare flora (DRF), threatened ecological communities (TEC) or threatened fauna species will be adversely affected by subdivision or development, therefore there will be no significant impact that would normally raise concerns with the Environmental Protection Authority (EPA), Department of Environment and Conservation (DEC) or the Federal Department of Sustainability, Environment, Water, Population and Communities. All vegetation and habitat worthy of protection can be protected within the proposed lots.

Further, the proposal will not cause any pollution to the land or water, as there are no indications of potential risks from natural and man-made contamination.

8.0 PROPONENT'S COMMITMENTS

In accordance with the City of Busselton's adopted policies on contributions, the proponent is committed to making reasonable contributions to road upgrading.

The proponent is also committed to undertaking all further planning and works associated with the subdivision in strict accordance with the Structure Plan and its conditions.

9.0 CONCLUSION

Due to the inherent landscape values of the immediate area, the LNRP identifies the subject lot in a special area designation where a subdivision incentive is available in exchange for protection measures.

The justification in this report has proven the subdivision proposal to be consistent with the relevant requirements of DTPS 21 and State / local planning policy and in generally conforming to orderly and proper planning. On this basis, and in accordance with the direction of the LNRP, the enclosed Structure Plan is presented for adoption and endorsement.

The Structure Plan proposes a two-lot survey-strata subdivision, including a small area of common property covering a shared section of the vehicle driveway. The subdivision outcomes and inherent subdivision requirements are completely secured by this Structure Plan, which has prepared in direct consultation with City of Busselton officers.

**ATTACHMENT 1 –
RECORD OF CERTIFICATE OF TITLE,
SKETCH & DIAGRAM
(Landgate)**

WESTERN



AUSTRALIA

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

REGISTER NUMBER	
1/D35769	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

VOLUME
1894FOLIO
4

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.

Robert

REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 1 ON DIAGRAM 35769

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

DESMOND LLOYD SEMPLE OF 27 BALLAST POINT ROAD, BIRCHGROVE, NEW SOUTH WALES
(T B527920) REGISTERED 16 JANUARY 1991

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

1. B527921 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 16.1.1991.
2. H006491 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 20.1.1999.

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: 1894-4 (1/D35769).
PREVIOUS TITLE: 1351-601.
PROPERTY STREET ADDRESS: 272 WYADUP RD, YALLINGUP.
LOCAL GOVERNMENT AREA: SHIRE OF BUSSELTON.

Superseded - Copy for Sketch Only

Page 1 (of 2 pages) 1894 004

ORIGINAL—NOT TO BE REMOVED FROM OFFICE OF

IT 37

CT 1894 0004 F

Transfer E527920
Volume 1351 Folio 601

WESTERN



AUSTRALIA



1894 004

CERTIFICATE OF TITLE

UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

Dated 16th January, 1991

REGISTRAR OF TITLES



ESTATE AND LAND REFERRED TO

Estate in fee simple in portion of Sussex Location 484 and being Lot 1 the subject of Diagram 35769, delineated on the map in the Third Schedule hereto, limited however to the natural surface and therefrom to a depth of 60.96 metres.

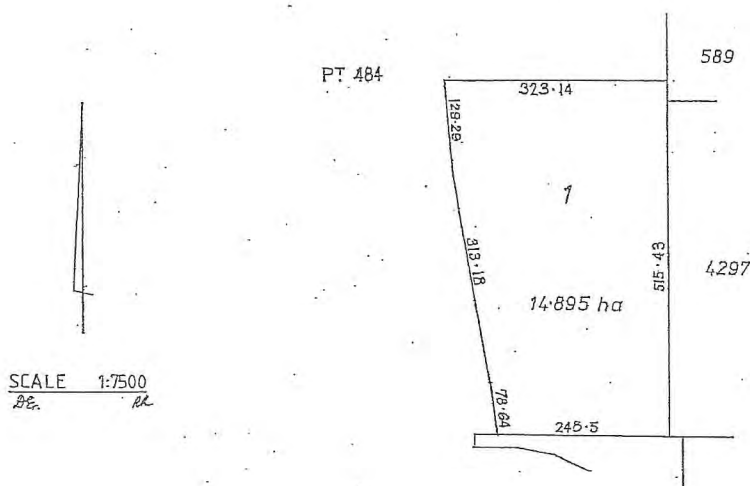
FIRST SCHEDULE (continued overleaf)

Desmond Lloyd Semple of 22 Freshwater Parade, Claremont.

SECOND SCHEDULE (continued overleaf)

1. MORTGAGE E527921 to Commonwealth Bank of Australia. Registered 16.1.91 at 10.43 hrs.

THIRD SCHEDULE



NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

E67590/3/B9-20N-L/4664



PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

Superseded Copy for Sketch Only

NOTE: ENTRIES MAY BE REJECTED / SUBSEQUENT ENDORSEMENTS
REGISTERED PROPRIETOR



The correct address of the registered proprietor is now 27 Ballast Point Road, Birchgrove, New South Wales.

By

INSTRUMENT	NATURE	NUMBER	REGISTERED	TIME	SEAL	CERT. OFFICER
		H6491	20.1.99	9.08		

SECOND SCHEDULE (continued)

NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS

INSTRUMENT	NATURE	NUMBER	PARTICULARS	REGISTERED	TIME	SEAL	CERT. OFFICER	REGISTERED OR LODGED	NUMBER	CANCELLATION	SEAL	CERT. OFFICER
	Mortgage	H6491	to Commonwealth Bank of Australia.	20.1.99	9.08							

CERTIFICATE OF TITLE VOL. 1894 FOL.004

D35769

<i>Lot Number</i>	<i>Part Register Number</i>	<i>Section Sheet Number</i>	<i>Lot Number</i>	<i>Part Register Number</i>	<i>Section Sheet Number</i>
1	1894/4	1			

**ATTACHMENT 2 –
LOCATION PLAN
(BSO Development Consultants)**



**EXISTING
LOT 1
14.895 Ha**

CONDITIONS:

- 1). As a condition of subdivision, the subdivider is to implement a Fire Management Plan which has been approved by the City of Busselton, Department of Fire and Emergency Services (DFES) of WA and Department of Parks & Wildlife (DP&W).
- 2). A notification is to be placed on the Certificate of Title of Lots 1 and 2 advising prospective purchasers of the requirement to comply with the approved Fire Management Plan and their responsibility to maintain fire protection measures and emergency access to an appropriate standard.
- 3). As a condition of subdivision, the subdivider is to prepare and implement a Landscaping, Rehabilitation and Maintenance Plan for the land prior to the issue of clearances. The plan shall also address weed management. This plan shall be to the satisfaction of the City of Busselton and the Department of Parks and Wildlife (DP&W).
- 4). A notification is to be placed on the Certificate of Title of Lots 1 and 2 advising prospective purchasers of the requirement to comply with the land management requirement and practices contained in the approved Landscaping, Rehabilitation and Maintenance Plan.
- 5). A notification is to be placed on the Certificate of Title of Lots 1 and 2 stating that the area may be subject to chemical spray drift, noise, dust and odour from nearby agricultural land as a result of normal farming practices.
- 6). Development on proposed Lot 2 shall comply with the following design guidelines, as set out in the Landscape Assessment:
 - Minimise clearing for building access and fire control.
 - Maintain a height limit of 7m to the existing natural ground level.
 - Use non-reflective wall cladding, e.g. rough-rendered masonry, fibrous cement weatherboard, timber, concrete block or stone.
 - Roof material shall be coloured mid-grey or grey-green.
 - Ensure that north and west facing windows are set back under deep roof overhangs or are of low reflectivity glass.
 - Water tanks shall be integrated with the buildings or located to the east of the building and designed so that a maximum of 3 m is above the ground. Roofs for tanks as per buildings.
 - All ancillary items (e.g. fixed barbecues, clotheslines etc.) shall be situated within the building envelopes.
 - Satellite dishes shall not extend above the roofline and shall be painted grey-green.
 - All existing remnant vegetation should be considered for its potential to screen future development, subject to compliance with fire regulations. If it is acting, or will act, as a screen it should be conserved and managed, and if necessary, supplemented with additional planting. Conservation values should be considered when determining additional planting.
 - Plant a screen of *Agonis flexuosa* (WA Peppermint) adjacent to the fire break on the boundary of Wyadup Road to supplement the roadside planting.

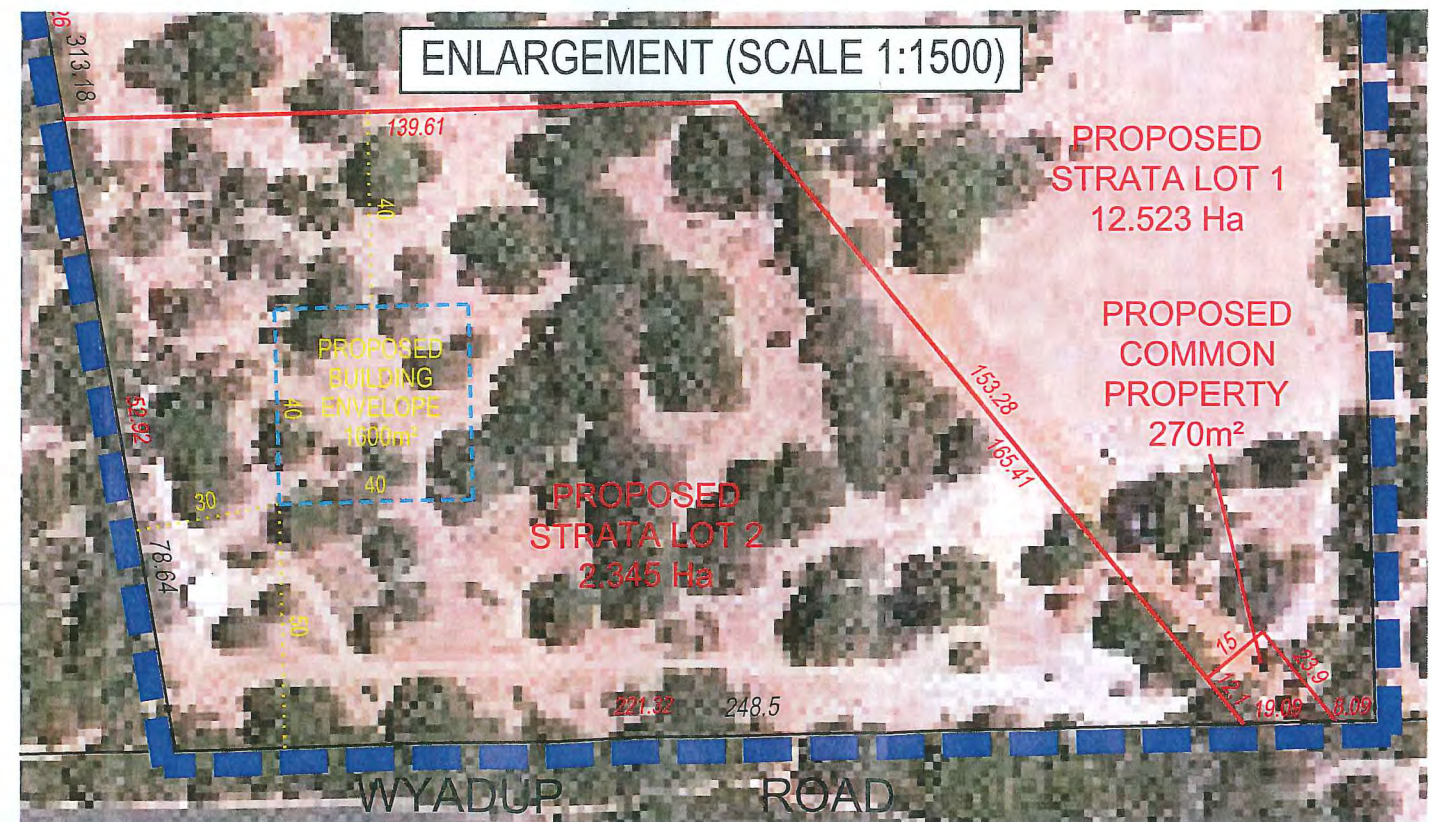
LEGEND

- Subject Land
- Proposed Boundaries
- Proposed Building Envelope
- Contours (Digitised)



Areas and dimensions are subject to survey.

Digital imagery has been supplied by Department of Land Information under strict commercial licensing agreement and no further copies of this plan or image are to be made under any circumstances. (Aerial Image dated Jan. 2014).



STRUCTURE PLAN LOT 1 (#272) WYADUP ROAD YALLINGUP

CLIENT	D. SEMPLE		
DWN	HJ BURTON		DATE 10-June-2011
SCALE A3	1:2500	DGN 2147 Base.dgn	MODEL/ PLOT
DATUM	AHD	FILE 2147	2147Struct
			REV 0

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No.	Revision	App.	Date



D 35769

CITY OF BUSSELTION

**ATTACHMENT 4 –
VISUAL LANDSCAPE ASSESSMENT
(Bill James, Landscape Architect)**

LANDSCAPE ASSESSMENT

PROPOSED SUBDIVISION LOT 1 WYADUP ROAD, YALLINGUP

FINAL REPORT

Thursday, 8 March 2012
(DETAILED STATEMENT ON FIRE MANAGEMENT ADDED)

PREPARED BY BILL JAMES LANDSCAPE ARCHITECT
72 TOWNVIEW TERRACE, MARGARET RIVER

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SUMMARY AND CONCLUSIONS

Summary

- This landscape assessment was commissioned by the owner of Lot 1 Wyadup Road in Yallingup, on instructions from BSO Development Consultants.
- The owners seek to create an additional lot through subdivision.
- BSO Development Consultants provided a Development Guide Plan identifying a new lot and a building envelope in the south west corner of Lot 1. The new Lot is referred to as Lot 2 in the Development Guide Plan. The subject of this assessment is a single dwelling on the envelope identified in the Development Guide Plan.
- This assessment:
 - Identifies relevant local and state government objectives and policies.
 - determines existing landscape values;
 - establishes visual aesthetic objectives derived from existing local and state government policies, and from common public perceptions;
 - broadly defines the physical components of the proposed land use changes;
 - assesses the visual impacts of the proposed development against the established visual aesthetic objectives;
 - evaluates the development against the relevant policies;
 - proposes planning and design guidelines that will ensure compliance with the relevant policies and visual management objectives.
- The assessment found that a building of the allowable height limit of 7.5m would be visible, but not skylined, from the Cape to Cape Track. In order to reduce the impact on landscape values, a 7m building height limit is recommended.
- The assessment found that the top 0.1m of 7m high building on the identified envelope might be visible from the Cape to Cape Track at a distance of 1km over a 180m length of track. For all but 10m of this distance, the site is at an angle of 45 degrees to the direction of travel. For 10m it is in line with the direction of travel but this section is on steep rocky ground and a walker's attention will be on the track. If the building was noticed from the Track it would be seen east of cleared farmland and in the context of three buildings on the Ridge backdrop and a large farm shed in the cleared farmland. In this context it would not appear out of place.
- The assessment found that a building would not be visible from Wyadup Road.

Conclusion

- The assessment concludes that a dwelling to a height limit of 7m on the identified envelope will have a negligible or very low impact on landscape values.
- The assessment concludes that a 7m high building on the identified envelope will comply with relevant local and state government objectives and policies.

1. INTRODUCTION

This landscape study was commissioned by the owners of Lot 1, No. 272 Wyadup Road, Yallingup, Western Australia.

The study assesses the visual impacts of a single dwelling on a building envelope on a proposed new lot. A Development Guide Plan has been prepared by BSO Development Consultants for the owners. This plan is represented in Fig. 6. The Development Guide Plan proposes a new 2.01ha lot in the south west corner of the existing 14.96ha property.

The southern boundary Lot 1 site abuts Wyadup Road and the other three boundaries are adjacent to private properties. The site is approximately 1.1km east south east of Canal Rocks. Lot 1 Wyadup Road has been largely cleared of natural vegetation.

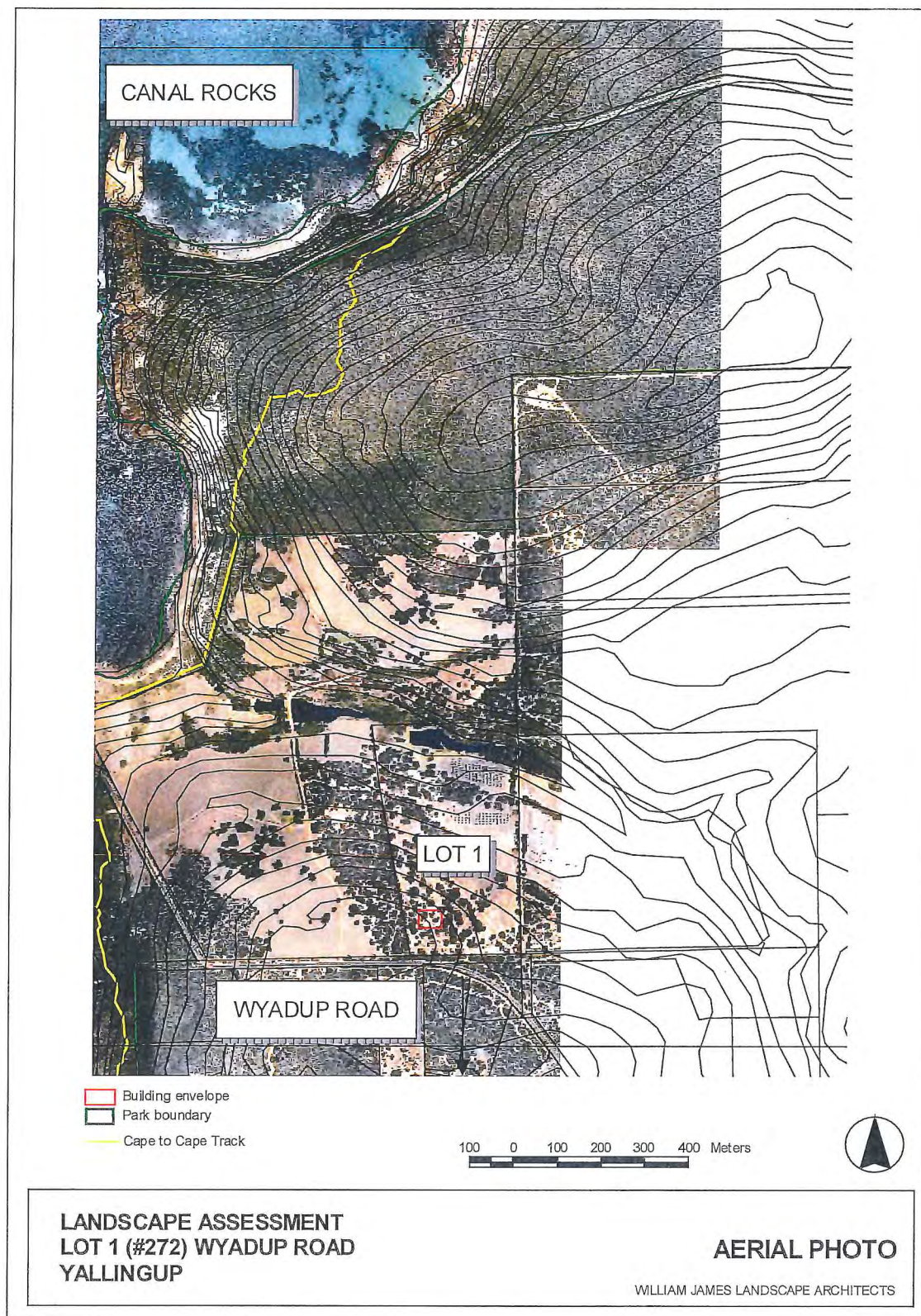
The proposed new building envelope is located on the high point of the block with the land falling away quite steeply to the north towards the Wyadup Brook. There is an existing group of buildings south of the Brook. The remnant vegetation is scattered *Agonis flexuosa* (WA Peppermint) and *Corymbia calophylla* (Marri) with introduced grass forming the ground layer. There is no shrub layer remaining on the proposed new Lot - Lot 2.

