

**SHIRE OF CHITTERING**  
**LOCAL PLANNING SCHEME N<sup>o</sup> 6**  
**AMENDMENT N<sup>o</sup> 70**

**An Amendment to rezone Lots 30 & 202 Great Northern Hwy and Lots 3 & 201  
Mucnea East Road, Mucnea from 'Agricultural Resource' to 'General Industry', to  
remove 'Additional Uses' 7 and 20 and to amend the Scheme Map and Text  
accordingly**

**PLANNING AND DEVELOPMENT ACT 2005**  
**RESOLUTION DECIDING TO ADOPT AMENDMENT**  
**TO LOCAL PLANNING SCHEME**  
**SHIRE OF CHITTERING**  
**LOCAL PLANNING SCHEME N<sup>o</sup> 6**  
**AMENDMENT N<sup>o</sup> 70**

Resolved that the Council, pursuant to section 75 of the Planning and Development Act, 2005 amend the above Local Planning Scheme by:

- i) Rezoning Lots 30 on Deposited Plan 92433 & 202 on Deposited Plan 60290 Great Northern Highway and Lots 3 on Deposited Plan 20433 & 201 on Deposited Plan 60290 Muchea East Road, Muchea from 'Agricultural Resource' to 'General Industry';
- ii) Remove Additional Uses 7 & 20 from Schedule 3; and
- iii) Amending the Scheme Map accordingly.

The Amendment is standard under the provisions of the Planning and Development (Local Planning Scheme) Regulations 2015 for the following reasons:

- i) The amendment is consistent with the Shire of Chittering Local Planning Strategy (2019) which, in relation to the Muchea Industrial Park, within which this site is located, seeks to:
  - a) Promote industrial development within the Muchea Industrial Park; and
  - b) Encourage landowners to progress planning arrangements for the Muchea Industrial Park.
- ii) The amendment is consistent with the Muchea Employment Node Structure Plan (2011).
- iii) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- iv) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

## SCHEME AMENDMENT REPORT

- |    |   |   |   |
|----|---|---|---|
| 1. | <b>LOCAL AUTHORITY</b>                      | : | SHIRE OF CHITTERING   |
| 2. | <b>DESCRIPTION OF LOCAL PLANNING SCHEME</b> | : | LOCAL PLANNING SCHEME N <sup>o</sup> 6  |
| 3. | <b>TYPE OF SCHEME</b>                       | : | DISTRICT ZONING SCHEME  |
| 4. | <b>SERIAL N<sup>o</sup> OF AMENDMENT</b>    | : | 70  |
| 5. | <b>PROPOSAL</b>                             | : | <ul style="list-style-type: none"><li>i) REZONING LOTS 30 ON DEPOSITED PLAN 92433 &amp; 202 ON DEPOSITED PLAN 60290 GREAT NORTHERN HIGHWAY AND LOTS 3 ON DEPOSITED PLAN 20433 &amp; 201 ON DEPOSITED PLAN 60290 MUCHEA EAST ROAD, MUCHEA FROM 'AGRICULTURAL RESOURCE' TO 'GENERAL INDUSTRY';</li><li>ii) REMOVE ADDITIONAL USES 7 &amp; 20 FROM SCHEDULE 3; AND</li><li>iii) AMENDING THE SCHEME MAP ACCORDINGLY.</li></ul> |

## REPORT

### 1.0 INTRODUCTION

Lots 30, 202, 3 & 201 (subject site) total 6.0766ha. They contain dwellings, outbuildings and hardstand on Lots 202 & 3, an old service station on Lot 30, and Lot 201 is a vacant paddock. The subject site is bordered by roads to the west, south and east and a General Industry zoned property to the north.

The purpose of this amendment is to rezone the subject site from 'Agricultural Resource' to 'General Industry', consistent with the objectives of Councils Local Planning Strategy, the Muchea Employment Node Structure Plan and the draft Muchea Industrial Park Structure Plan.

### 2.0 BACKGROUND

#### Location

The subject site is located on the NE corner of Great Northern Hwy and Muchea East Rd.

#### Site Area

The subject site is 6.0766ha in area.

#### Ownership

Each of the 4 lots is owned by different parties. These are:

- Lot 30 – SMJ United Pty Ltd
- Lot 202 – Dave Riches Pty Ltd & Matt Riches Pty Ltd
- Lot 3 – Lorraine Elizabeth Mauritz
- Lot 201 – Dingo Corporation Pty Ltd

#### Current & Surrounding Land Uses

Current land uses for each property are:

- Lot 30 – Closed service station
- Lot 202 - Transport depot
- Lot 3 – Dwelling, outbuilding and hardstand
- Lot 201 – Vacant paddock

To the north is a 'General Industry' zoned 2ha property (currently being developed) that separates the western portion of the subject site from the approved Local Structure Plan 1 that covers 149ha, 'Industrial Development' zoned Lot 102 of Precinct 1 north A. To the west, on the other side of Great Northern Hwy, a road train assembly area is under development. The land on the south side of Muchea East Road is a transport depot and rural properties and to the east on the other side of Gulliente Rd is a poultry farm.