Landscape studies in Australia are generally based on a methodology known as the Visual Management System (VMS). The VMS originated in the USA in the 1970's as a process for assessing and managing visual landscape values in forests managed by the US Forest Service. It has since been used by various agencies in Australia for managing both natural and cultural landscapes.

The methodology used in this study evolved from the VMS but considers factors and influences not accounted for in that system. I acknowledge the work of John Cleary Planning in developing this methodology.

Both local and state governments have policies protecting the landscape values of the subject land. The land is zoned "Rural Landscape" under the Shire of Busselton's River's Town Planning Scheme 20 and is classified as "Western Coastal" in the Shire's Local Rural Planning Strategy. The Western Australian Government's Leeuwin Naturaliste Ridge State Planning Policy classifies the site as a "Ridge Landscape Amenity Area" and being within a "Travel Route Corridor with Rural Landscape Significance".

This assessment considers the relevant policies, the landscape resource and the potential visual impacts of the proposed building envelope. It proposes design guidelines to ensure that a future building will comply with the policies.



• Figure 1: Aerial photograph

2. METHODOLOGY

The methodology sets out to answer five straightforward questions:

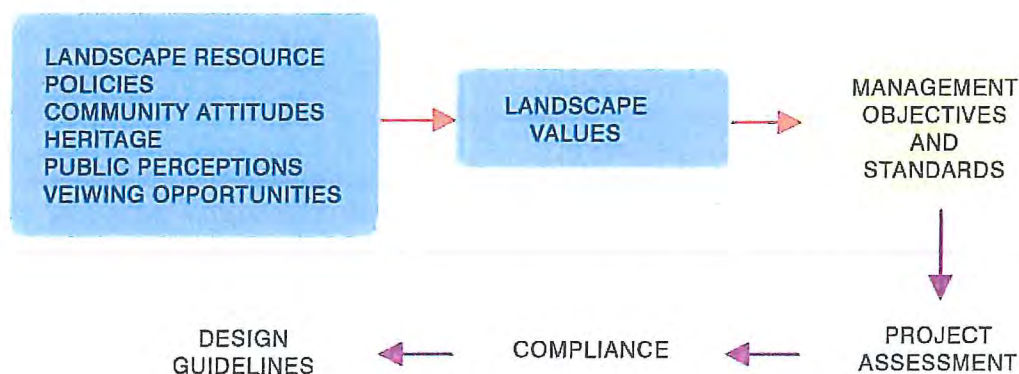
1. What is there?
2. How valuable is it?
3. What is proposed?
4. Is it acceptable?
5. If not can it be modified to make it acceptable?

The principal objective of the assessment is to assist the owners of Lot 1 Wyadup Road to locate a building envelope and establish building guidelines to ensure that the existing landscape values are protected.

This assessment goes through the following steps:

- Review the relevant policies and other requirements that provide protection to the landscape. The Local Authority and State Government have explicit policies relating to landscape; the National Trust and Heritage Council list buildings and landscapes with cultural and historical significance.
- Describe the physical landscape in terms of character, significance, views and wilderness quality. These are the aspects of landscape that people most often refer to when making submissions or commenting on developments that impact on the landscape.
- Establish Management Objectives and Standards derived from the policies. The relevant policies and other requirements are often not explicit enough to allow impacts to be directly tested against specific criteria. Objectives and Standards are developed to allow the impacts to be tested against the relevant policies and other requirements.
- Describe the proposed development in terms of its physical characteristics.
- Describe the visual impact of the proposed development
- Test the proposed development against the Management Objectives and Standards.
- Determine compliance of the development with the relevant policies and other requirements.
- If the development does not comply, propose changes, if any, that will bring the development into compliance.

Below is a graphic model of the methodology used in this assessment.



3. DEFINITIONS

Aesthetics refers to the personal appreciation and enjoyment of beautiful things (e.g. objects, places and processes). It can include functional and non-functional things and does not necessarily include visual quality.

Evaluation is the process where assessment results are examined and used to make decisions about existing or proposed developments.

Impact Assessment is a process of determining how changes to the environment will affect landscape values.

Inevident means that changes should not be readily discerned from identified sensitive viewing locations and routes.

Landscape Assessment is the process of analyzing and mapping environmental characteristics and, using known criteria, determining those that contribute most to the experience and enjoyment of people.

Landscape refers to a person's perception of the external environment. It is a human construct.

Landscape Value is the value that people attach to a place based on their perception of that place.

Landscape Significance areas and features contain significant landscape values based on natural and/or cultural characteristics.

Values are measures of the importance people attach to things and typically stem from perception.

4. THE POLICIES

4.1 Local Government

4.1.1 Shire of Busselton Town Planning Scheme No. 20

The site falls within the Rural Landscape Zone.

The Objectives and Policies of the Rural Landscape Zone are:

Objectives:

- (i) *To facilitate limited closer rural settlement on land which is recognised as being of high landscape or scenic value but generally unsuitable for agriculture or farming use, in order to protect and enhance those values;*
- (ii) *To ensure that development maintains the rural character of the locality and minimises disturbance to the landscape amenity through construction of buildings and structures, clearing, earthworks, firebreaks and access roads;*
- (iii) *To provide incentives for landowners to implement rural landscape improvements such as rehabilitation/revegetation and soil stabilisation in areas of significant landscape or scenic value;*
- (iv) *To enable a range of activities and land uses appropriate with the rural-retreat residential occupation of the land;*
- (v) *To discourage or prohibit development not compatible with the predominantly rural nature or high landscape value or visual quality of the Zone;*
- (vi) *To encourage the orderly development of rural-retreat residential designs having consideration for the conservation and landscape values.*

Policies:

- a) *To apply this Zone to land where rural landscape improvements such as revegetation, rehabilitation and soil stabilisation are necessary to visually improve or enhance the landscape values of the area, to the benefit of the local amenity, where such measures can be achieved through the subdivision process;*
- b) *To encourage rural-retreat residential subdivision by recommending a range of lot sizes with a minimum average area of not less than 10 hectares and a minimum lot size of 5 hectares using the conventional Torrens Title System and providing greater flexibility for lots created by strata title or similar subdivision dependent upon the special physical and landscape characteristics of the land and only where it can be clearly established to be consistent with the Objectives of the Zone;*
- c) *To encourage the achievement of the objectives of the Zone through private land ownership and management by the use of development guidelines, standards and covenants, on a site specific basis, to direct and manage the future and ongoing uses and development of lots within the Zone;*
- d) *To encourage the preservation of vegetation and fauna and the protection of areas of visual or landscape quality;*
- e) *To prohibit the clearing of any vegetation on the land, unless required for firebreaks, dwellings or associated outbuildings within the defined building envelopes, or to allow for vehicular access to such buildings;*
- f) *To ensure that where the keeping of livestock may be acceptable, stocking rates are controlled in order to avoid degradation and erosion of the landscape, and to ensure that the keeping of livestock does not occur where this would be inconsistent with the intent of the objectives of the Zone;*
- g) *To encourage the use of development guidelines and covenants, where appropriate, to further ensure that the objectives and policies of the Zone are achieved on a site-specific basis.*

4.1.2 Local Rural Planning Strategy

The Local Rural Planning Strategy places the land in the Western Coastal Precinct. Statements in the Strategy relating to landscape values are given below:

7.8.1 Precinct Description

- *Has significant landscape values including the coastline, Caves Road and National Park.*

7.8.2 Sustainability Factors

Economic

- *Large areas are reserved or zoned for conservation purposes and provide high landscape and natural values that are of significant tourism value.*

Social

- *Caves Road and other roads connecting to coastal areas have particularly high visual amenity values being the main tourist routes through the area.*

7.8.3 Major Issues

- *Retaining the unique character and landscape value of the area while accommodating tourist and other user demands.*

7.8.5 Precinct Vision

- *Retain and conserve the natural environmental and rural landscape values and character of the area in balance with tourism development.*

7.8.6 Precinct Objectives

- To ensure that the planning in the precinct is consistent with the LNRSSP and Scheme Provisions.

Economic

- To facilitate the ongoing expansion of rural tourism development where it will not impact on landscape, environmental and other values of the region as a priority.

Social

- To maintain and protect the unique rural and natural landscapes and land uses and their contribution to the character of the region as a priority.

7.8.7 Land Use Allocation

Desirable

- Agriculture where there is adequate water availability and landscape and environmental values are maintained.

Undesirable

- Large scale (urban type) tourist development

4.2 State Government

4.2.1 Leeuwin Naturaliste Ridge State Planning Policy

Section 4.3 of the LNRSP deals with Landscape.

4.3 Landscape

Statement of Intent

This extraordinary landscape is part of the nation's heritage. Its unique values will be conserved by land use strategies and development assessment processes, having particular regard for-

- protection of the natural character of the Leeuwin-Naturaliste Ridge, including the coastal and marine interfaces and areas of remnant vegetation;
- maintenance of the mosaic of land uses evident in existing agricultural areas, while providing for change in agricultural land uses; and
- recognition of the role and importance of human activity and its contribution to cultural landscape.

Policies

PS 3.1 The Landscape Classes map (Figure 3) and the Landscape Character Units map (Figure 4) form part of this LNRSP.

PS 3.2 Development must be responsive to local values, and be compatible with the natural characteristics and traditional settlement patterns of the area.

PS 3.3 Development will have due regard for the landscape integrity and value of Ridge backdrops when viewed from the coastline, bays or Travel Route Corridors.

PS 3.4 In areas of Natural Landscape Significance, including where they are in Travel Route Corridors, the significant natural characteristics will be protected and provide adequate development setbacks. In these areas development will be screened from Travel Route Corridors except public recreation or safety facilities which may be seen in the foreground.¹

PS 3.5 The environmental integrity and natural landscape values of the Western Coastal and Eastern Slopes of the Leeuwin-Naturaliste Ridge as identified in Figure 4 and near-shore waters will be given high priority in land use decisions.

PS 3.6 In areas of Rural Landscape Significance, as identified in Figure 3, development or change of

use should protect the rural character of the land.

PS 3.7 In areas of General Character, as identified in Figure 3 (of the LNRSP), development or change of use should protect the rural character and conform with policies and guidelines for Travel Route Corridors.

PS 3.8 Where the LNRSP identifies development opportunities on the Ridge, such development will-

- maintain the natural character where this exists;*
- utilise sites of least visual impact;*
- conform with a sustainable bushfire plan;*
- maintain the values of adjacent conservation reserves; and*
- avoid the steeper and higher slopes.*

Land Use Strategies

LUS 3.6 *Maintaining or enhancing the conservation and landscape values of the Ridge Landscape Amenity Area will be the primary criteria against which proposals for land use, subdivision or development within these areas will be assessed.*

In the Ridge Landscape Amenity Area, there is a general presumption against further subdivision. Development will normally be restricted to one dwelling per lot and low-impact recreation facilities in limited locations, if considered compatible with conserving the ecological and landscape values of the Ridge, National Park and Principal Ridge Protection Areas.

LUS 3.8 *As an incentive for landowners to maintain the conservation and landscape values of the land in perpetuity, the following will be considered –*

- for lots 40 ha and above, subdivision based on a ratio of one lot per 20 ha. Subdivision should be in clustered form – unless based on existing dwellings; or*
 - for lots below 40 ha at the date of Gazettal of this LNRSP, subdivision of one additional lot; or*
 - low- impact tourist development;*
- subject to –*
- no detrimental impacts on existing remnant vegetation other than for the approved development envelope and services;*
 - conforming with other policies under this LNRSP, particularly those relating to fire management;*
 - the owner entering into an agreement for –*
 - rehabilitation of the land or retention of vegetation other than for the approved development envelope and services;*
 - continued management of the land to guarantee the maintenance of conservation and landscape values in perpetuity; and*
 - an absolute caveat on the title of the lot to secure performance of the agreement in perpetuity.*

LUS 3.9 *Proposals for development adjoining the National Park or Principal Ridge Protection Area must demonstrate that the development meets fire hazard and risk standards associated with this category and that it does not adversely affect the fire management regimes of adjacent landowners.*

LUS 3.10 *There is a general presumption against the clearing of remnant vegetation in the Ridge Landscape Amenity Area other than for approved building envelopes, access and services.*

LUS 3.11 *Subdivision or developments between Cape Naturaliste and Meelup Regional Park will be consistent with the Ridge Landscape Amenity designation and will provide for increased public access along and to the coast.*

LUS 3.12 *Development will comply with the protection and enhancement of the environmental integrity of ecological linkages and their landscape qualities.*

LUS 3.13 *Establishment of indigenous vegetation that complements the values of Regional Environmental Corridors will be supported.*

LUS 3.14 *In meeting its statutory obligation, CALM, as managers of the National Park, should comply with the "good neighbour zone" and recognise private use of the adjoining land and adjust*

management strategies as appropriate, particularly its fire management program, control of vermin, or the location of access roads or visitor facilities that could intrude upon the privacy of the neighbouring owners.

LUS 3.15 *Landowners adjoining the National Park or Principal Ridge Protection Area should comply with the "good neighbour zone" and recognise potential impacts upon the values and management of the National Park and Principal Ridge Protection Areas, particularly in relation to fire management and control of vermin.*

LUS 3.16 For land adjoining the National Park or Principal Ridge Protection Area, local government should consider inclusion within its local planning scheme of special provisions for control of stock, domestic animals, weeds, and special provisions for the type, scale and materials of buildings.

5. LANDSCAPE VALUES

Landscape values are a measure of the importance that the community places on the landscape at any particular place. Landscape values are a combination of the physical environment and the public perception of that environment.

The physical environment can be described in terms of:

- Landscape character
- Landscape significance
- Wilderness quality
- Views
- Access

These aspects of landscape contain both opportunities and constraints. Opportunities are provided by the existing conditions and the potential to "add" value to these conditions; constraints are contained in the potential of developments to change the existing conditions in such a way that existing values are diminished or destroyed.

5.1 Landscape character

Landscape character is the nature or identity of the landscape. It is a combination of the natural and cultural elements and their functions. These elements and functions change from place to place and, therefore, so does the landscape character. A major purpose of landscape planning and management should be to maintain the diversity in landscape character existing between different places by protecting the unique qualities inherent in a place. (Cleary; 1991)

The Landscape character of the site can be described at two levels; one is the broad description given in the Leeuwin Naturaliste Ridge State Planning Policy and the other is at the site-specific level.

The LNRSP classifies the site as Western Coastal and Eastern Slopes.

Western Coastal

Extends the length of the study area (from Cape Naturaliste to Cape Leeuwin) including the western slopes and gentle crest of 'the Ridge' which runs parallel to the coast, and the western coastline. Steep slopes rise from the water to the highest points in the study area (at 210m above sea level), with gentle slopes in the valleys which dissect the ridge. There are numerous limestone outcrops and cliffs and substantial patches of parabolic dunes and calcareous sand. Otherwise the soils are deep brownish yellow siliceous sands. The coastline consists of a mix of long beaches coves, rocky points and bays. The unit is exposed to strong winds from the ocean and supports large areas of heath, wattle and peppermint scrub and woodland. A large portion of the unit is within the Leeuwin-Naturaliste National Park with the remainder being privately owned and largely uncleared. Settlement is concentrated in the small coastal towns of Yallingup, Gracetown, Prevelly and Smiths Beach. There is very high recreation use focusing on coast-related activities and substantial supporting tourist accommodation. There are panoramic views of the ocean, coast-line and slopes from a large percentage of places within the unit.

Eastern Slopes

Also extends the length of the study area, including the eastern slopes of 'the Ridge' which run parallel to the coast. Slopes tend to be moderately steep with gently inclined footslopes around Boranup and a mix of both steep and gentle slopes in the valleys which dissect the ridge. The soils are deep brownish yellow siliceous sands. The unit is protected from strong winds from the ocean and supports peppermint and jarrah/marri woodland with patches of karri particularly on the southern footslopes. A large portion of the unit is within the Leeuwin Naturaliste National Park with the remainder being privately owned and largely uncleared. Settlement consists of dispersed 'rural housing' and patches of 'rural residential' near Prevelly and Augusta. Recreation use focuses on forest drives and caves and a

large volume of recreation traffic traverses the unit to gain access to the coast. Views of the country to the east, the dissecting valleys, and even the ocean, can be had at a number of vantage points, particularly from the roads and cleared blocks.

Local character

The site is moderately sloping, partly cleared rural land with remnant Peppermints and Marris.



Looking north over Lot 1 Wyadup Road. The slope in the background rises from Wyadup Brook.

The land slopes at grades from 5 -15% from the south west corner towards the north east to flatter land adjoining the Wyadup Brook. The soils on the slopes are deep yellow brown siliceous sands over limestone. The flats are gravelly duplex and pale grey mottled soils. The Wyadup Brook itself is a narrow V-shaped valley with gravelly duplex soils. The most distinctive feature of the site is the valley with the Wyadup Brook deeply incised into the landscape. The proposed Lot 2 is relatively featureless. It has views through trees to the north and north east across Wyadup Brook. From ground level views to the north west out to the ocean and the coastal hinterland are screened by trees but there are potential views from the upper level of a two storey building.

There is a group of buildings, comprising a house and sheds among remnant trees on the flats adjacent to a dammed section of Wyadup Brook.



A typical view of the proposed building envelope.

5.2 Landscape significance

Significance arises from outstanding landscape features within the context of the particular Character Units.

Attributes lending significance to the Leeuwin Naturaliste Ridge landscape are summarized in Table 1:

Significance is also established by the relevant planning documents:

The LNRSSP places the study area within the following classifications:

- Travel Route Corridor with Rural Landscape Significance.
- Ridge Landscape Amenity Area

The Shire of Busselton TPS 20 recognises the landscape significance by nominating it within the Rural Landscape Zone

Wyadup Brook is a significant landscape feature. Due to the extensive clearing the remainder is of low to moderate significance.