#### Physical Characteristics

As discussed above, the subject site is cleared, with a number of buildings reflecting the current mix of land uses. Topographically the overall site is relatively level, grading gently (approx. 1-3 degrees) upwards from the Great Northern Hwy eastwards.

#### Infrastructure

The subject site is serviced by reticulated power. Reticulated water and sewer are not available. On-site supply of water and disposal of wastewater will be required.

The site is serviced by Great Northern Hwy on the western side, which is managed by Main Roads. The southern and eastern edges of the site are Muchea East Rd and Gulliente Rd respectively. All road frontages are sealed. Preliminary RAV Road network designs have been done and the rezoning will not prejudice these designs. There are no roads proposed to go through the subject site.

### **3.0 LOCAL PLANNING CONTEXT**

#### State & Regional Planning Context

The *State Planning Strategy* seeks to balance competing demands on land use. It lists 6 interrelated and interdependent principles:

- Community
- Economy

- Environment
- Infrastructure
- Regional Development
- Governance

In recognizing these it “....places a priority on economic and population growth as the key drivers of land use and land development.” (“Delivery Culture”) The current proposal is an important step towards the growth of an important economic activity in the Shire of Chittering.

The *State Planning Framework* utilizes the same principles, sans Governance. The proposed amendment will clearly satisfy the Community and Economic aspects by providing employment opportunities and economic growth through private sector investment. It will provide an industrial development opportunity on a different scale to the current large scale industrial development to the north (Local Structure Plan 1) and not create any negative impacts on the environment.

#### Local Planning Strategy

The Shire of Chittering Local Planning Strategy seeks to promote growth in the Muchea Industrial Park. Further, it encourages landowners to progress planning arrangements to achieve this objective. Rezoning the subject site is a significant step in this direction and will introduce some more small lots bringing with them greater and more diverse development opportunities.

#### Muchea Employment Node Structure Plan

In 2011 the Muchea Employment Node (MEN) Structure Plan was adopted. It places the subject site within Precinct 1 north A. A Local Structure Plan has been approved for the majority of this precinct. It did not, however include the subject site as these lots are able to be developed without subdivision. This rezoning is the next Planning step towards achieving that development.

#### Draft Muchea Industrial Park Structure Plan

In late 2020 the draft Muchea Industrial Park (MIP) Structure Plan was released for public comment. It will be an update of the 2011 MEN Structure Plan that takes into account a number of changes in the Planning framework and the early completion of Northlink. In relation to the site the subject of this Scheme Amendment it retains its identification as a General Industry area.

#### Local Planning Scheme No.6 (LPS6)

LPS6 clause 5.7.2.4 outlines that the subject site proposed for rezoning does not require a Structure Plan.

The subject site is located in the following Special Control Area and as outlined in the relevant sections of the scheme requires development approval for any development.

- Muchea Employment Node
- Military Consideration
- Water Prone

The purpose and intent in the Muchea Employment Node is for the development of an Industrial Estate in accordance with the MEN.

## **4.0 PROPOSAL**

The proposal is to rezone the subject site to 'General Industry' to enable development to occur consistent with the MEN Structure Plan and the draft MIP Structure Plan. Matters for consideration that are specific to this site are discussed below.

#### Ground and Site Conditions

A review of ground conditions from geotechnical investigation conducted in the area combined with a desktop review of regional mapping indicate the following soil conditions. The west of the site is Silty SAND, fine to coarse grained, loose to medium dense to approximately 700-800mm below natural ground over Sandy CLAY with some angular subangular gravel, the interface with the clay soils resulted in locations of water seepage. The eastern portion of the site is typically dry silty SAND to approximately 1800-2000mm.

The topography of the site is a very gentle incline of 1-3 degrees from east to west towards the Ellen Brook/Chandala Brook floodplain located over 450m west of the site.

#### Wetlands and Waterways

The subject sites, like the majority of precinct 1 are mapped as "multiple use" Geomorphic wetlands, these are described as "wetlands with few remaining important attributes and functions". This classification as has been determined through the rezoning of the land to the north is not a limitation in a use as "General Industry". The management objectives of the category are "Use, development and management should be considered in the context of ecologically sustainable development and best management practice catchment planning through landcare". Any development at the subject site will require the lodgement of a development application and details of how stormwater management will occur on the site. The Shire may as a condition of approval require the preparation of an environmental management plan detailing the management of stormwater to ensure nutrient and sediment is managed onsite.

#### Groundwater

A review of the available groundwater contours for the site from the Department of Water Groundwater Map indicates that the mapped maximum groundwater has a AAMGL of 59m AHD in the east and 52m AHD in the west. The separation to the groundwater ranges from 3m in the east to 1m in the west.

The subject sites, like all the majority of the land in Precinct 1 North A, are all located in the "*water prone area – Ellen Brook Palusplain*" and any future development is required to comply with the Shire of Chittering LPS6 clause 5.3. The Draft Muchea Industrial Park Structure Plan and the Precinct 1A's Structure Plan have outlined that groundwater in location in Precinct 1A are near the surface and that "Geo-technical investigation should be undertaken prior to subdivision and development to confirm underlying soil conditions and site capability".

The subject sites are not identified as flood prone from either a minor or major flooding event and the mapping confirms the ground water flow is in a westerly direction away for the site towards the Ellen Brook. Studies undertaken for the Muchea Regional Water Management Strategy (MRWMS) identified the site as "restricted" for use of onsite effluent disposal systems as it is located in a sewerage sensitive area and the depth to groundwater is within 2.5m. The Strategy did not identify any other constraints on the subject site, due to waterways or flooding.

The subject sites are intended to be used for transport orientated land uses and no excavation would be required for these type of land uses. The use of fill may be required to manage separation from the groundwater and in these locations subsoil drains should be used at the

Average Annual Maximum Ground Water level (AAMGL) to allow water to be directed to the roadside drainage swales.

#### Contaminated Sites

The Department of Water and Environmental Regulation (DWER) contaminated site data base shows no record of any sites on the subject site.

Historical Landgate aerial images shows that Lot 201 has since 1965 been used for agricultural land uses. Lots 3 and 202 since 1965 have historically been cleared with each contain a residential dwelling, the remaining land has on these lots has been used for a variety of agricultural land uses. The Shire has identified that Lot 3 has previously been used as a service station and may be potentially contaminated. The rear portion of this lot has been sealed with a concrete slab. The proposed rezoning is 'General Industry' and the groundwater flow at the site is from east to west. Lot 3 may require further investigations as part of a future Development Application.

#### Existing Residential Land Uses

LPS6 clause 5.7.2.1 outlines that no residential land uses or caretakers dwellings will be approved in the Muchea Employment Node. The subject site currently contains existing residential land uses. The lodgement of a development application for any lots within the "General Industry" zone will require any residential land use on the lot to cease.

#### Water

The subject sites, where development has occurred, currently use bores for the provision of water. This will continue to be used as the method for providing water to each site, as subdivision is not proposed. The intent is for the land uses to be "Dry Industries". The progressive development of the site to the north will extend the reticulated water supply to the north-eastern boundary allowing future land uses to connect as required.

Potable water use within the subject site will as outlined in the MRWMS be provided from roof catchment and were demonstrated as viable through groundwater extraction. Its use will be limited to consumption for domestic use in toilets, bathrooms and break rooms.

#### Wastewater Management

The Government Sewerage Policy (2019) requires the discharge point of on-site effluent disposal systems in sewage sensitive areas to have 1.5m minimum clearance from the maximum groundwater level. This can be achieved under the policy by filling but not by drainage.

The groundwater mapping indicates that there is typically approximately 1-3m between the AAMGL ground water and the ground surface across the site. The ground water has been observed in Muchea Employment Node at the ground surface in low lying areas. The requirements of the Government Sewerage Policy can be achieved through the provision of fill at locations to be used for effluent disposal

The development and location of the onsite effluent disposal will be determined as part of the Development Application for each individual lot as the nature of each specific proposal will establish the requirements.

#### Bushfire Management

The site is mapped as being bushfire prone and in accordance with SPP3.7 a Bushfire Management Plan (BMP) has been prepared and submitted in support of this Scheme

Amendment. The BMP acknowledges that the proposed rezoning is for 'General Industry' and that under building legislation, bushfire related construction requirements do not apply to class 4 to 9 buildings in designated bushfire prone areas. Clause 5.8.3 of SPP3.7 guidelines relates to class 4 to 9 building and the BAL contour plan in the BMP confirms that there are suitable locations on each lot for future development. The proposed rezoning can achieve the requirements of SPP3.7

## **5.0 CONCLUSION**

The proposed amendment is consistent with Councils Local Planning Strategy, the MEN Structure Plan and the draft updated MIP Structure Plans stated intentions and objectives to encourage industrial development without any negative environmental impacts. It is the next step in the Planning process to enable this to occur.