ATTRIBUTES AFFECTING LANDSCAPE SIGNIFICANCE			
SIGNIFICANCE	LANDFORM	VEGETATION	WATERFORM
HIGH	<p>Irregular coastline edges emphasised by distinctive rock outcroppings, bays, inlets and cliffs eg. Canal Rocks.</p> <p>Limestone features, caves, doelines and fault lines e.g. Mammoth Cave.</p> <p>Primary Dunes which display areas of active weathering, steep slopes or sand blown edges e.g. Boranup Sand Sheet.</p> <p>Ridges and dune formations of distinctive height, configuration or combinations which provide obvious contrast to landform pattern common in the surrounding areas e.g. Central Ridge.</p>	<p>Distinctive vegetation patterns due to strongly defined variation in species density, age, growth habit, colour or texture e.g. Abrupt transition from heath to woodland.</p> <p>Pockets of specimen vegetation which become focal points due to isolation, unusual form, position in the landscape or canopy variation e.g. Karri.</p> <p>Plant groups displaying seasonal colour which distinguishes them from their surroundings e.g. coastal daisy.</p> <p>Wind-shaped, gnarled or dwarfed vegetation unusual in form, colour or texture e.g. coastal heath.</p>	<p>Major permanent rivers and streams with changing flow characteristics and features such as waterfalls e.g. Quininup Falls.</p> <p>Wetlands and waterholes in intermittent watercourses.</p>
MODERATE	<p>Rounded hills and ridges with some dissection but generally similar to the surrounding landforms.</p> <p>Dune formations evident but of uniform height and configuration.</p> <p>Regular coast edges without bays, inlets, promontories, stacks or cliffs.</p> <p>Areas of gently sloping land with less distinct drainage patterns.</p>	<p>Patterns evident in land cover but lacking uniqueness or distinction relative to surrounding vegetation.</p> <p>Transition from coastal vegetation to forest vegetation lacking distinction.</p>	<p>Intermittent watercourses with unchanging flow characteristics.</p>
LOW	<p>Extensive areas of very gently inclined topography with little dissections, undulations or other features of visual interest.</p> <p>Coastal landscapes in which natural elements remain dominant are of special visual significance and therefore rate no lower than moderate scenic quality.</p>	<p>Extensive areas of similar vegetation cover without evident patterns due to species variation, age, class, texture, colour or spacing.</p>	<p>Waterforms absent.</p>

• Table 1: Attributes affecting landscape significance (Taken from "Reading the Remote", DEC 1994))

5.3 Wilderness Quality

Wilderness² quality considers perceptions of wilderness rather than the strict definition of wilderness. Areas of high wilderness quality represent the environment in its most natural state, provide a resource bank and may provide the backdrop and sense of remoteness for other more used areas.

The extent of clearing results in the site having low Wilderness Quality.

5.4 Views

Views provide the opportunity to become acquainted with a place or landscape from a distance and put place and landscape into a broader context.

There are views **into** the site from the National Park, in particular the Cape to Cape Track, Wyadup Road and neighbouring properties. These views are discussed in detail under the Visibility Analysis. There are views **over**³ the site from neighbouring properties to the north and south.

5.5 Viewer sensitivity

Defining landscape value requires a consideration of how the physical resource is viewed. This is commonly known as "viewer sensitivity".

Viewer sensitivity is a measure of the significance of the views of the subject site. This significance depends on the type and number of viewers and the significance of the travel route or location from which the site is viewed.

Table 2 is a viewer sensitivity classification table used for determining the sensitivity level of travel routes and locations.

² Wilderness is defined by the Australian Heritage Commission as a "large area in which ecological processes continue with minimal change caused by modern development. Indigenous custodianship and customary practices have been, and in many places continue to be, significant factors in creating what non-indigenous people refer to as wilderness."

³ A view over the site is one that provides visual access to the landscape beyond.

Classification	Type of Use - Existing or Formally Proposed		
	Non-recreation use roads	Recreation and tourism	Settlement
Level 1 High Sensitivity	National & State Highways. Links between cities and major towns including rail	Designated tourist roads. formally or informally at a national or state level, including walking tracks and lookouts. Primary access to these recreation sites or multiple level 2 use areas. Travel routes or sites through or adjacent to scenic or historic areas with recognised or assessed values of national or state significance.	Places with recognised or assessed scenic or historic values of national or state importance.
Level 2 Moderate Sensitivity	Main link roads between towns and highways.	Important but undesignated tourist and recreation roads. Recreation sites of regional importance, including walking tracks and lookouts. Primary access to these recreation sites or multiple level 3 use areas. Travel routes or sites through or adjacent to scenic or historic areas with recognised or assessed values of regional significance.	Places developed to capitalise on views or attractions.
Level 3 Low Sensitivity	Minor link roads	Local recreation	Residential areas other than Level 1 or 2.
Level 4 Very Low Sensitivity	Roads receiving local non-recreational traffic		Industrial areas.

• Table 2: Public Sensitivity Level: Travel Route and Use Area Classification.

(Based on criteria used in the Visual Management System, Williamson and Calder, 1979)

The Cape to Cape Track and Wyadup Road are Level 1 routes, the neighbouring properties are Level 2 locations.

Distance and Visibility

The next steps in determining landscape values are to:

- identify distance zones applying to the project
- determine visibility from the identified viewing locations

Distance

Distance refers to the distance between the observed landscape and observation points and routes. For assessment purposes, distance has been divided into six zones:

Foreground	< 0.3 km
Close Middleground	0.3 – 1 km
Middleground	1 – 3km
Distant Middleground	3 – 6km
Background	6 km – 15km
Distant Background	>15km

Visibility

The following table summarises visibility of the site

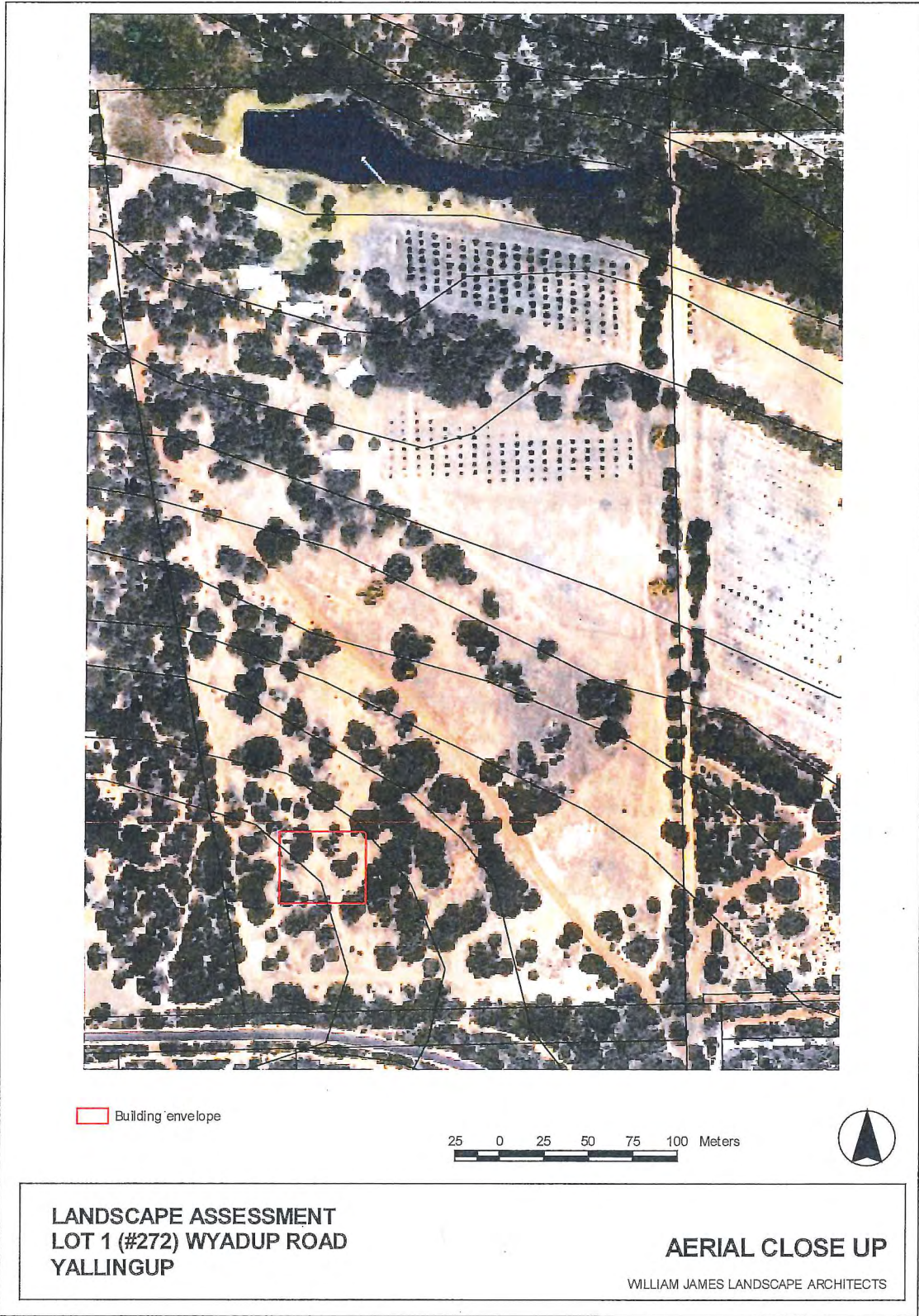
Distance Zone	Viewing location	What is seen
0-300m	Wyadup Road	Filtered view through trees at right angles to the road. The envelope is 70m from the road.
300m-1km	Possibly seen from neighbouring properties	
1-3km	Cape to Cape Track - north	The site is seen but not skylined. It is seen in relation to houses, approximately 500m to the south, and cleared agricultural land and a large shed to the west between the National Park and Lot 1.
3-6km	Not seen	
6-15km	Not seen	

• Table 3: Summary of site visibility

The Influence of Distance

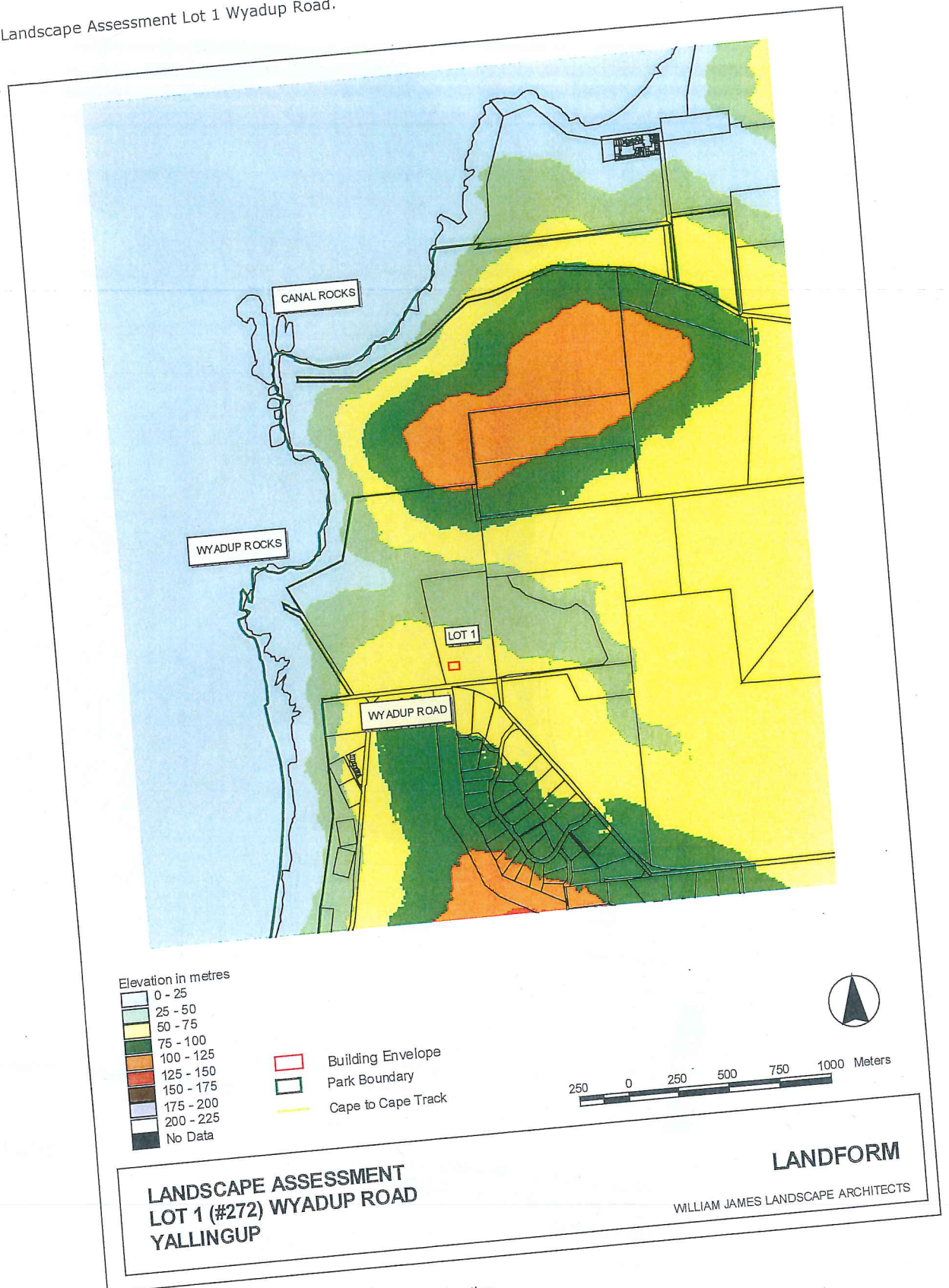
The distance of the viewer from the object of the view affects the experience generally as follows:

- 0-300m (foreground): Large structures are dominant unless screened from view. All detail and colour is discernible. Individual lights and illuminated elements will be clearly visible.
- 300m-1km (close middleground): Large structures form the major element of the view. Detail and colour is less than distinct. Individual lights and illuminated elements are clearly visible.
- 1-3km (middleground): Variables such as atmospheric conditions, speed and focus of viewer become critical to the viewing experience. Individual large structures are minor elements of the view. Detail and colour are difficult to make out. The pattern of lighting and illuminated elements will be apparent.
- 3-6km (distant middleground): Visibility is strongly affected by atmospheric conditions, light levels and the speed and focus of the viewer. Individual complex elements are difficult to discern. Individual simple large shapes are discernible but minor elements. Lighting is apparent through a general illumination.
- 6-15km (background): Less than ideal viewing conditions will severely limit views. High contrast in form and/or colour is necessary to discern individual elements. Lighting will be general night "glow".
- >15km (distant background): Atmospheric conditions are critical to visibility. Individual large structures not discernible unless highly contrasting in form and colour. Lighting experienced a night "glow".

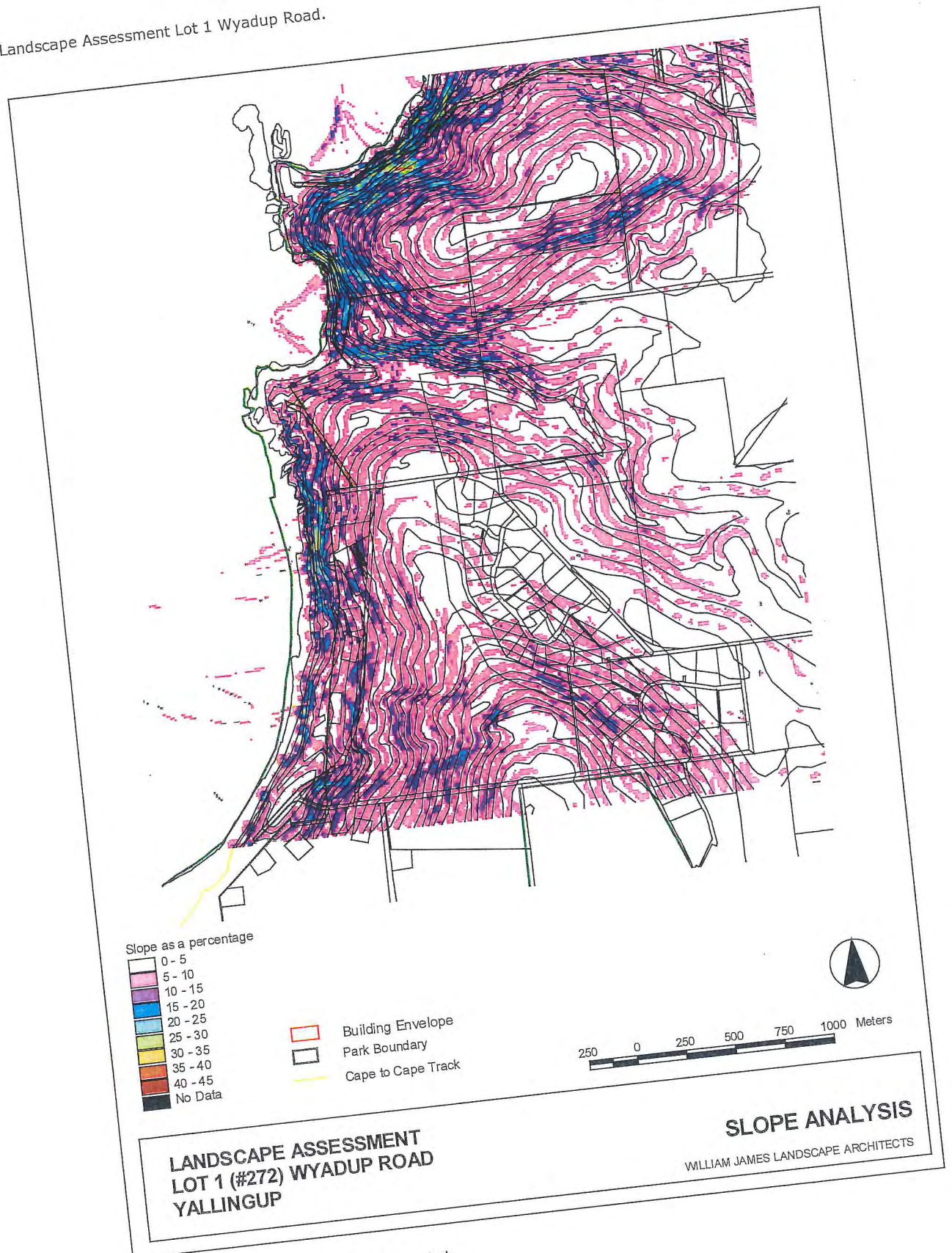


• Figure 2: Aerial close-up

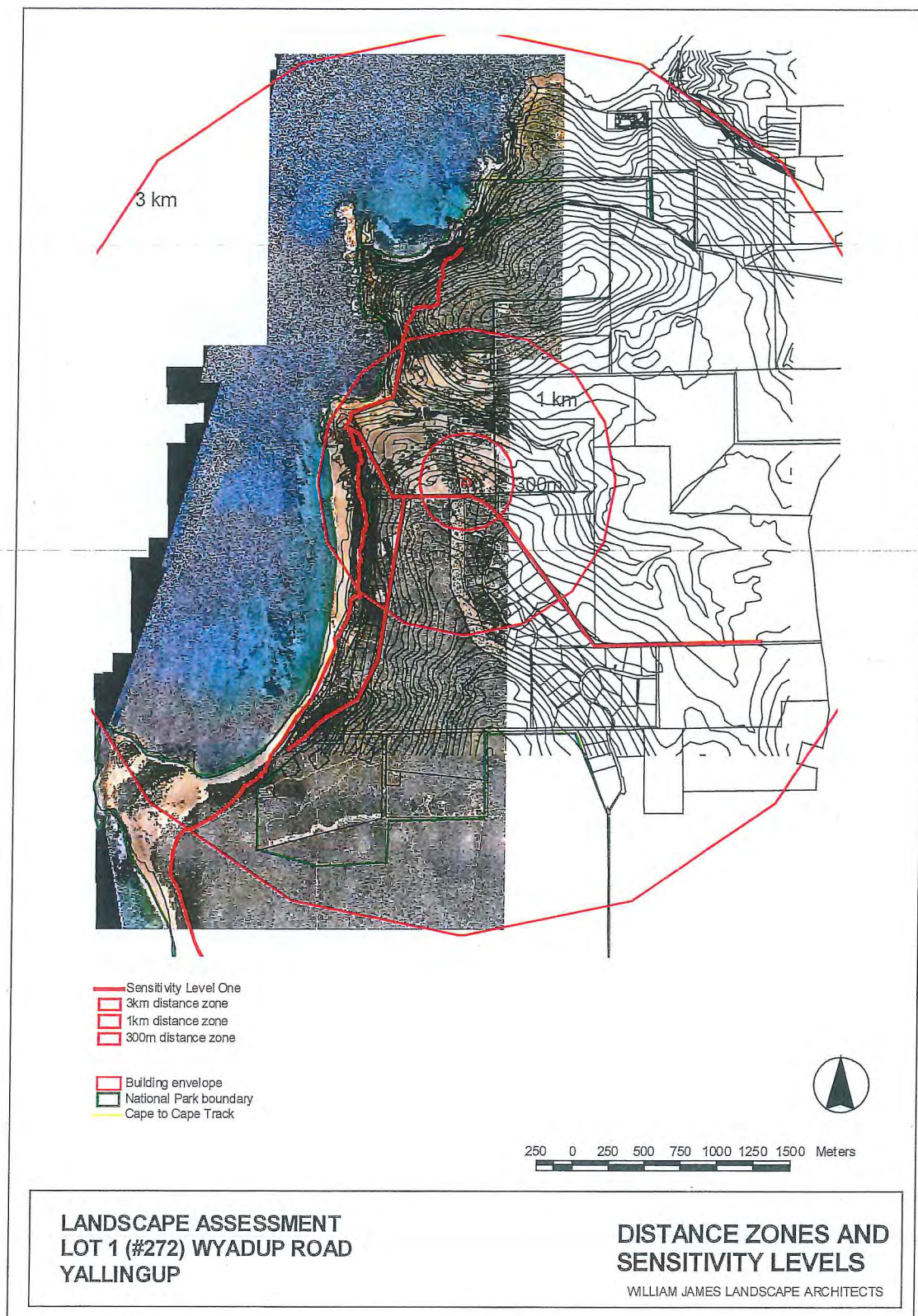
Landscape Assessment Lot 1 Wyadup Road.