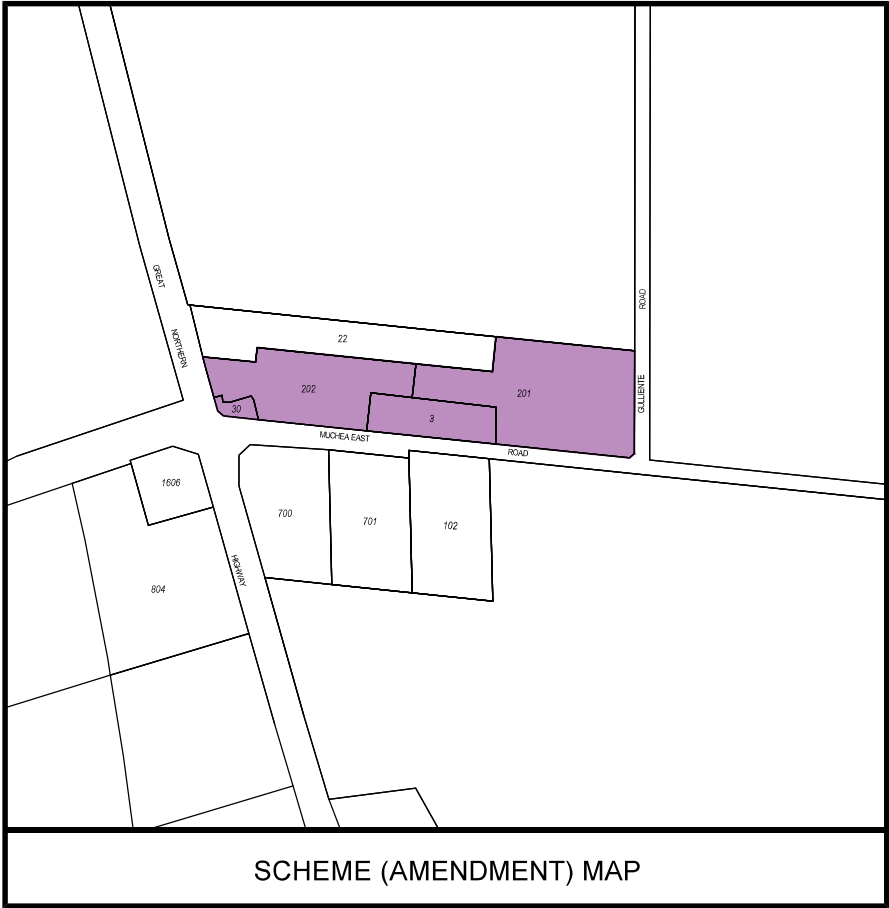
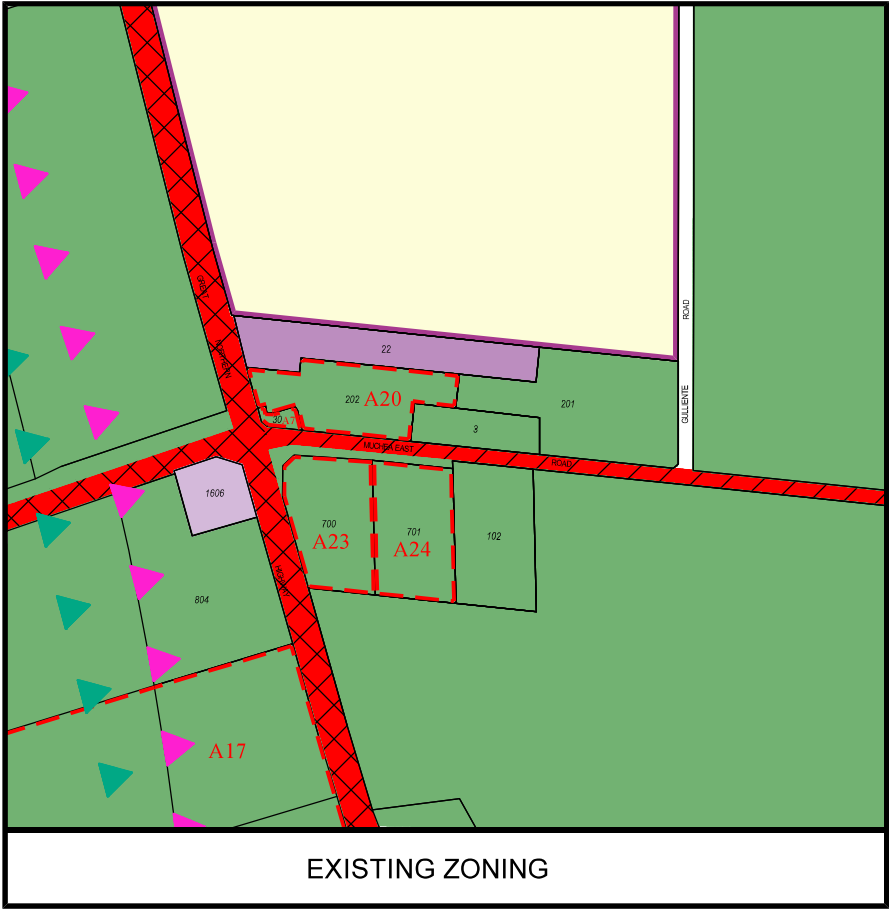
**PLANNING AND DEVELOPMENT ACT 2005**  
**RESOLUTION TO AMEND LOCAL PLANNING SCHEME**  
**SHIRE OF CHITTERING**  
**LOCAL PLANNING SCHEME N<sup>o</sup> 6**  
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Resolved that the Shire of Chittering pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- i) Rezoning Lots 30 on Deposited Plan 92433 & 202 on Deposited Plan 60290 Great Northern Highway and Lots 3 on Deposited Plan 20433 & 201 on Deposited Plan 60290 Muchea East Road, Muchea from 'Agricultural Resource' to 'General Industry';
- ii) Remove Additional Uses 7 & 20 from Schedule 3; and
- iii) Amending the Scheme Map accordingly.

# SHIRE OF CHITTERING TOWN PLANNING SCHEME No. 6

Planning and Development Act 2005



## LEGEND

### LOCAL SCHEME RESERVES

- HIGHWAY
- MAJOR ROAD

### LOCAL SCHEME ZONES

- AGRICULTURAL RESOURCE
- GENERAL INDUSTRY
- INDUSTRIAL DEVELOPMENT
- LIGHT INDUSTRIAL

### OTHER CATEGORIES (see scheme text for additional information)

- A7 ADDITIONAL USES
- MUCHEA EMPLOYMENT NODE
- MILITARY CONSIDERATIONS

SCALE: 1:10 000  
DATE: 10.02.2021

Amendment No.

**ADOPTION**

This Standard Amendment was adopted by resolution of the Council of the Shire of Chittering at the Ordinary Meeting of the Council held on the      day of      20

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**SHIRE PRESIDENT**

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**CHIEF EXECUTIVE OFFICER****COUNCIL RECOMMENDATION**

This Amendment is recommended for support / not to be supported (delete as applicable) by resolution of the Shire of Chittering at the Ordinary Meeting of the Council held on the      day of      20      and the Common Seal of the Shire of Chittering was hereunto affixed by the authority of a resolution of the Council in the presence of:

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**SHIRE PRESIDENT**

---

**CHIEF EXECUTIVE OFFICER****WAPC ENDORSEMENT (r.63)**

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**DELEGATED UNDER S.16 OF  
THE P&D ACT 2005**

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**DATE****APPROVAL GRANTED**

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**MINISTER FOR PLANNING**

---

**DATE**



# **BUSHFIRE MANAGEMENT PLAN**

**Lots 3, 30, 201 & 202 Muchea Road East,  
Muchea**

**Shire of Chittering**



Prepared by Ralph Smith  
**SMITH BUSHFIRE CONSULTANTS Pty Ltd**  
**BPAD 27541**  
**smith.consulting@bigpond.com**  
**0458 292 280**

Site visited 16 November 2021; Report completed 9 February 2022

## Bushfire management plan/Statement addressing the Bushfire Protection Criteria coversheet

Site address:

Site visit: Yes ☒ No ☐

Date of site visit (if applicable): Day  Month  Year

Report author:

WA BPAD accreditation level (please circle):

Not accredited ☐ Level 1 BAL assessor ☐ Level 2 practitioner ☒ Level 3 practitioner ☐

If accredited please provide the following.

BPAD accreditation number:  Accreditation expiry: Month  Year

Bushfire management plan version number:

Bushfire management plan date: Day  Month  Year

Client/business name:

|  | Yes                      | No                                  |
|--|--------------------------|-------------------------------------|
| Has the BAL been calculated by a method other than method 1 as outlined in AS3959 (tick no if AS3959 method 1 has been used to calculate the BAL)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Have any of the bushfire protection criteria elements been addressed through the use of a performance principle (tick no if only acceptable solutions have been used to address all of the bushfire protection criteria elements)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Is the proposal any of the following (see [SPP 3.7 for definitions](#))?

|   | Yes                                 | No                                  |
|---|-------------------------------------|-------------------------------------|
| Unavoidable development (in BAL-40 or BAL-FZ)                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Strategic planning proposal (including rezoning applications) | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| High risk land-use  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Vulnerable land-use   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

None of the above ☒

**Note:** Only if one (or more) of the above answers in the tables is yes should the decision maker (e.g. local government or the WAPC) refer the proposal to DFES for comment.

Why has it been given one of the above listed classifications (E.g. Considered vulnerable land-use as the development is for accommodation of the elderly, etc.)?

The information provided within this bushfire management plan to the best of my knowledge is true and correct:

Signature of report author



Date

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**Full Content Detail****Document control**

| Report Version | Purpose                          | Author/reviewer and accreditation details | Date Submitted  |
|----------------|----------------------------------|---|-----------------|
| 1              | Support the rezoning application | Ralph Smith                               | 1 February 2022 |
| 1.1            | Minor text changes               | Ralph Smith                               | 9 February 2022 |
|                |                                  |   |                 |

**DISCLAIMER**

This Bushfire Management Plan has been prepared in good faith. It is derived from sources believed to be reliable and accurate at the time of publication. Nevertheless, this plan is distributed on the terms and understanding that the author is not responsible for results of any actions taken based on information in this publication or for any error or omission from this publication.