• Figure 3: Landform and elevation



• Figure 4: Slope analysis



• Figure 5: Viewing sensitivity levels and distance zones

6. AESTHETIC MANAGEMENT OBJECTIVES

6.1 Visual Aesthetic Management Objectives

This section establishes Aesthetic Management Objectives against which to assess the proposal. These Objectives are based on the statements contained in the policies and planning documents and on generally accepted community perceptions of the significance of landscape and scenery.

In interpreting what level of change is consistent with the policies and planning documents it is useful to think of a "spectrum of change"; from no change at one end to dominant change at the other. Areas with the highest level of protection should match with the lower end of the change spectrum.

Another way of looking at this same issue is to consider whether protection is to be absolute (i.e. no detrimental change at all) or more general in nature (i.e. some changes are permissible provided the existing values remain largely the same – e.g. rural character remains dominant over largely the same area). The relevant policy documents suggest that something approaching the latter is appropriate; i.e. rural character remains dominant.

"Rural character" can be defined as a landscape that has been largely cleared for grazing, supports single isolated dwellings and "improvements" including typical rural features such as gardens, dams, fences, shelter and ornamental planting,

Applying this principle, one new residential scale building could be visible from identified viewing routes and locations provided it is not seen in close association with another existing building. It should, however, not be evident within the 300m travel route corridor and it should not be skyline

6.2 Visual Aesthetic Standards

The objectives give rise to Standards derived from generally accepted visual landscape management principles⁴.

The objectives and associated standards relate to the previously identified and surveyed aspects of the landscape, that is:

- Landscape character
- Landscape significance
- Wilderness quality, and
- Views

These aspects of landscape contain both opportunities and constraints. Opportunities are provided by the existing conditions and the potential to "add" value to these conditions; constraints are contained in the potential of developments to change the existing conditions in such a way that existing values are diminished or destroyed.

Exceptions to the standards include

- changes that are evident only in the short-term
- minor changes in the context of the existing land use

⁴ See Appendix A for general visual landscape management principles.

6.3 Landscape Character

Landscape character allows the observer to distinguish one landscape from another. It bestows a distinctive sense of place and is the most influential factor in an individual's experience and enjoyment of a landscape.

A development or the cumulative effect of developments may alter the character to such an extent that the character changes from one type to another. Careful planning, design and management are required to maintain an experience of the existing character.

Management Objective

Land use changes and developments should be such that the existing landscape character is protected. Priority for protection should be given to areas:

- that have high levels of naturalness;
- that are uncommon in the local region; or
- are close to locations with high sensitivity levels (i.e. Level 1 and 2)

Standards

- In rural⁵ character areas, the existing character should be maintained when viewed from Level 1 and 2 routes and sites. This means that character change should not be recognised from these routes and sites regardless of distance. As a guide to achieving this, developments of a non-rural character, should be unseen in distance zones less than middleground (1-3km) and very low impact in greater distance zones.

6.4 Landscape Significance

Landscape significance is established by the relevant policies and by distinctive site features:

The land is zoned "Rural Landscape" under the Shire of Busselton's Town Planning Scheme 20 and is classified as "Western Coastal" in the Shire's Local Rural Planning Strategy. The Western Australian Government's Leeuwin Naturaliste Ridge State Planning Policy classifies the site as a "Ridge Landscape Amenity Area" and being partly within a "Travel Route Corridor with Rural Landscape Significance".

Wyadup Brook is a significant landscape feature.

Landscape significance combines the aesthetic quality of the landscape and viewer sensitivity to give a measure of relative importance of the landscape. Significant landscapes provide the opportunity for the highest enjoyment of the region's natural and cultural landscapes.

Significant landscapes are the most vulnerable to change. Change in these landscapes has the most potential to impact on values.

Management Objectives

- Maintain and reinforce natural landscape significance.
- Maintain and reinforce rural landscape significance.

Standards

- Protect areas or features of landscape significance.
- Within travel route corridors with rural landscape significance, i.e. within 300m from the travel route, land use change should not be recognised from the adjacent travel route.

⁵ Rural landscape character in the Wyadup area is typified by cleared land with pasture, scattered trees and remnant bushland, isolated houses, stock fences and gravel roads.

- Development should not be evident against the skyline at any distance from Sensitivity Level 1 or 2 routes or locations.

6.5 Wilderness Values

Wilderness quality considers perceptions of wilderness rather than the strict definition of wilderness. Areas of high wilderness quality represent the environment in its most natural state, provide a resource bank and may provide the backdrop and sense of remoteness for other more used areas.

Areas of high wilderness quality offer opportunities for low impact access and nature based experience. Private land of high wilderness value is not available to the public but experiencing it together with similar public lands strengthens the wilderness experience.

Structures, vehicle access and sophisticated facilities detract from the potential wilderness experience.

The past clearing results in a low wilderness quality.

The low wilderness quality classification requires no further assessment.

6.6 Views

Views provide the opportunity to become acquainted with a place or landscape from a distance and put place and landscape into a broader context.

A good view taken in this context is not necessarily one with high scenic value but is one that allows a high degree of visual access.

Visual access to areas of landscape significance may be cut off by development or change of use. Visual access may be to undesirable developments and land use changes.

Management Objective

Maintain significant views over the site.

Standard

Views over the site should be maintained when viewed from Level 1 or 2 routes or locations in the middleground (1-3km) or closer.

7. DEVELOPMENT PROPOSAL

7.1 Project description

The proposal under investigation is the construction of a single dwelling on a building envelope in the south western corner of Lot 1 (see the Development Guide Sketch Plan). The maximum allowable height of buildings in this area is 7.5m.

In addition to the dwellings, there will be ancillary buildings e.g. garages and sheds; access roads; clearing for fire management; rainwater tanks.

7.2 Physical impacts

The physical impacts of the development will be:

- Clearing of pasture for access, building siteworks and construction, services installation, driveways.
- Vegetation clearing and thinning for fire management. (See below)
- Earthworks for building construction and access
- Structures - houses, garages, sheds, rainwater tanks, retaining walls

7.3 Vegetation clearing and thinning for fire management.

The Fire Management Plan prepared by Don Spriggins recommends that within the combined Hazard Reduction Zone (HRZ) and Building Protection Zone (BPZ) of 30m⁶ all tree canopies are maintained with a separation between them of 10m and are under-pruned to 2m above the ground. Large shrub clumps should be 3m away from the building exterior.

Constructing a building right to the north west corner of the envelope would require the removal of one Banksia tree – this tree has recently lost a large limb. The removal of this tree and the required pruning of the other tree canopies within the combined BPZ and HSZ would have no impact on the visibility of the future building from any significant viewing locations.

7.4 Visual impacts

Zone of Visual Influence Mapping

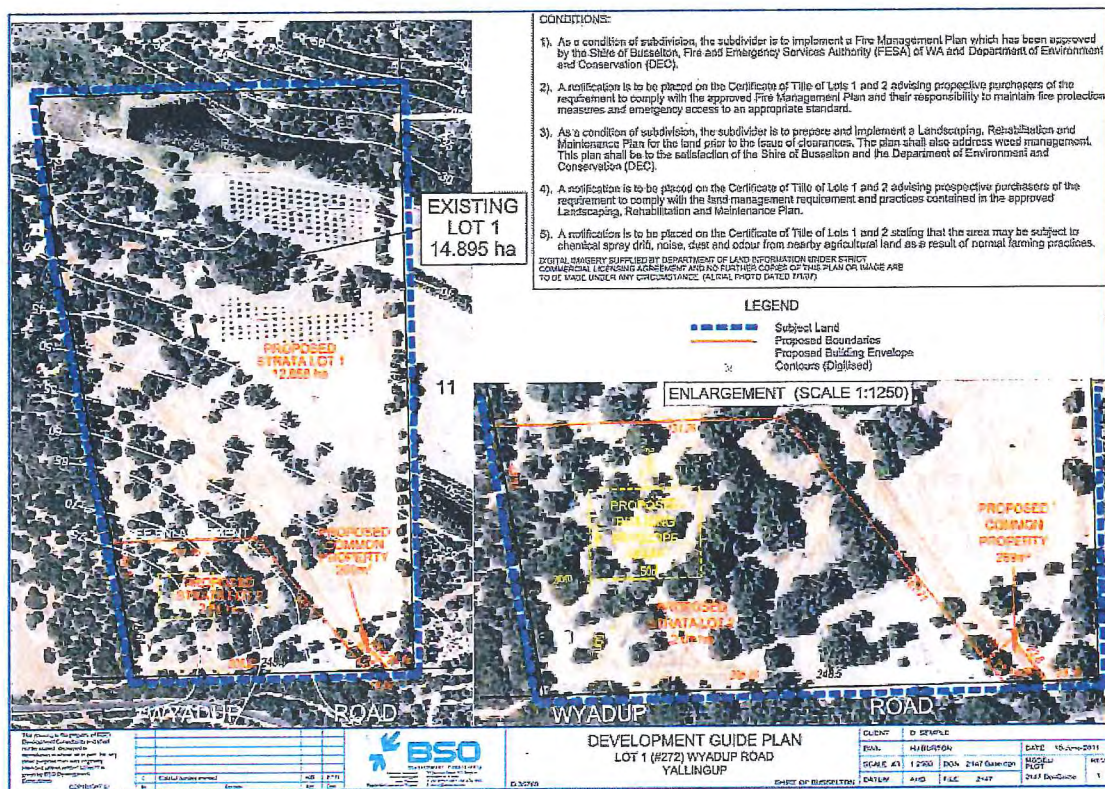
A preliminary digital ZVI mapping exercise determined that a house may be visible from significant public viewing locations. The digital mapping indicated that a house may be visible from the Cape to Cape Track and Wyadup Road. Digital ZVI mapping is based on landform only. If this shows that something will not be seen from particular locations then the presence or absence of intervening vegetation makes no difference to visibility. If the ZVI mapping shows that something is potentially visible, a ground survey is undertaken to determine the influence of vegetation.

7.5 Field survey

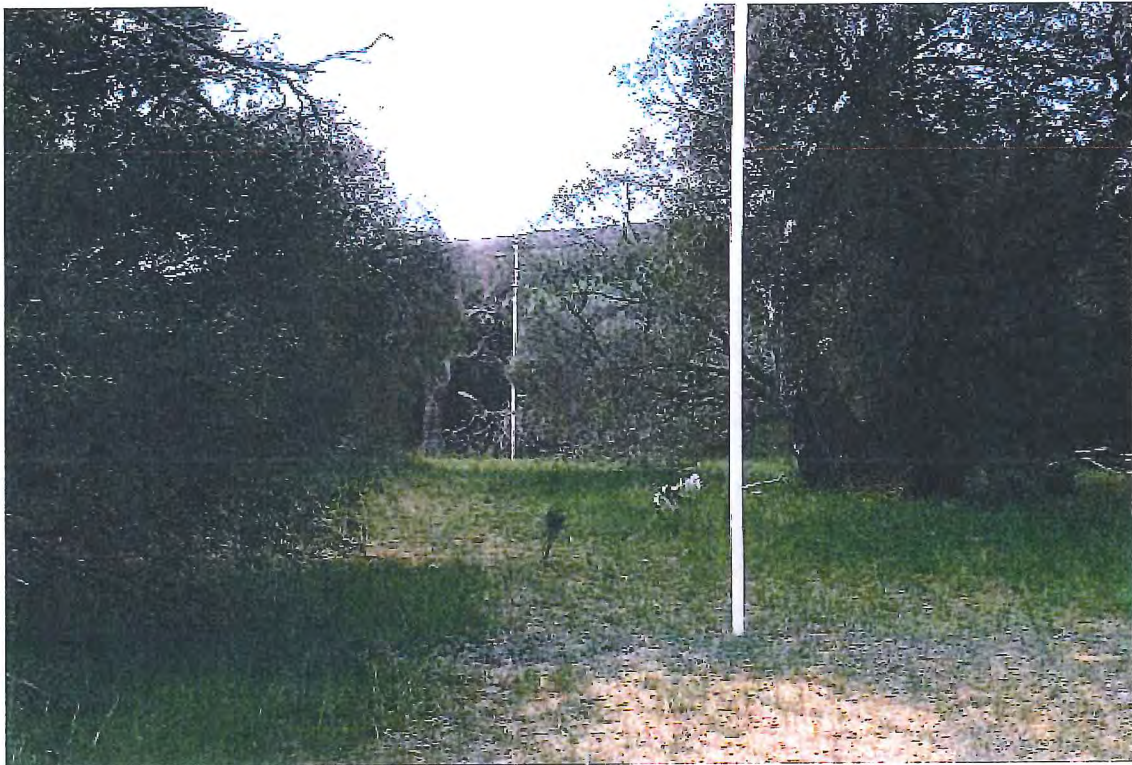
Digital ZVI mapping⁷ indicated that a 7.5m high building on the envelope shown on the Subdivision Guide Plan might be visible from the Cape to Cape Track, from Wyadup Road; and from several private dwellings. In order to test actual visibility, 7.5m long, 75mm diameter white PVC poles were placed on the north west and south west corners of the envelope. When the poles were in place, the potential viewing locations on the Cape to Cape Track and Wyadup Road, as indicated by the digital ZVI mapping, were visited and the visibility of the 7.5m poles was determined.

⁶ For this assessment, it is assumed that the BPZ and HRZ extend outwards from the edge of the building envelope. It is further assumed that all trees within the envelope may be removed.

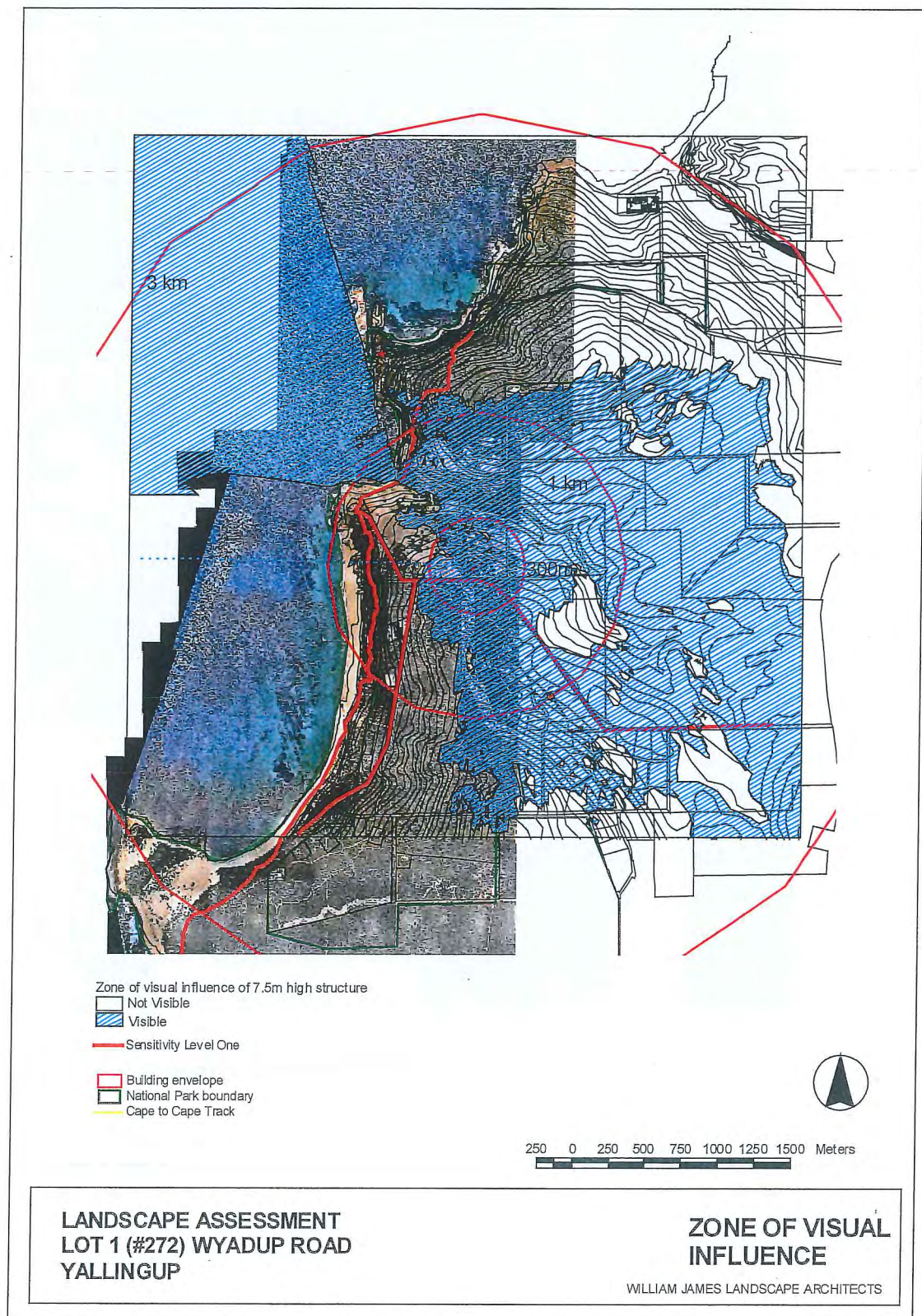
⁷ Based on landform only – does not include the influence of vegetation. Assumes an observer eye height of 1.6m.