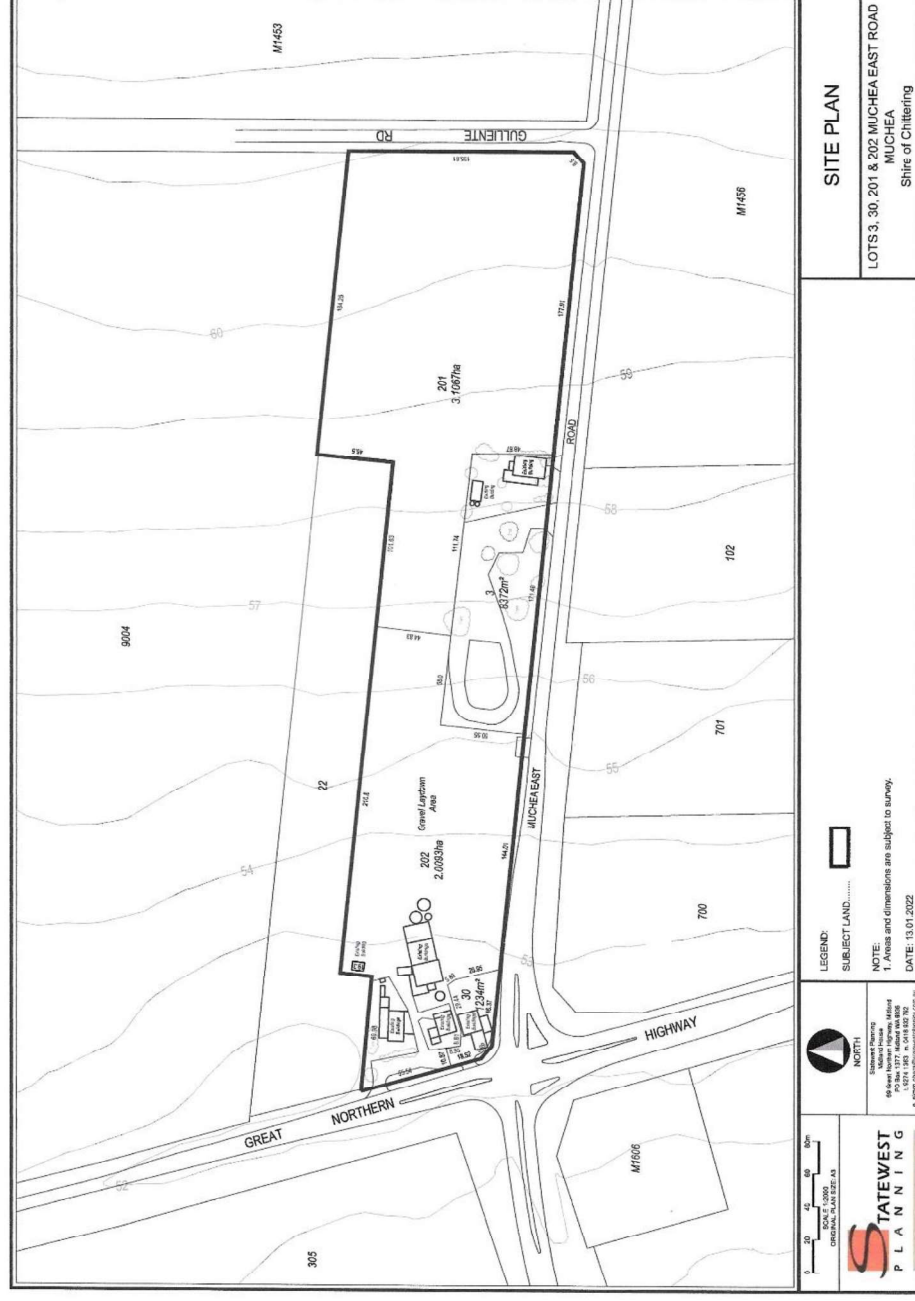
Smith Bushfire Consultants Pty Ltd has exercised due and customary care in the preparation of this Bushfire Management Plan and has not, unless specifically stated, independently verified information provided by others.

Any recommendations, opinions or findings stated in this report are based on circumstances and facts as they existed at the time Smith Bushfire Consultants Pty Ltd performed the work. Any changes in such circumstances and facts upon which this document is based may adversely affect any recommendations, opinions or findings contained in this plan.

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## Section 1: Proposal Details

The proposal is to rezone the current lots. This will facilitate each owner developing their lot, possibly for transport land uses. The site is south and immediately adjacent to the Muchea Employment Node Structure Plan 1 for Lot 102 Great Northern Highway. This proposed land use aligns with the Shire of Chittering Town Planning Scheme No 6.



**Figure 1.** The copy of the site plan as provided with the rezoning application.





**Figure 2.** Screen shot of map of bushfire prone areas for the subject site.

The current lot is declared as bushfire prone. This BMP has been developed to determine the potential bushfire risk to the proposed facilities through the compilation of a standard approach as applied through the BMP process. The BMP is based on the physical evidence that was present at the time of assessment, and based on the Western Australian Government policies and guidelines. It has also considered the statutory requirements of the Shire of Chittering through the Shire of Chittering Fire Hazard Reduction Notice and Fire Season Guide. The BMP is developed to comply with the State Planning Policy 3.7 "Planning in Bushfire Prone Areas".