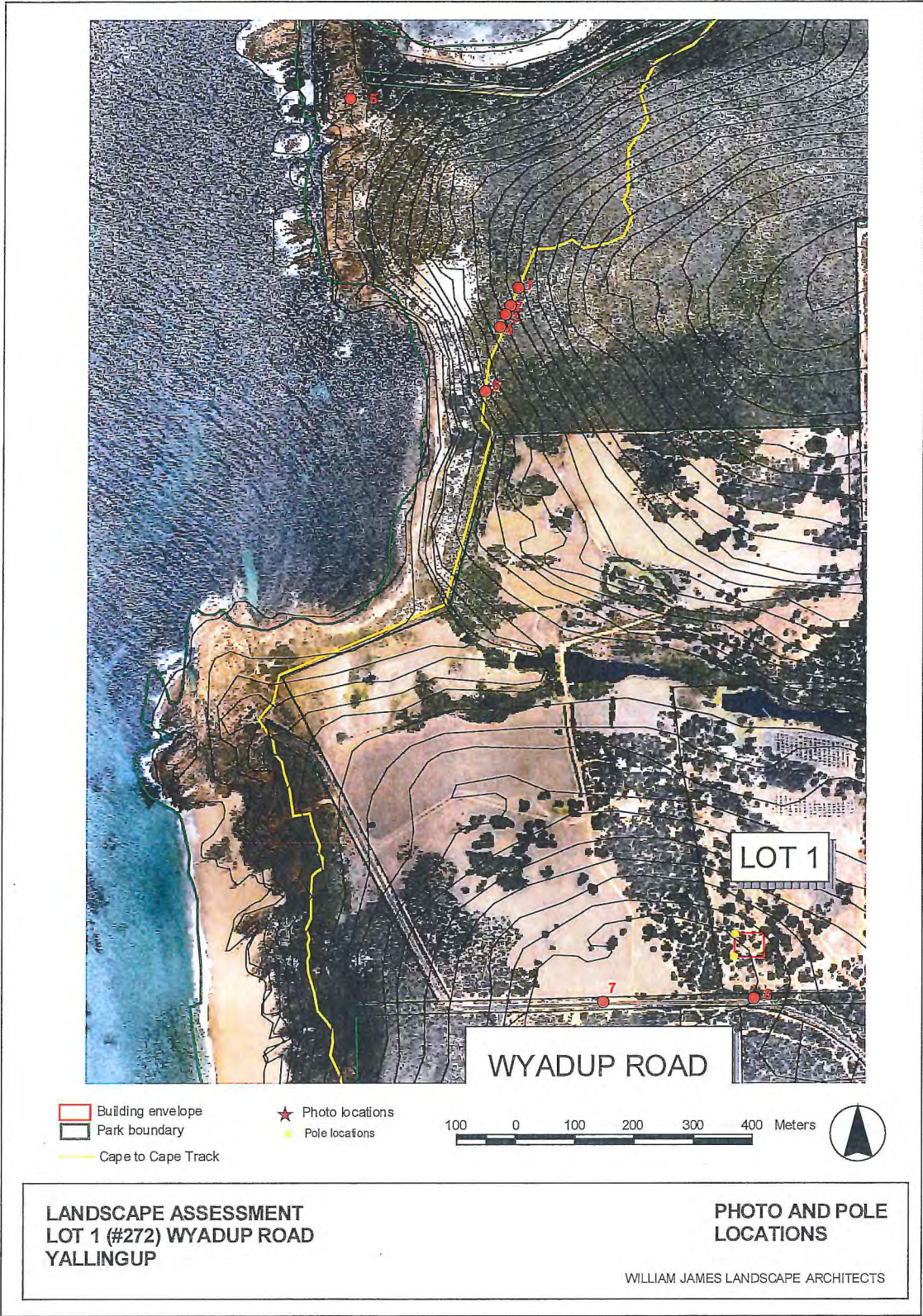
• Figure 6: Development Guide Plan



• Figure 7: 7.5m poles on the south west and north west corners of the envelope – looking north



• Figure 8: Sample of ZVI mapping with target at 1m high



• Figure 9: Photo locations



• Photo 1: View from location 1 – poles not visible



• Photo 2: View from location 2 – 0.6m of NW pole visible



• Photo 3: View from location 3 – 0.6m of NW pole visible



• Photo 4: View from location 4 – 0.6m of NW pole visible



• Photo 5: View from location 5 – poles not visible



• Photo 6: View from location 6 – Canal Rocks –poles not visible



• Photo 7: View from location 7 (Wyadup Road)– poles not visible



• Photo 8: View from location8 (Wyadup Road) –poles not visible

Distance Zone	Viewing location	What is seen
0-300m	Wyadup Road	Filtered view through trees at right angles to the road. The envelope is 70m from the road. A building on the envelope would be inevident ⁸ from Wyadup Road ⁹ .
300m-1km	Not seen	
1-3km	Cape to Cape Track – north	The top 0.6m of the northern pole was visible. It was not skylined and was seen in conjunction with four other buildings.
3-6km	Not seen	
6-15km	Not seen	

Table 4: Summary of project visibility

The field survey showed that the top 0.6m of a 7.5m high pole on the north west building envelope of Lot 1 was visible from the Cape to Cape Track in several locations. It was not skylined. It was seen in conjunction with several other buildings – three houses approximately 300m to the south and a large shed approximately 300m to the north west.

The top 0.6m of the pole was visible on and off for approximately 180m mostly at an angle of 45 degrees to the direction of travel. For a short distance – approximately 10m – it was in seen in the direction of travel but this is over a section of steep rocky ground when a walker’s attention would be directed at the trail.

8. IMPACT ASSESSMENT

The field survey shows that the top 0.6m of a 7.5m high building at the north western corner of the envelope would be visible, but not skylined, from a 180m section of the Cape to Cape Track at a distance of 1km. It would be seen at an angle of 45 degrees (east) of the direction of travel. It would not be visible from Wyadup Road or other residences.

To reduce the impact of the development a building height limit of 7m has been set. At this height it is very unlikely that a building will be seen from the Cape to Cape Track. If a building is seen, it would be the top 0.1m. If a very small portion of a building is seen from the Track it would be of very low impact and be seen in context with four other buildings – it would not appear anomalous in its setting.

The impacts accompanying the development of a single dwelling with a building at a height of 7m are assessed. The impacts are tested against the management objectives relating to landscape character, landscape significance, wilderness quality and views. The degree of conformity is assessed as being high, medium or low. If the degree of conformity is high, the objectives are deemed to be met. If it is medium or low the objectives were not fully met but modifications to the development may bring it into conformity with the objectives.

⁸ “Inevident” is not synonymous with “invisible”. It means that an object will not be seen under normal circumstances – in this case, from a vehicle driving either east or west on Wyadup Road.

⁹ The Guidelines contained in this assessment require that a screen of Peppermints be planted on the boundary with Wyadup Road to supplement the existing roadside vegetation.

8.1 Landscape Character

Management Objective

Land use changes and developments should be such that the existing landscape character is protected. Priority for protection should be given to areas:

- that have high levels of naturalness
- that are uncommon in the local region; or
- are close to locations with high sensitivity levels (i.e. Level 1 and 2)

Standard

The existing rural character should be maintained when viewed from Level 1 and 2 routes and sites. This means that character change should not be recognised from these routes and sites regardless of distance. As a guide to achieving this, character change should be unseen in distance zones less than middleground (1-3km) and very low impact in greater distance zones. This means that a new building, should not be seen, or be of very low impact, in the middleground or greater distance zones and should not be seen in the close middleground or foreground (<1km). Exceptions to these standards include:

- changes that are evident only in the short-term

- ☐ The building will be inevident from any significant public location regardless of distance.
- ☐ The building will be inevident from any private residence regardless of distance.

The development shows a high level of compliance with the objectives for Landscape Character.

8.2 Landscape Significance

The pond created by the damming of Wyadup Brook is a significant landscape element. Due to the extensive clearing, the remainder of the site is of low to moderate natural significance.

Significance is also established by the relevant planning documents:

The LNRSSP places the study area within the following classifications:

- Travel Route Corridor with Rural Landscape Significance
- Ridge Landscape Amenity Area

The Shire of Busselton TPS 20 recognises the landscape significance by nominating it within the Rural Landscape Zone

Management Objective

Maintain and reinforce rural landscape significance.

Standards

Within travel route corridors, i.e. within 300m from the travel route, structures should not be evident from the adjacent travel route.

- ☐ The development will not be evident within 300m of a travel route

Structures should not be seen skylined against the Ridge when viewed from Level 1 and Level 2 Sensitivity routes and sites in any distance zone.

- ☐ A new building will not be skylined against the Ridge when viewed from any location.

The development demonstrates a high level of compliance for Landscape Significance

8.3 Wilderness Values

The past clearing results in a low wilderness quality.

The low wilderness quality classification requires no further assessment.

8.4 Views

Management Objective

Maintain significant views

Standards

Views over the site should not be obstructed when viewed from Level 1 or 2 routes in the middleground (1-3km) or closer.

- ☐ Views over the site would not be obstructed by the development.

The development demonstrates a high level of compliance for Views

9. PLANNING AND DESIGN PRINCIPLES SPECIFIC TO THE PROJECT.

The application of the following guidelines will ensure that visual aesthetic values are protected.

- Minimise clearing for building access and fire control.
- Maintain a height limit of 7m.
- Use non-reflective wall cladding, e.g., rough-rendered masonry, fibrous cement weatherboard, timber, concrete block or stone.
- Roof material shall be coloured mid-grey or grey-green.
- Ensure that north and west facing windows are set back under deep roof overhangs or are of low-reflectivity glass.
- Water tanks shall be integrated with the buildings or located to the east of the building and designed so that a maximum of 3m is above the ground. Roofs for tanks as per buildings.
- All ancillary items (e.g., fixed barbeques, clotheslines) shall be situated within the building envelopes.
- Satellite dishes shall not extend above the roofline and shall be painted grey-green.
- All existing remnant vegetation should be considered for its potential to screen future development, subject to compliance with fire regulations. If it is acting, or will act, as a screen it should be conserved and managed, and if necessary, supplemented with additional planting. Conservation values should be considered when determining additional planting.
- Plant a screen of *Agonis flexuosa* (WA Peppermint) adjacent to the fire break on the boundary of Wyadup Road to supplement the roadside planting to ensure that future development is not seen within a "Travel Route Corridor" .

10. EVALUATION

Evaluation is the process where assessment results are examined and used to make decisions about existing or proposed developments.

The assessed impacts are considered in relation to specific objectives and policies contained in the relevant planning documents.

10.1 Local Government

Shire of Busselton Town Planning Scheme No. 20

Objective or Policy	Does the development comply?
(ii) To ensure that development maintains the rural character of the locality and minimises disturbance to the landscape amenity through construction of buildings and structures, clearing, earthworks, firebreaks and access roads;	Yes
(v) To discourage or prohibit development not compatible with the predominantly rural nature or high landscape value or visual quality of the Zone;	Yes
(vi) To encourage the orderly development of rural-retreat residential designs having consideration for the conservation and landscape values.	Yes

d) To encourage the preservation of vegetation and fauna and the protection of areas of visual or landscape quality;	Yes
e) To prohibit the clearing of any vegetation on the land, unless required for firebreaks, dwellings or associated outbuildings within the defined building envelopes, or to allow for vehicular access to such buildings;	Yes

Local Rural Planning Strategy

Objective or Policy	Does the development comply?
7.8.3 Major Issues Retaining the unique character and landscape value of the area while accommodating tourist and other user demands..	Yes
7.8.5 Precinct Vision Retain and conserve the natural environmental and rural landscape values and character of the area in balance with tourism development	Yes
7.8.6 Precinct Objectives To ensure that the planning in the precinct is consistent with the LNRSSP and Scheme Provisions.	Yes
Social To maintain and protect the unique rural and natural landscapes and land uses and their contribution to the character of the region as a priority	Yes

10.1 State Government

Leeuwin Naturaliste Ridge State Planning Policy

Objective or Policy	Does the development comply?
PS 3.2 Development must be responsive to local values, and be compatible with the natural characteristics and traditional settlement patterns of the area.	Yes
PS 3.3 Development will have due regard for the landscape integrity and value of Ridge backdrops when viewed from the coastline, bays or Travel Route Corridors.	Yes
PS 3.5 The environmental integrity and natural landscape values of the Western Coastal and Eastern Slopes of the Leeuwin-Naturaliste Ridge as identified in Figure 4 and near-shore waters will be given high priority in land use decisions.	Yes
PS 3.6 In areas of Rural Landscape Significance, as identified in Figure 3, development or change of use should protect the rural character of the land.	Yes

<p>LUS 3.6 <i>Maintaining or enhancing the conservation and landscape values of the Ridge Landscape Amenity Area will be the primary criteria against which proposals for land use, subdivision or development within these areas will be assessed.</i></p> <p><i>In the Ridge Landscape Amenity Areas, there is a general presumption against further subdivision. Development will normally be restricted to one dwelling per lot and low-impact recreation facilities in limited locations, if considered compatible with conserving the ecological and landscape values of the Ridge, National Park and Principal Ridge Protection Areas.</i></p>	<p>Yes</p>
<p>LUS 3.10 <i>There is a general presumption against the clearing of remnant vegetation in the Ridge Landscape Amenity Area other than for approved building envelopes, access and services.</i></p>	<p>Yes</p>

This assessment finds that the proposed development complies with the relevant Local and State Government policies.

References

- Cleary, J., 1991, Delatite plantation landscape study. Department of Conservation and Environment, Victoria
- DEC (1994) Reading the Remote – Landscape Characters of Western Australia. Department of Conservation (formerly CALM) Western Australia.
- Williamson, D.N. and Calder, S.W., 1979. Visual resource management of Victoria's forests: a new concept for Australia, Landscape Planning 6:313-341 Elsevier Scientific Publishing Co.

Definitions:

Aesthetics refers to the personal appreciation and enjoyment of beautiful things (eg. objects, places and processes). It can include functional and non-functional things and does not necessarily include visual quality.

Evaluation is the process where assessment results are examined and used to make decisions about existing or proposed developments.

Impact Assessment is a process of determining how changes to the environment will affect landscape values.

Landscape Assessment is the process of analysing and mapping environmental characteristics and, using known criteria, determining those that contribute most to the experience and enjoyment of people.

Landscape refers to a person's perception of the external environment. It is a human construct.

Landscape Value is the value that people attach to a place based on their perception of that place.

Lot: The lot is the legally defined parcel of land. It has a title registered with the State Titles Office.

Natural Landscape Significance areas contain significant landscape values based on natural characteristics.

Travel Route Corridors are key areas for people to access and experience the region. They consist of a 600m wide corridor along Level 1 and 2 travel routes. It may also include areas where rural and natural significance has been identified.

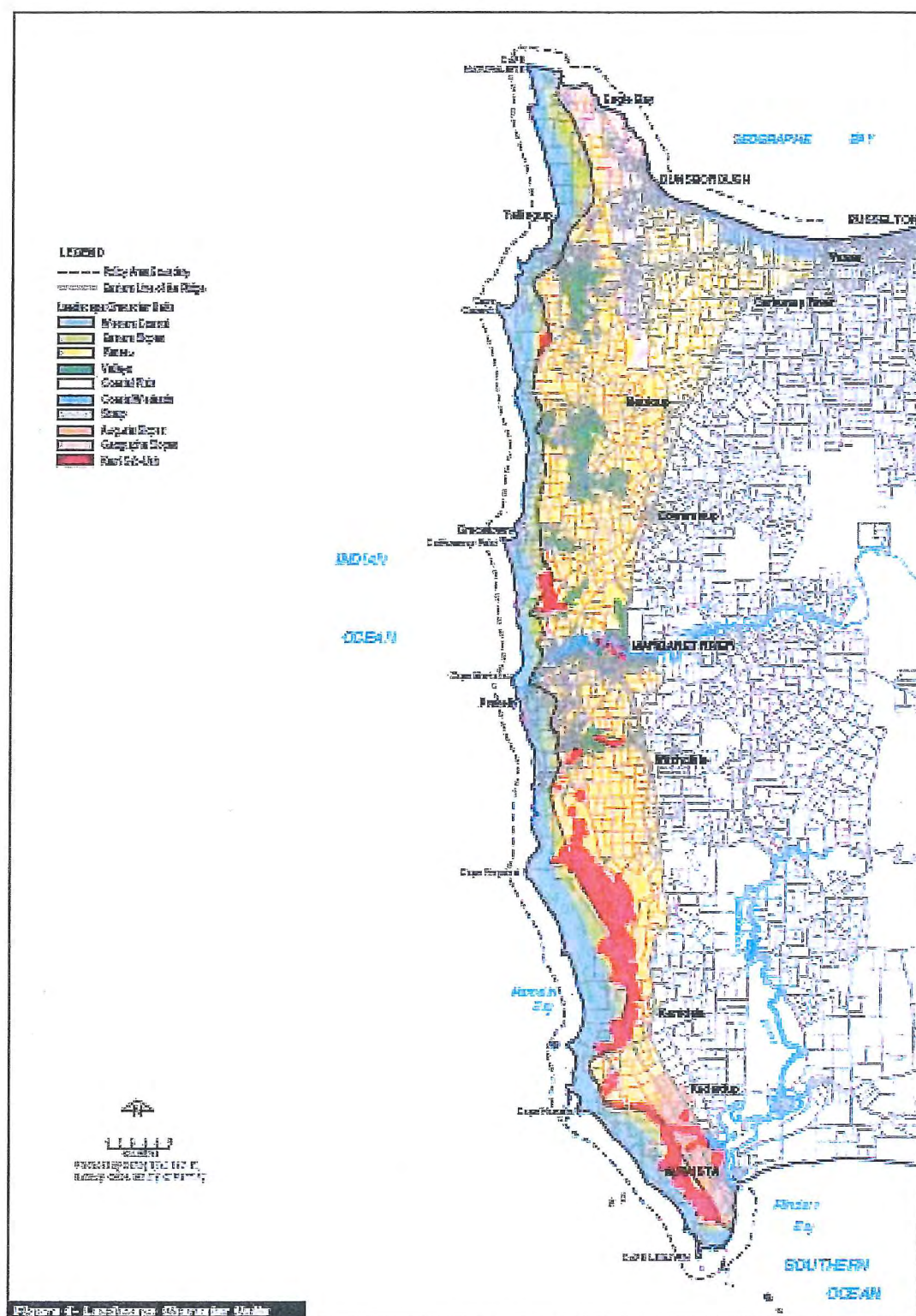
Site: The site is the area under investigation. It is not necessarily the whole of the lot and does not necessarily relate to cadastral boundaries.

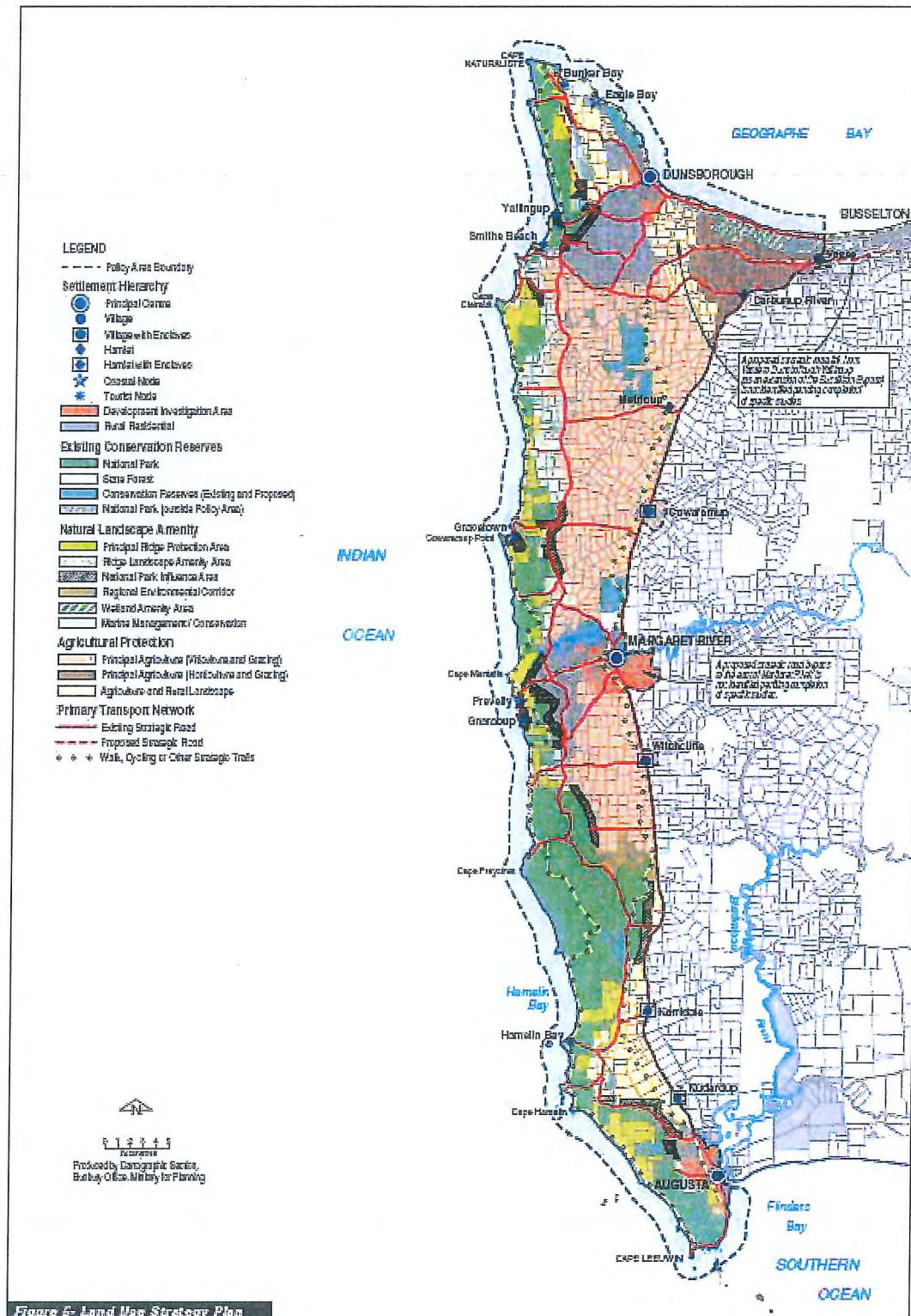
Values are measures of the importance people attach to things and typically stem from perception.

ATTACHMENT 1: LEEUWIN NATURALISTE RIDGE STATEMENT OF PLANNING POLICY MAPS



Figure 2- Landscape Glaziers Map





APPENDIX A: GENERAL PLANNING AND DESIGN PRINCIPLES

The following general principles apply to the management of visual aesthetic values:

- Avoid changes in land use that will affect a change in landscape character where they are in the close middleground (300m-1km), or closer, from Sensitivity Level 1, 2 and 3 routes and locations.
- Avoid changes in land use that will affect a change in landscape character where they are in either the middleground (1-3km) or distant middleground (3-6km) from Sensitivity Level 1 and 2 routes and locations.
- Avoid changes in land use that will affect a change in landscape character where they are in the distant background (6-15km) or further from Sensitivity Level 1 routes and locations
- Where these changes cannot be avoided they should be designed to conform to the existing characteristics of line, form, colour and texture.
- Where visual aesthetic objectives cannot be met through planning or design they should be screened from view where possible. If total screening is not practical then attempt to break up strong visual elements of intrusive features. Line and form are particularly significant. Attempt to break long horizontal lines and large unarticulated planes. This can be done with planting, either distant from the feature or close up. Attempt to cast shadows onto large unarticulated facades.
- In cases of land-use "succession", where the land use character changes to a more developed type, the more developed areas should include, as far as possible, pre-change characteristics of the area.

**ATTACHMENT 5 –
FIRE MANAGEMENT PLAN
(Don Spriggins, Forestry Consulting &
Percy Wild, Geographe Wildfire)**

FIRE MANAGEMENT PLAN

**Proposed subdivision of existing Lot 1 into Lot 1 and Lot 2
Wyadup Road
Yallingup
City of Busselton**

**The original Plan was been prepared in September 2011 by
Don Spriggins, BSc, For, FIFA, MACFA, RPF.
And amended March 2014 by Percy Wild
(Geographe Wildfire, Bunbury)**

25 March 2014

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1.INTRODUCTION

This Fire Management Plan has been written using the Model Fire Management Guidelines per the joint DFES/Dept of Planning “**Planning for Bushfire Protection**” May 2010 where these were considered appropriate for the area proposed for subdivision. This document is referred to as PFBFP for the rest of the plan.

The land involved is Lot 1 (formerly Location 272), a rural property adjoining the north side of Wyadup Road, Yallingup. The proposal is to subdivide the existing Lot into two Lots:

- Strata Lot 1 of 12.858 hectares where the existing house and associated buildings are located.
- Strata Lot 2 of 2.01 hectares where it is proposed a new house will be built by the owner of the new Lot.

The proposal is that access to the existing House and buildings will be via an existing internal road from Wyadup Road. Access to Lot 2 will be via a road yet to be constructed that will share a common entry point at Wyadup Road. In order to avoid having additional entry points into Wyadup Road. (See Appendix 7.2)

There is a significant sized dam on Wyadup Brook in the north of the existing Lot, estimated to hold over 2 million litres. Currently water is pumped uphill from this dam to a metal storage tank of 90,000 litre capacity located near the SW corner of the existing Lot and close to Wyadup Road. This provides sufficient head to provide water at pressure to the existing house at the foot of the slope. After the proposed subdivision takes place the 90,000 litre tank will be entirely within Lot 2 and the owner of the new Lot 1 will erect a new tank on Lot 1, just north of the Lot 2 boundary. The water supply for the proposed house on Lot 2 will either have to come from roof run off or via some arrangement with the owner of Lot 1 to tap into an uphill located storage tank.

The existing Lot 1 consists of sands that have been almost totally cleared in the past for agriculture and now support widely spaced, old remnant peppermint trees. The sands on the upper slopes are infertile and support a very sparse grass cover. There would be negligible fuel present to support a ground fire in summer. On the lower slopes adjoining the house, the soils have a higher organic component. Soil moisture is higher on this lower ground and the mown grass provides an effective building protection, low fuel zone around the house.

The existing Lot adjoins private land to the west which supports a stand of peppermint more dense than the peppermint trees on Lot 1 but the ground fuels are low and would be described as a low woodland vegetation type. To the east of Lot 1, the neighbouring property is partially cleared and represents a low fire threat only. Land to the north east of the dam on Lot 1 supports more dense native woodlands of peppermint and banksia but these are >100m from existing houses and buildings on Lot 1 which gives a measure of protection. Fuel in woodlands on the south side of Wyadup Road opposite Lot1 has the potential to support a hot bushfire and affect Lot 1 under the influence of a sea breeze, however Wyadup road provides some separation.

On the north side of Wyadup Road between the road pavement and the southern edge of Lot 1 is a clump of native woodland that forms part of the road verge. This area has not been burnt for a considerable time and currently carries a high fuel load. It is recommended this is burnt under mild conditions preferably in autumn 2012.

2. AIM OF THIS PLAN

Fire management is an important consideration along the Leeuwin-Naturaliste Ridge, especially where long unburnt fuels have been allowed to accumulate. **The primary fire management objective for Lot 1 and Lot 2 should be** “To protect the lives of residents, visitors, neighbours and fire fighters from wildfires entering and/or burning within this land”

The plan covers the responsibilities of all parties and the measures to be taken to reduce:

- The risk of fires starting on Lot 1 and proposed Lot 2
- The impacts of wildfires on residents and visitors to the Lots from fire originating on Lot 1 or Lot 2.
- The impact of wildfire's on adjoining land from a wildfire originating on any of the Lots.

The basic theme is that protection of human life is paramount. Buildings and equipment can be insured against loss and replaced, plant and animal species may be reintroduced, but human life should not be put at undue risk.

3. OBJECTIVES

The OBJECTIVES for WILDFIRE PROTECTION (in descending priority) for this plan are summarised as: -

- To ensure the safety of residents and visitors on Lot 1 and Lot 2.
- To ensure adequate protection of buildings and associated infrastructure on both Lots.
- To minimise the possibility of fire escapes from either Lot.

4. DESCRIPTION OF THE AREA

4.1 General.

The locality is predominantly sandy coastal land with a mix of cleared land interspersed with clumps of mainly peppermint woodland. There are sections of the Leeuwin-Naturaliste National Park containing high fuels in some sections, and rural grazing land with remnant clumps of native forest vegetation where native understorey shrubs and plants have largely been replaced by exotic grasses. South of Wyadup Road is an extensive area of coastal woodland and a subdivision.

The coast attracts a large number of visitors including surfers and fishermen. There have been few fires in recent years but the extensive area of coastal woodland and the high visitor numbers mean the potential for a bushfire remains high.

4.2 Climate.

The climate is mediterranean characterised by relatively mild winters and a long dry summer with temperatures exceeding 30°C during summer. On most summer days a sea breeze in the afternoon results in a drop in temperature but this wind has the capacity to spread fire quickly. Most of the rainfall occurs during the months of May to July with little rain occurring in the December to March interval. Any rain received in the summer normally evaporates within a day or two consequently fuels in native forest and grassland can readily burn from December to April depending on when the break of the season occurs. Strong winds during winter can lead to erosion when the vegetation is disturbed.

4.3 Topography

The area is on the Leeuwin Naturalise Ridge characterised by coastal sands over limestone in dunes which have become stabilised over time. The existing Lot 1 slopes more or less continuously downhill from Wyadup Rd, (contour level-70m) in the south to the streamline in the north (contour level 30m) over a horizontal distance of 515 metres equivalent to a 1 in 13 or a 4 degree slope. The existing dwelling in the northern section of Lot 1 and the proposed dwelling on proposed Lot 2 are located on level ground.

4.4 Bushfire fuels.

Past grazing has replaced any understorey vegetation with grass which is sparse and low in height probably due to lack of fertiliser. On the lower moister slopes in the north of the existing Lot and adjoining Wyadup Brook the grass is taller and stays greener longer into summer than the upland dry sands where grass cures by the end of spring. There are scattered mainly peppermint trees over the entire existing Lot. On the moist ground in the north of the Lot they are > 5 metres high but on the majority of the block on pure sand country they are more scattered and less than 5 meters high. I classified the fuels on the Lot as low open woodland, Type 08 fuels of 2-4 tonnes per hectare but these could easily be reduced to below 2 tonnes per hectare by physical removal of ground fuel, pruning existing trees to 2m, removing any dead material and removing any trees within 3m of the exterior of any buildings.

On adjoining land to the west the peppermint woodland is denser but has only a grass cover on the ground. I classified this as low open woodland, Type 07 with a fuel load of 6-8 tonnes per hectare. Fuels on adjoining land to the east are a mix of grass and Type 08 fuels of less than 6 tonnes per hectare. To the north of Lot 1 there are grass fuels and Type 07 open woodlands with fuel loads of 6-8 tonnes per hectare and to the north-west in the Leeuwin Naturaliste National Park the fuels have not been burnt for some time and represent Low woodland fuels Type 05 with an estimated current fuel load of 10-15 tonnes per hectare. To the south of Wyadup road the fuels are also low woodland fuels, type 05 and carrying an estimated 10-15 tonnes per hectare.

4.5 Land use.

These are as described in Section 4.1 and illustrated in the aerial photo of the locality (see Appendix 7.1). There are small hobby type agricultural crops on some of the privately owned land such as proteas and orchards. The coastal sands are very infertile and have to be fertilised frequently to sustain any growth of crops. There is a subdivision south of Wyadup Road and a tourist Lodge at Injidup. The coast attracts a large number of surfers and recreational fishermen.

4.6 Assets.

Most private lands in the locality have a house and associated sheds which can be damaged or destroyed by fire unless adequate pre fire measures are taken.

4.7 Access.

The locality is served by existing access roads including Caves Road, Wyadup Road and Cape Clairault Road. The latter two terminate at a car park close to the coast. Road verges in some stretches contain long unburnt fuel and it would reduce the fire risk if these could be burnt at about 5 year intervals. In a situation where people became trapped by a fire preventing safe travel out of terminating roads such as Cape Clairault Road it would be safer to retreat to the beach and remain there until the danger had passed.

4.8 Water supply.

The existing dam on Lot 1 that has a capacity of about 2 million litres is a rarity on the Leeuwin-Naturaliste Ridge and is a valuable fire fighting resource. This water supply will have a 50mm male Camlock fitting and a full flow ball valve and have a ready access and back up area for a 3.4 fire appliance. 30,000L will be set aside for fire fighting purposes at all times. Water ex the dam is pumped uphill to a storage tank with a capacity of 90,000 litres to provide adequate pressure to the house. The dam is also readily accessible so that fire brigade tankers can easily draft water to refill their tanks and will have a hard stand and back up/turn around area in accordance with A3.2. There are similar sized dams on adjoining properties.

Lot 2 – The water supply source for this lot will be via a Shire Standard roof catchment tank with one third of the tanks capacity being reserve for fire fighting purposes at all times. This tank will have the same Camlock fitting and access back up area in accordance with those provided for Lot 1.

In addition to these proposed domestic water supply points there are three existing Shire Bush Fire Brigade overhead standpipes and storage tanks located in the immediate area within a 15 minute turnaround time.

5. FIRE PROBLEM

5.1 Bushfire history

There have not been major bushfires in the area in recent years but the potential always exists during summer while extensive areas of coastal woodland fuels are present such as south of Wyadup Road. Fires in these coastal woodlands are commonly driven by a strong afternoon sea breeze when they occur. A common bushfire cycle in this vegetation in the past has been about every 15 years.

5.2 Bushfire risk

The risk of bushfires occurring is classed as medium to high given the high number of visitors to the coast and illegal overnight camping around Cape Clairault. Permanent residents are more fire conscious and more aware of the factors that cause fires.

5.3 Bush Fire Hazard:

The major hazard is the build up of fuel beneath the coastal woodlands and the woodlands themselves which can ignite under summer conditions and spread quickly under the influence of a sea breeze. On private properties north of Wyadup Road, grass growth is sparse and the fuel load in summer is low. Under dense peppermint stands some leaf litter build up occurs but is not a major problem. The high fuel load on road verges is a cause for concern and needs to be reduced by a well resourced program of burning and or slashing. Existing Lot One and surrounding land is classified by the City of Busselton as a high fire hazard.

5.4 Bushfire threat:

The threat from bushfires in the locality is a combination of fires starting, (fire risk) and the likelihood that once lit, a fire will develop into a bushfire because of the fuels available to burn (fire hazard). The threat of a bushfire threatening existing Lot 1 and associated buildings plus people that could be present at the time of an outbreak can be managed if fuel levels on and adjoining the Lot are kept in a fuel reduced condition for the duration of each fire season. Existing Lot 1 supports low fuel loads and any fire burning on the property would most likely
Date.....

only occur as a result of a severe fire burning in coastal woodland vegetation south of Wyadup Road.

5.5. Summary of bush fire potential issues.

There is little other than what the City is already doing to reduce the number of fires starting. The measures outlined in Section Six, e.g. firebreaks, access roads, setback distances from fire hazards for buildings, water supplies, providing fire fighting equipment etc will all help if a fire occurs. The key measure to reduce the threat and severity of bushfires in the general area and within the subdivision is to manage fuel levels. Fires are easier to suppress and fire crews are safer fighting fires where fuels have been reduced.

Fuel reduction burning in native forest vegetation reduces fire intensity when one occurs and is the only known method for reducing fire behaviour over large areas. Fuel reduction burning of coastal woodlands is difficult as the difference between burning fiercely or not at all is very narrow. South of Wyadup Road a 100m wide slashed break was constructed some years ago to enable a fire starting at the foot of the slope to be contained before reaching the subdivision at the top of the slope. This has not been tested in a fire situation but the firebreak provides an opportunity to burn the woodland below under controlled conditions.

6. FIRE MITIGATION STRATEGIES- Lot 1 and proposed Lot 2

6.1 Hazard management.

The following requirements need to be applied to all existing buildings on Lot 1 and those proposed on Lot 2 to reduce the potential impact of fire on the Lot or adjoining land. Some trees that are too close to existing or proposed buildings need to be lopped or removed. See below for a diagram of a building protection zone (BPZ) and a hazard reduced (or separation) zone (HSZ), designed to afford protection to a building facing an extreme hazard...

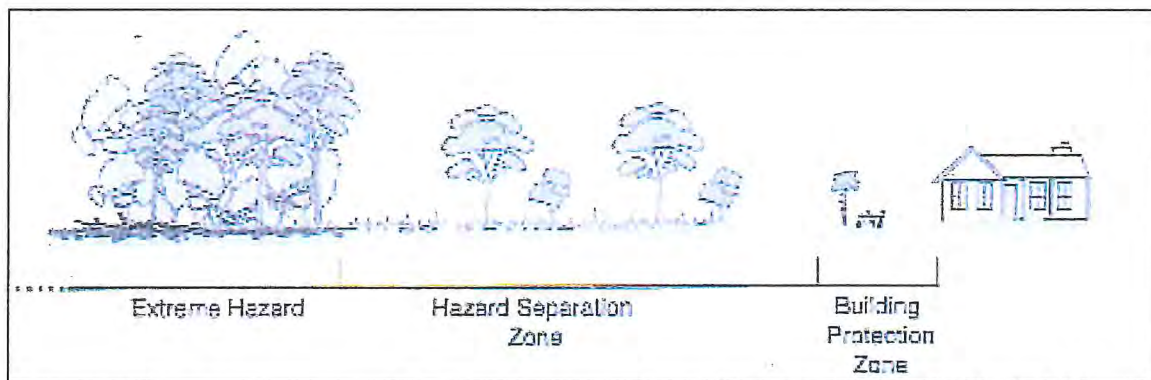


Diagram of how management of fuel levels surrounding a building are used to limit the fire intensity the building is subjected to in a bushfire situation.

25m Wide Building Protection Zone: Both lot owners must construct a 25 m wide, low fuel zone round each building. This zone, termed a Building Protection Zone (BPZ) is where fuel quantities should not exceed 2 tonnes per hectare. Objects such as fuel drums or stacks of firewood must not be located within the BPZ. Gas bottles if located on the exterior of a building need to be shielded from radiant or direct heat by installing them in a secure enclosed cupboard constructed of non combustible material.