In regard to the proposed rezoning the *State Government Guidelines for Planning in Bushfire Prone Areas* version 1.4 section 5.8.3 states that *In the local planning scheme, Class 4 to 9 buildings will usually require planning approval. The planning process will apply the bushfire protection criteria to ensure that the optimal outcome is achieved for bushfire protection, such as appropriate siting of the building on the lot/s, the provision of water tanks and passing bays. In these instances the applicant has the discretion to utilise any or all of the elements of AS 3959 in the construction of the building that they deem appropriate.*

It must be noted that under building legislation, bushfire related construction requirements do not apply to Class 4 to 9 buildings in designated bushfire prone areas. The Building Code of Australia (BCA) only applies construction standards for Class 1, 2 or 3 buildings or Class 10a buildings or decks associated with a Class 2 or 3 building (under Part G5), and Class 1 or Class 10a buildings or decks associated with a Class 1 building (under Part P2.3.4 and Part 3.7.4). Under building legislation, bushfire related construction requirements do not apply to Class 4 to 9 buildings in designated bushfire prone areas. This development is for industrial or commercial buildings other than Class 1, 2 or 3 buildings and therefore AS 3959 construction standards do not apply as they are not triggered through the BCA.

## Section 2: Environmental Considerations

The State Planning Policy 3.7 recognises the need to consider bushfire risk management measures alongside environmental, biodiversity and conservation values. A desktop search has identified that the following are not registered for the development site or immediately surrounding area:

- Threatened and priority flora;
- Threatened and priority fauna;
- Contaminated site registration;
- Clearing Regulation – Environmental Sensitive Areas;
- Threatened ecological community;
- Ringtail possum habitat;
- Black Cockatoo breeding sites; and
- Carnaby Cockatoo confirmed roost sites.

### Subsection 2.1: Native Vegetation – modification and clearing

There will be no need to clear any areas of native scrub vegetation as a component of this rezoning. The lot that has surface vegetation is entirely a grassland area. The other lots are clear of surface vegetation except adjacent to the current dwelling on the lot.

### Subsection 2.2: Re-vegetation/Landscape Plans

There is no revegetation plan for the lots.

## Section 3: Bushfire Assessment Results

The BAL Contour Map shows the influence on the lot of the neighbouring lot's vegetation. A BAL rating of BAL-29 or less aligns with the State Government criteria for supporting development, which is achievable on these lots.

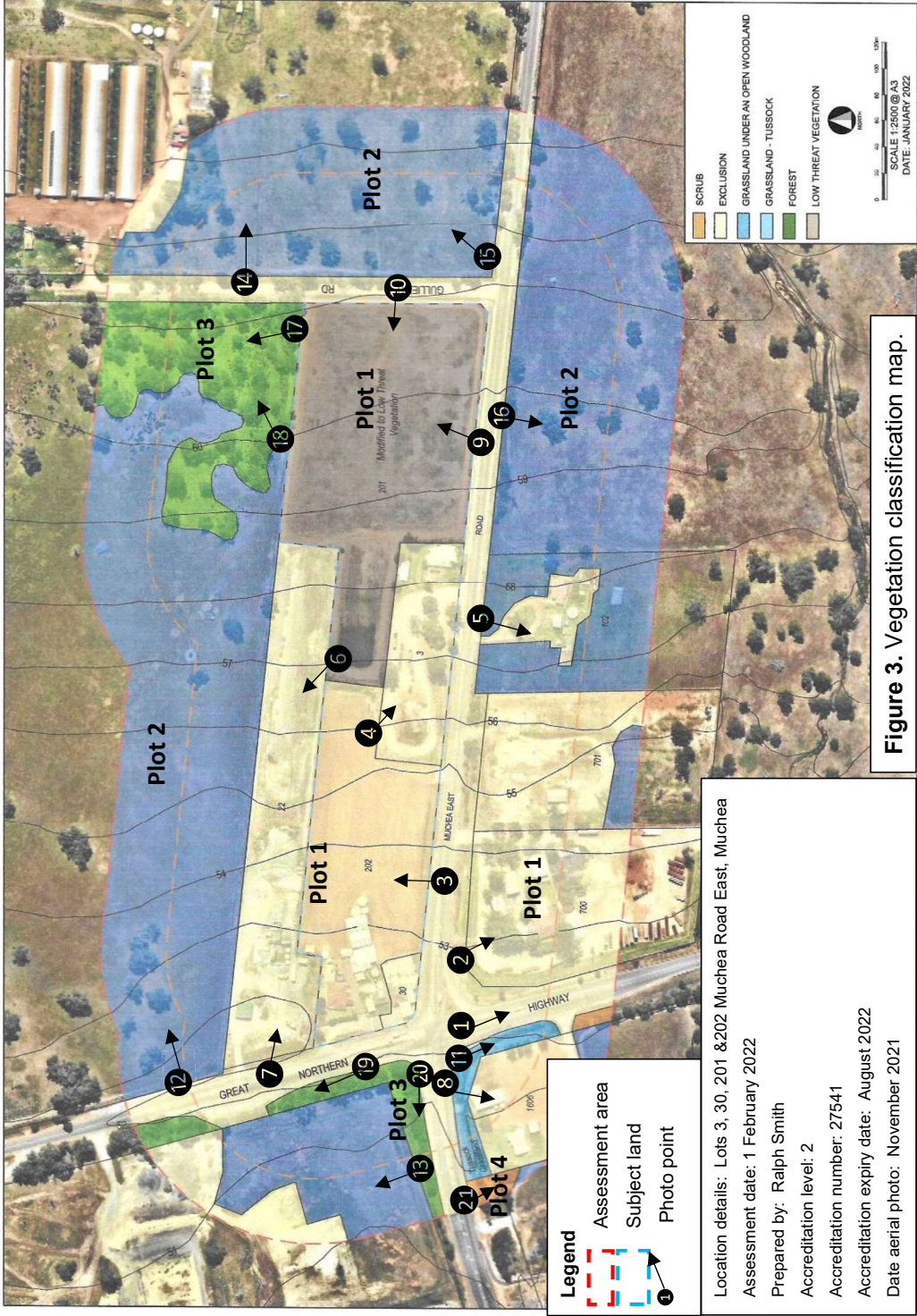
If there are any new dwellings in the future they will need to be constructed to the appropriate BAL rating as shown on the BAL contour plan within the formally declared bushfire prone area.