Grass must be slashed to City of Busselton Fire Break Notice requirements and tall shrubs or trees within 2 metres of buildings or trees where the tree crown overhangs the building must be removed. Within the 25m Building Protection Zone, any tree crowns must be a minimum of 10m apart and pruned to a minimum height of 2 metres. Tall shrubs in clumps must be > 3m from the building exterior. For existing buildings on Lot 1 in the north of the Lot, a satisfactory Building Protection Zone must be able to be established around each building by slashing or mowing of grass fuels and keeping them to less than 50mm height during the fire season, plus removal of dead limbs on trees or trees that have exposed areas of dead wood that can catch alight. It may be necessary to remove a few trees.

75m wide Hazard Separation Zone: In addition to the Building Protection Zone (BPZ) an additional low fuel zone termed a Hazard Separation Zone (HSZ), is also required, beyond the BPZ. This zone should be 75m wide from the boundary of the 25m wide BPZ to ensure that there is a total 100m wide area of modified fuel loading surrounding buildings.

For buildings adjoining Coastal Woodland fuels-(Fuel types 05-08), the combined BPZ and HSZ need to be an absolute minimum of 20m from these fuels but it is better to err on the side of safety and increase this distance if there is room to do so within the Lot boundary. A combined BPZ and HSZ of low fuel depth of 30m+ total between any building and Woodland Vegetation fuels are desirable. This is important for the new house to be erected on proposed Lot 2 which adjoins peppermint woodland (Fuel Type 06) on the adjoining property to the west.

Within this hazard separation zone, ground fuel loads should not exceed 8 tonnes per hectare (equivalent to a burn rotation of 5 years). Other requirements within the HSZ are:

1. Tree crowns to be maintained at 10 m apart and pruned to 2m high.
2. Logs and large branches to be removed and disposed of or burnt under safe conditions, (This may need to be repeated each year before the start of each fire season)
3. Trees in the zone with dead material within the tree crown or bole should be removed.

Following the disastrous February 2009 bushfires in Victoria, DFES and the Department of Planning revised the document "Planning for Bushfire Protection- Guidelines". One of the new terms in the revised document is the Bushfire Attack Level (BAL). The BAL is a measure of the expected heat flux that buildings will be exposed to in the event of a bushfire and is expressed in kilowatts per sq metre of heat energy. The calculation of the BAL for a specific situation in the event of a bushfire is a function of the fuel type, the distance in metres between the building and the fuel and the slope. Six levels of BAL are used to classify the level of heat energy buildings are likely to be exposed to and the ASA 3959 building construction level required.

Table One: Bushfire Attack levels.(no slope)

BAL	Heat flux exposure kW/m ²	Description of BAL	Building construction levels as per ASA 3959
BAL Low	< 12.5	No special construction but ember protection strongly recommended	4
BAL-12.5	= or < 12.5	Ember attack	3 and 5
BAL 19	>12.5 and = or <19	Increasing ember attack, burning debris and heat	3 and 6
BAL 29	>19 and = or <29	Increasing ember attack, burning debris and heat	3 and 7
BAL-40	>29 and = or <40	Increasing ember attack,	3 and 8

		burning debris, heat and Exposure to flames	
BAL-FZ	>40	Direct exposure to flames from fire front.	3 and 9

FESA normally sets a BAL of 19 as the upper limit for new buildings and associated ASA 3959 construction levels 3 and 6 as per the required specifications. To comply with a BAL of 19 requires the exterior of any building to be located greater than 20 metres from native woodland fuels. This should be achievable for all the existing buildings on Lot 1 and although the conditions cannot be applied retrospectively to existing buildings, landowners would be wise to implement some of the requirements such as screening of windows and exposed evaporative air conditioners with non combustible screening.

Building construction specifications. Construction specifications for new buildings to withstand a BAL of 19 are set out in ASA 3959-2009. This document is very detailed and I am unable to reproduce sections due to licence conditions. The main requirements for buildings to withstand a BAL of 19 requires the external walls of the building to be >20 metres from woodland type fuels. Until the exact location of the house within the building envelope is determined the applicable BAL cannot be calculated. However the building envelope is located 30m from the adjoining land where woodland fuels exist. This will reduce the BAL to 12.5 for which ASA 3959-2009 Construction Levels 3 and 5 will be required to be met.

This level of Construction is designed to protect a building against an ember attack from a nearby bushfire burning in woodland fuels. These are listed in the ASA 3959-2009 document and include the use of non combustible material for the external wall surfaces in the 0-400mm above ground section, screens for windows, doors, evaporative air conditioners etc with non combustible mesh and the use of toughened glass in some situations. The best way to gain a detailed understanding of what is required is to purchase a copy of ASA 3959-2009 from SAI Global.

Firebreaks: A 2m wide rural firebreak will be required around the perimeter of each of the two Lots after subdivision. Normally this is required by the City of Busselton to be in place by November 30th each year.

6.2 Bushfire risk management.

On days when a Total Fire Ban has been declared, vehicle movement is best restricted to main access roads only. Use of equipment in the open such as angle grinders, welding equipment, chainsaw, earth moving machinery etc on a Total Fire Ban day is prohibited, as are wood fired BBQ's or any device that has the potential to ignite a fire.

If it is essential that if a vehicle needs to be used in an off road situation any time during the fire season or any of the equipment listed above, it is strongly recommended as a minimum, a fire extinguisher and a pack spray of water are provided on site. If fuel levels are high a fire fighting unit complete with pump and a water tank should also be provided.

Fire equipment: If a fire breaks out on either Lot, early attack should be attempted as this can be very effective whilst the fire area is small. Even if the fire cannot be completely extinguished it may be contained until other forces arrive. I recommend for each Lot that there be a minimum of a slip on trailer unit with 200-400 litres of water, a 5HP pump and a hose reel with 30m of rubber hose. These need to be kept in a ready to go situation for the duration of each fire season and tested once a week to check they are operating well and to become familiar with how to operate them.

External fire equipment: Lot 1 and proposed Lot 2 are within the area covered by the Yallingup Rural Bush Fire Brigade. Fire brigade people are volunteers and provide an excellent community service however they may be working or otherwise engaged when a fire breaks out so arrival may be delayed. In the interim fire fighting on site can be used to attempt fire control if it is safe to do so. The procedure for requesting fire fighting assistance is to dial 000. Contact details for the Yallingup Rural bushfire brigade are as below but the Busselton City website should be visited each year before the fire season to obtain the latest up to date information.

6.3 Future development.

Future subdivision is unlikely at this time but any development will require City approval. The impact of a new development proposal needs to take into account any change this would make to the fire management conditions as set out in this Plan.

6.4 Driveways and fire breaks.

The existing road network within Lot 1 is shown in Appendix 7.1. A new driveway will be needed to access the house on proposed Lot 2 and this should meet the specifications set out in Table Three provided some side pruning of trees is carried out to give the necessary 5m vertical profile clearance to allow a 3.4 Fire fighting Unit to travel with safety. Firebreaks on both lots will have to comply with the City of Busselton Annual Firebreak Notice. Where possible all driveways and fire breaks must have 20m long passing bays at about 200m intervals in order that fire appliance and other vehicles can pass each other.


Table Three: Road specifications- *Internal access roads suitable for travel by a 3.4 Fire Unit.*

Road component	metres
Minimum width	6
Minimum trafficable surface	4
Minimum horizontal clearance	6
Minimum vertical clearance	5
Maximum grade	1 in 8
Minimum weight capacity	15 tonnes
Maximum cross fall	1 in 33
Minimum curve radius	12 (inner curve)
Passing bays	every 200 m-6m min width
Turn around's	every 500 metres and within 50 metres of any housing.

Gates: No gates are currently provided but the owner of Lot 2 may wish to install a gate at the entrance to the new house. If this gate is padlocked the Yallingup Rural Brigade should be supplied with a spare key to be carried on their fire unit. In the event the key could not be located in an emergency all fire crews carry bolt cutters and could easily cut the padlock chain to obtain entry.

Signage: The following signage or similar would be useful to enable fire crews to establish exactly where to go to draft water and refill their tanks if attending a fire on either Lot. Lettering should be 100mm high.

Table Four: Recommended Signage.

Location	Wording
Junction Wyadup Road and entrance to the two Lots.	Private road: Fire access to Lot 1 and Lot 2. Water-600 m 

Date.....

5.4 Bushfire Threat (any changes that alter threat)	
6.1.Hazard Management (record details of any fuel reduction burning)	
6.5 Public education and community awareness (Any changes recommended)	
6.6 Fire safer areas (Any changes recommended)	
6.7 Assessment of fire mgt strategies (Review and any recommendations for change to existing strategies)	
6.8 Implementation of fire management Plan (Record how Plan can be better implemented or changes needed)	

6.8 Implementation of the Fire Management Plan.

A useful way of keeping track of what is required to be done as set out in the fire management plan is to down load this copy to a home computer, create a Fire Management Folder where the Fire Mgt Plan is stored together with files of relevant fire topics and reference publications later listed in the reference section.

Each year, at the end of each fire season, the fire management strategies need to be reviewed and notes made against each item on how effective they have been and any ideas for improvement etc for when they are applied next year. Similarly when the various tasks on the works program (Appendix 7.2) are completed, the date they were completed needs to be recorded and any notations made. It is recommended that new copies of these two sets of information are made each year and a new computer file created for each and saved in the owner's computer Fire Management folder. This will be an efficient way of recording and storing valuable fire data. A back up copy of the Fire Management folder held on an external disc is strongly recommended. Alternatively, hard copies can be made and stored in a manual filing system.

This Fire Management Plan needs to be read and signed to acknowledge that fire management provisions set out in the plan are understood.

6.8.1 Summary of the Developer's Responsibility

Prior to this development being granted FMP Clearance and the sale of the lots, the developer must carry out all necessary work prescribed in this FMP:

- ☐ Following Clearance and granting of Titles, supply the new lot owners with a copy of this FMP.
- ☐ There must be a notice on the Title (70A) that a FMP exists for this land and the land owners are responsible for compliance with the specified conditions.
- ☐ Install driveways to any existing dwelling on the land in accordance with the FMP (Performance Criteria A2.4 and A2.5 and City Standards)
- ☐ Install all firebreaks and any EAW required and access gates and signage as required by the City.

- ☐ Install access the farm dam water point as outlined in the FMP
- ☐ Carry out any hazard reduction work required in the FMP and the City of Busselton Annual Firebreak Notice.
- ☐ *Subsequent to final approval and the owner/developer has complied with all the conditions outlined in the FMP and the Title Clearances have been given the developer shall have no further responsibility for the provision of fire fighting facilities after the infrastructure and lots have passed into private ownership.*

6.8.2 Lot Owner's Responsibility

It is responsibility of the lot owner's to maintain a state of reduced fire risk and threat to their properties. The owners of both lots will be required to be responsible for complying with the requirements of the FMP and City of Busselton Regulations and carrying out measures to protect their land and assets from bush fires. They must therefore comply with the following requirements:

- ☐ Comply with this FMP and the City of Busselton Annual Firebreak Notice by installing the prescribed BPZ and HSZ around each building.
- ☐ Ensure that all building comply with City Requirements and AS3959
- ☐ Maintain driveways and access ways to City Standards and Planning for Bush Fire Protection Guidelines 2010.
- ☐ Maintain all firebreaks in the places where they are required by the City and this FMP and carry out hazard reduction activities to reduce the hazard of accumulated fuel levels by grazing, slashing, mowing, burning etc.

6.8.3 City of Busselton Responsibility

The City shall be responsible for:

- ☐ Developing the maintaining district fire fighting facilities.
- ☐ Maintaining district water supply tanks and standpipes
- ☐ Enforcing the requirements of the Bush Fires Act and Annual Firebreak Order (Notice).

I acknowledge that I have read and understood this Fire Management Plan and the items listed in the Annual Works Program that need to be carried out on my Lot before the start of each fire season.

Signed:

Date.....

Name Lot Number.....

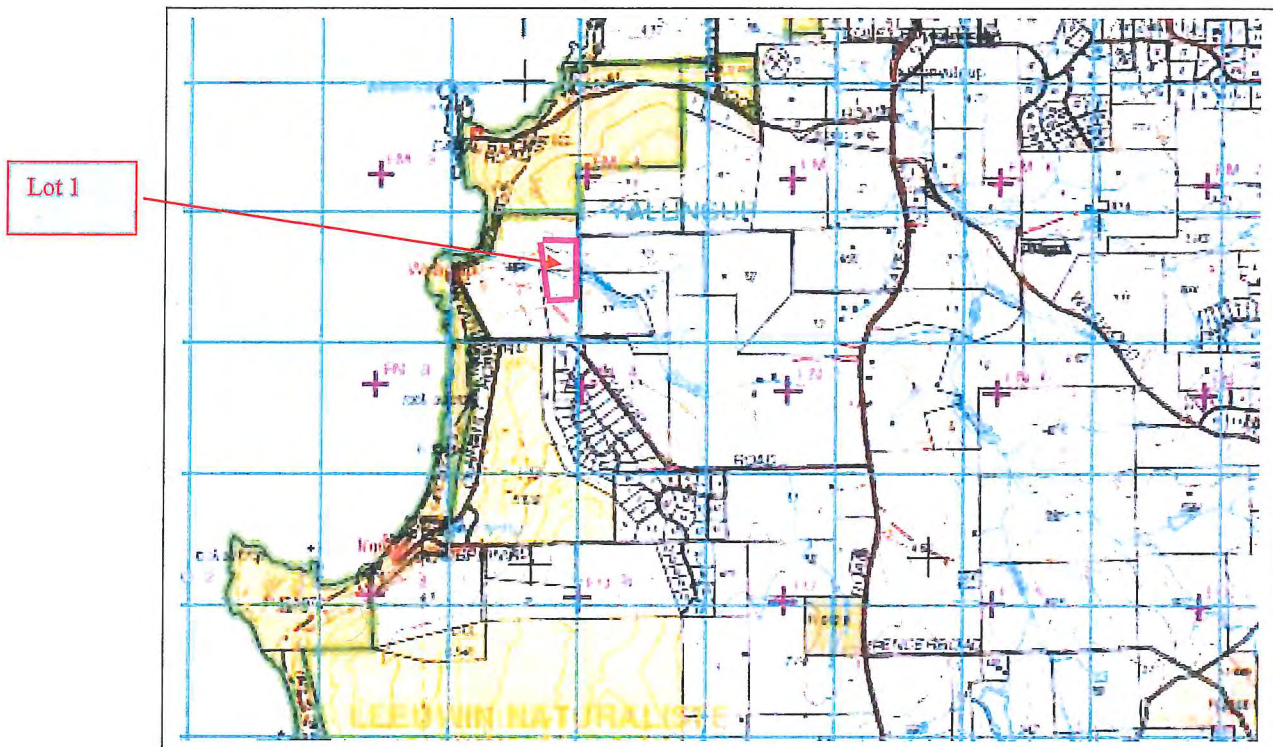
This Fire Management Plan should be formally reviewed in five years time by a person qualified and experienced in rural fire management. The yearly notes made against each item on the Works Programs by each of the two Lot owners will provide useful information for whoever carries out the review of the fire management plan in five years time.

Disclaimer

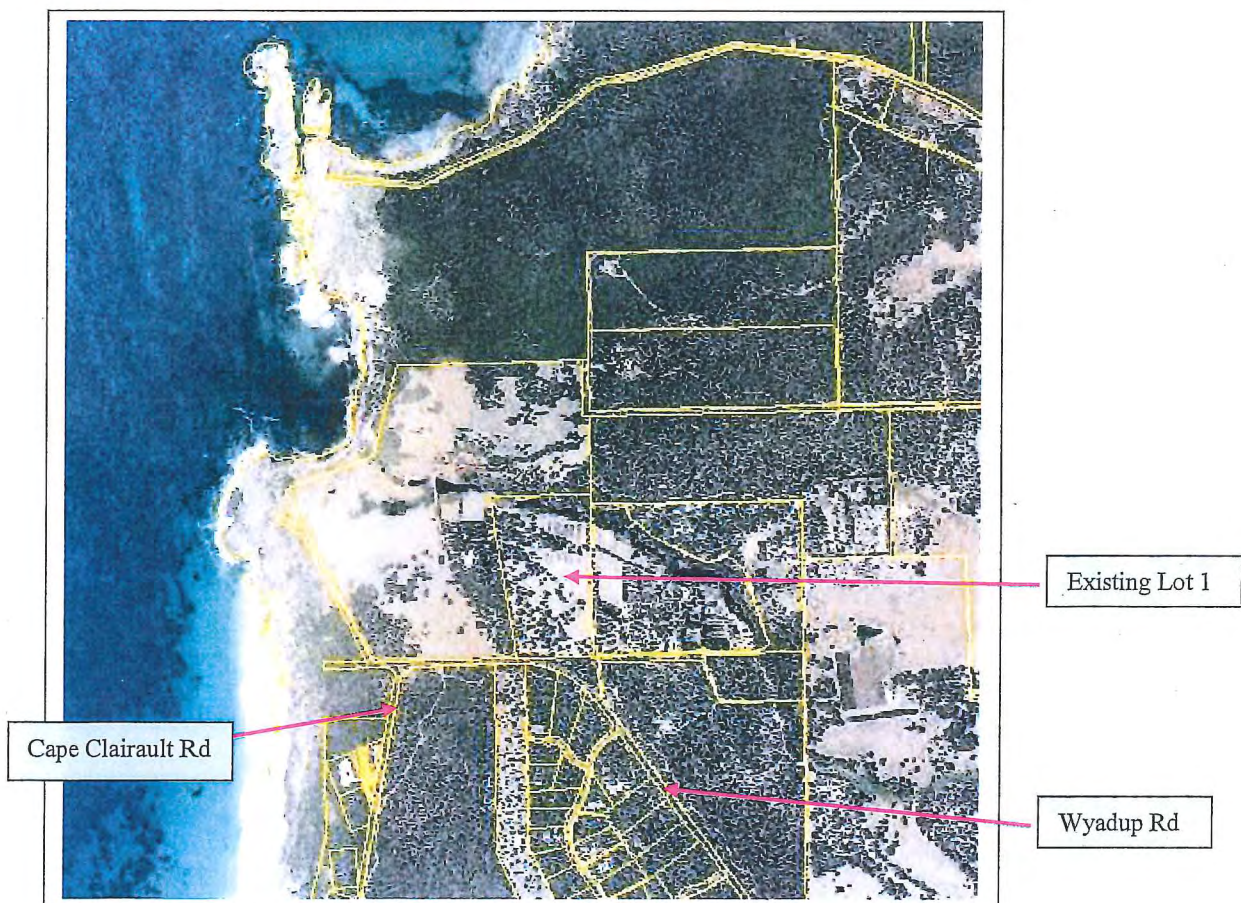
Neither the Developer nor the Consultant preparing this Bushfire Management plan take responsibility for the impacts of a future bushfire on any values at the proposed development... We have done our best in this Plan to alert everyone to the threat of bushfires, and to recommend measures to minimise these threats and potential bushfire damage, but there may

occur an unusual combination of events or human actions or lack of actions which could not reasonably have been expected at the time of Plan preparation. Neither the Developer nor the Consultant take responsibility for the standard of bushfire preparedness or damage mitigation undertaken

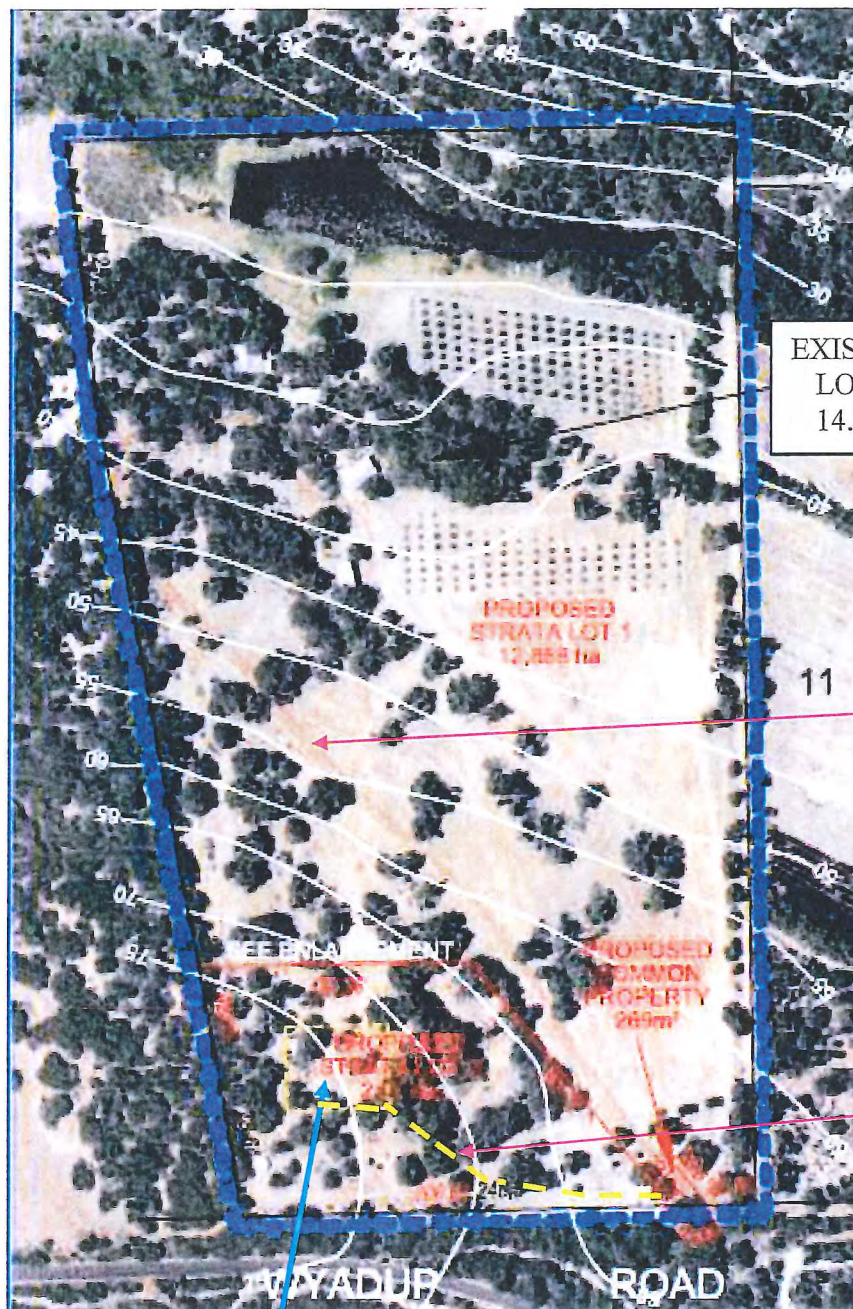
Appendix 7.1: Land Tenure adjoining Lot 1-Wyadup Road – National Park



Aerial Photo- Lot 1 and surrounds



Aerial Photo of existing Lot 1- courtesy of BSO.



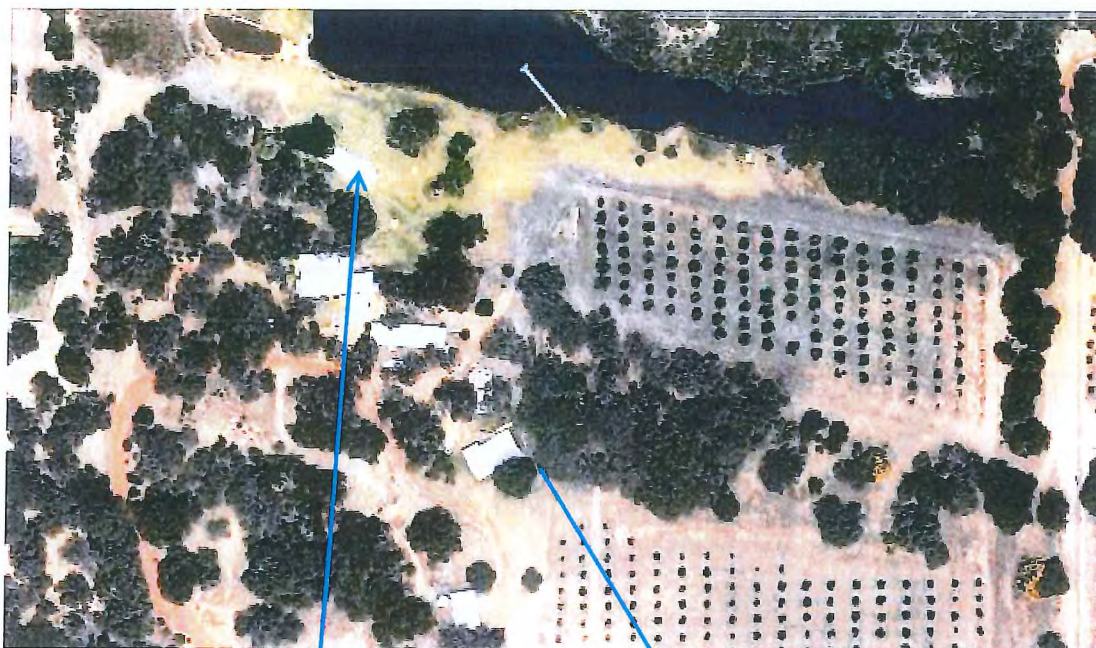
EXISTING
LOT 1
14.895 ha

Existing access road
in Lot 1

Possible route of
access way into
building envelope on
Lot 2



Proposed new House Site – Lot 2. : Open peppermint and minimal fuel on ground



Existing house and buildings on existing Lot 1



High fuel load on N side of Wyadup Road verge

Appendix 7.2: Works Program (annual) Lot 1 and Lot 2

Responsibility of Lot owner

Responsibility of other property owners or agencies

Task	Timing	Specifications	Signed & date Complete	Signed & date Complete	Signed & date Complete	Signed & date Complete	Signed & date Complete
	Date to be Completed						
Fire breaks external boundary	Nov 30th	2m width					
Access Roads	Nov 30th	In good condition? If not arrange maintenance					
Signage	Nov 30 th	As per FMP. Maintain in good condition?					
Map cylinder at entrance to Lot 30	Nov 30th	Tube and map inside in good condition? If not replace.					
Burn up or dispose of fallen branches within 100 m of buildings	October 30th	Carry out and maintain during fire season					
Fire fighting equipment. Carry out operational check	Dec 5 th and then weekly in fire season	Check fuel and oil supplies on trailer units, tyre pressure, water in tank.					
Building protection zone. BPZ . Check fuel levels .remain low. Re-slash or mow grass to 50mm max level Check for fuel next to buildings.	Dec 5 th and weekly for fire season						
Hazard Protection Zone HRZ Check fuel levels are OK... Slash or mow grass	Dec 5 th and then weekly fire season	50mm max height of grass? If not re mow or slash grass					
Encourage Shire Council to carry out fuel reduction burning of road verge on Wyadup Road.	Late autumn every 5 years	Every 5 years					

Appendix 7.3:-Guidelines, specifications and minimal standards

The publications listed below are available from FESA and the Busselton Shire Council websites and were referred to in preparation of this Fire Plan and provide good background fire preparedness information. It is recommended that these be downloaded from the appropriate website and stored in a separate file in a Fire Management folder created on the owners PC. The exception is ASA 3959-2009 "Construction of Buildings in Fire Prone areas" which has to be purchased from SAI Global.

When an ASA document is purchased from SAI Global by paying a licence fee (\$75 for ASA 3959-2009) the licence holder is restricted in copying and distributing all or part of the document. This is unfortunate as I would have liked to include extracts from ASA 3959-2009 in this Plan. I suggest that a copy be purchased for reference for when upgrading fire protection measures.

The PFBFP, (Planning for Bushfire Protection Guidelines) document should be downloaded from the FESA website as it is an essential reference for all Lot owners.

If not computer savvy then it is best to file the Fire management plan in a manual filing system together with essential references. The essential references can be downloaded at the local library and library staff would almost certainly be able to provide assistance if needed

Most guidelines and specifications change over time so it is necessary to check at least once a year to see if the reference is still valid and if a more up to date version should be used. Some of the more common published material and worth collecting are listed in Table Four:

Table Four: List of published fire material worth storing in a fire library.

Document	Availability
FESA DOCUMENTS	All freely downloadable from FESA Home Page at www.fesa.wa.gov.au
Planning for Bush Fire Protection Guidelines: May 2010	
Checklist- Preparing your property	
Checklist- Preparing your survival Kit	
Checklist-Prepare to actively defend	
What to do on the day a bushfire threatens	
Checklist-Leaving for a safer place	
After a bushfire	
Controlled burning	
Winter burning guide	
SHIRE OF BUSSELTON	All freely downloadable from the Home Page of the Busselton Shire Council or collected at the Shire Office.
Fire Preparation Notice	
Property fire hazard inspections	
Seasonal fire prevention guide	
Bushfire Brigade Contact details.	

Appendix 7.4: Glossary of fire terms

There are several glossaries available to help explain bushfire terms... The Australasian Fire Authorities Council's "Glossary of Rural Fire Terminology" is a 25 page document used mainly in the Eastern States and has been compiled from an eastern states perspective. This is

available for free downloading by visiting website www.cfs.org.au A WA group, The Bushfire Front has a fire terminology glossary probably more relevant to the South West and available for free download at <http://bushfirefront.com.au>.

Appendix 7.5 References.

References used in preparation of the Fire Management Plan in addition to the documents listed in Section 4.2 Guidelines and Specifications are listed below:

1985: Forest Fire Behaviour Tables for Western Australia. Department of Conservation and Land Management. R.J Sneeuwjagt and G.B Peet. This is the definitive work on fire behaviour in native forest type fuels in the South West of WA and covers fuel reduction burning and fire suppression strategies using a series of Tables to determine when effective and safe burning is possible, how to carry out fuel reduction burning and also how to calculate rates of spread of bushfires when planning fire suppression.

1997: Grassfires-fuel, weather and fire behaviour. CSIRO Bushfire Behaviour and Management Group. P Cheney and A Sullivan

Appendix 7.6 Compliance Checklist for performance criteria and acceptable solutions. P.56 of PFBFP

ELEMENT	No.	Complies	Notes
Location	A1.1	Yes	All buildings to be >20 m from native woodland vegetation and more if practicable.
One access routes	A 2.1	Yes	Specifications a part of this FMP
Public roads	A 2.2	Yes	Specifications a part of this FMP
Cul de sacs	A.2.3	Yes	No cul de sacs in subdivision
Battle Axe	A 2.4	Yes	No Battle Axe's on subdivision
Private driveways	A2.5	Yes	Private driveways may need some pruning of trees to meet specifications for vertical profile access.
Emergency access ways	A 2.6	Yes	Private driveways adequate subject to pruning of some trees (see 2.5).
Fire service access routes	A2.7	Yes	Fire service access may need some pruning of tree limbs to provide vertical profile access.
Gates	A 2.8	NA	No gates.
Firebreak widths	A 2.9	Yes	External firebreaks will meet specifications.
Signs	A 2.10	Yes	Signs as per Section 6.4
Water	A 3.2	Yes	More than adequate water in main dam.
Dams	A 3.3	Yes	Fire units able to draft water from the main dam on Lot 1.
Hazard separation	A 4.1	N/A	May need some tree removal surrounding buildings to meet specifications.
Building protection Zone	A 4.3	Yes	20m BPZ around buildings to be kept in a low fuel state. Grass: Keep below 50mm in fire season by mowing Native vegetation: physically remove branches and debris.
Shielding	A4.5	N/A	
Compliant development	A 5.1	Yes	A.4.1, A 4.3, conditions are met

Appendix 7.6 Compliance Checklist for performance criteria and acceptable solutions. P.56 of PFBFP

ELEMENT	No.	Complies	Notes
Location	A1.1	Yes	All buildings to be >20 m from native woodland vegetation and more if practicable.
One access routes	A 2.1	Yes	Specifications a part of this FMP
Public roads	A 2.2	Yes	Specifications a part of this FMP
Cul de sacs	A.2.3	Yes	No cul de sacs in subdivision
Battle Axe	A 2.4	Yes	No Battle Axe's on subdivision
Private driveways	A2.5	Yes	Private driveways may need some pruning of trees to meet specifications for vertical profile access.
Emergency access ways	A 2.6	Yes	Private driveways adequate subject to pruning of some trees (see 2.5).
Fire service access routes	A2.7	Yes	Fire service access may need some pruning of tree limbs to provide vertical profile access.
Gates	A 2.8	NA	No gates.
Firebreak widths	A 2.9	Yes	External firebreaks will meet City Council specifications.
Signs	A 2.10	Yes	Signs as per Section 6.4
Water	A 3.2	Yes	More than adequate water in main dam.
Dams	A 3.3	Yes	Fire units able to draft water from the main dam on Lot 1.
Hazard separation	A 4.1	N/A	The 75m wide HSZ may need some tree removal surrounding buildings to meet DFES and City Council specifications.
Building protection Zone	A 4.3	Yes	25m wide BPZ around buildings to be kept in a low fuel state. Grass: Keep below 50mm in fire season by mowing Native vegetation: physically remove branches and debris.
Shielding	A4.5	N/A	
Compliant development	A 5.1	Yes	A.4.1, A 4.3, conditions are met

Applicant declaration

I declare that the information provided is true and correct to the best of my knowledge.

Full name.....

Land Sub-Division Applicant's Signature.....

Date.....


Appendix 7.6 Compliance Checklist for performance criteria and acceptable solutions. P.56 of PFBFP

ELEMENT	No.	Complies	Notes
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Public roads	A 2.2	Yes	Specifications a part of this FMP
Cul de sacs	A.2.3	Yes	No cul de sacs in subdivision
Battle Axe	A 2.4	Yes	No Battle Axe's on subdivision
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Firebreak widths	A 2.9	Yes	External firebreaks will meet City Council specifications.
Signs	A 2.10	Yes	Signs as per Section 6.4
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Shielding	A4.5	N/A	
Compliant development	A 5.1	Yes	A.4.1, A 4.3, conditions are met

Applicant declaration

I declare that the information provided is true and correct to the best of my knowledge.

Full name..... DESMOND LLOYD SEMPUE

Land Sub-Division Applicant's Signature..... 

Date..... 27/3/14



Our Ref: SD076-03
Your Ref: FMP – Wyadup Road Dated 10 April 2014

Geographe Wildfire
2B Fielder Street
BUNBURY WA 6230

By Email

Attention: Percy Wild

Dear Sir

**REFERRAL RESPONSE – LOT 1 WYADUP ROAD, YALLINGUP – FIRE
MANAGEMENT PLAN**

The proposal and associated Fire Management Plan have been assessed and are in compliance with the State's *'Planning for Bush Fire Protection Guide Lines Edition 2 May 2010'*. As such, DFES has endorsed the submitted Fire Management Plan dated 10 April 2014 and raises no objection to the proposal subject to the following.

The subdivider implementing, to the satisfaction of the DFES and the local government, the DFES endorsed Fire Management Plan, dated 10 April 2014 which is applicable to the subject land.

Should you require further information please contact the DFES Regional office on 9780 1900.

Yours faithfully

DOUG VAN BAVEL
LAND USE PLANNING OFFICER

5 May 2014

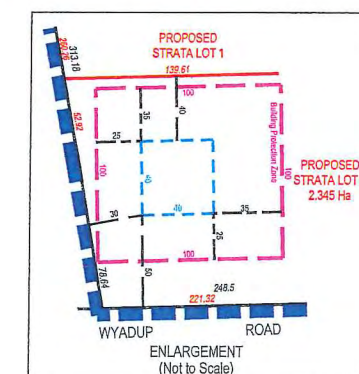


Areas and dimensions are subject to survey.

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NOTES:

1. A Fire Management Plan has been prepared and shall be implemented for the property including all access tracks and firebreaks to the required standards as depicted on this plan. This includes a four metre trafficable surface with sufficient clearance to accommodate a 3.4 Fire Fighting Unit (5 metres vertical, 6 metres horizontal clearance). 20 metre long passing bays shall be installed on Access tracks every 200 metres.
2. The Bush Fire Attack Level Rating (BAL) for Proposed Strata Lot 2 is determined to be BAL = 29 for which AS 3959-2009 construction will be required.
BAL = 29 determined as follows:
 - Vegetation Classification - B. WOODLAND
 - Downslope (Northeast) > 15 to 20 Degrees
 - Distance from Predominant Vegetation Class (BPZ) = 40m.



LEGEND

- Subject Land
- Proposed Boundaries
- [] Proposed Building Envelope
- Contours (Digitised)
- Building Protection Zone
- Access Track / Passing Bay
- Firebreaks / Turn-a-round
- ★ Water Point

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No.	Revision	App.	Date
3.	Envelope modified	HJB	2-10-15
2.	Enlargement added	HJB	27-8-15
1.	Fire Management Notes amended	HJB	5-8-15



D 35769

FIRE MANAGEMENT MAP

LOT 1 (#272) WYADUP ROAD YALLINGUP

CITY OF BUSSETON

CLIENT	D. SEMPLE	DATE	7-July-2015
DWN	HJ BURTON	MODEL/ PLOT	2147FireMan
SCALE	A3 1:2500	DGN	2147 Base.dgn
DATUM	AHD	FILE	2147
		REV	3

Peter Harding

From: VANBAVEL Doug <Doug.VanBavel@dfes.wa.gov.au>
Sent: Friday, 19 February 2016 8:37 AM
To: Peter Harding
Subject: RE: Lot 1 (No. 272) Wyadup Road, Yallingup. City Fire Management Map.

Hello Peter

DFES has no issue with the 'Fire Management Map' and this should now serve as an addendum to the existing FMP. Given the marginal nature of the amendment, the FMP does not require any further acceptance.

Any further queries please do not hesitate to contact me. Thanks.

Regards

Doug Van Bavel
Land Use Planning Officer
South West & Lower South West Regions
Department of Fire and Emergency Services | South West Highway | Bunbury WA 6230
T: 9780 1900 | F: 9725 4230 | E: doug.vanbavel@dfes.wa.gov.au
www.dfes.wa.gov.au



Government of Western Australia
Department of Fire & Emergency Services



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From: Peter Harding [<mailto:peter@bsodc.com.au>]
Sent: Thursday, 18 February 2016 9:00 AM
To: VANBAVEL Doug
Subject: Lot 1 (No. 272) Wyadup Road, Yallingup. City Fire Management Map.

Email Transmission