### Subsection 3.1: Assessment Inputs

The assessment inputs are shown in the forthcoming pages and are supported by a vegetation assessment, photographic evidence and text to support the vegetation assessment and a BAL contour map.

Site Assessment

The assessment of the proposed rezoning was undertaken on 16 November 2021 for the purpose of determining the Bushfire Attack Level in accordance with AS 3959 (Method 1).





## Vegetation Classification

All vegetation within 150 metres of the proposed rezoning as indicated on the site assessment plan was classified in accordance with the Western Australian Government criteria and Clause 2.2.3 of AS 3959 was applied. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below. AS 3959 only requires consideration of 100 metres between vegetation and the building and 50 metres between vegetation and the building for grassland.

### Plot 1

Exclusion – Low threat vegetation and non-vegetated areas.  
Clause 2.2.3.2 (e) and (f).



Photo ID: Photo 1 Looking along the highway.



Photo ID: Photo 2 Looking south at the neighbour's low threat vegetation.



Photo ID: Photo 3 Looking at the cleared and developed land.



Photo ID: Photo 4 Looking at the development site.





**Photo ID: Photo 5** Looking across the grassland at the dwelling and APZ.



**Photo ID: Photo 6** Looking at the cleared land north of the development lots.



**Photo ID: Photo 7** Looking at the lot north of the development lot.



**Photo ID: Photo 8** Looking the lot south-west of the site with the commercial/industrial buildings.



**Photo ID: Photo 9** Looking at the mown grassland on the rezoning lot.



**Photo ID: Photo 10** Looking at the mown grassland on the rezoning lot.



**Plot 2**

Class G – Grassland under an open woodland (AS 3959 classification – G-06)



**Photo ID: Photo11** Looking at the grass vegetation on the neighbouring lot.



**Photo ID: Photo 12** Looking north at the grassland across from the rezoning lot.



**Photo ID: Photo 13** Looking across the grassland west of the rezoning lot.



**Photo ID: Photo 14** Looking at the grassland on the neighbouring property to the east. There are cows in the background.



**Photo ID: Photo 15** Looking at grassland on the neighbour's paddock to the east.

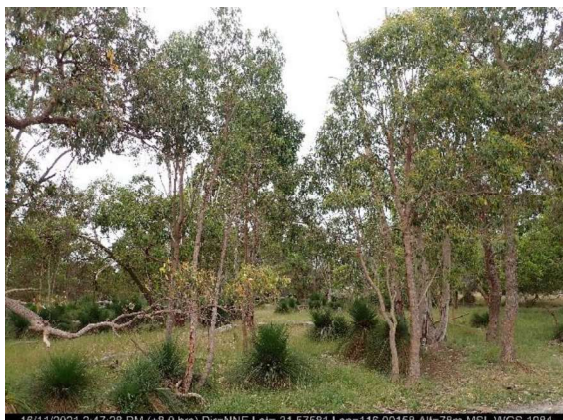


**Photo ID: Photo 16** Looking at the grassland under an open woodland.



**Plot 3**

Class A – Forest (AS 3959 classification – A – 03).



**Photo ID: Photo 17** Looking at forest vegetation on the neighbouring land to the north.



**Photo ID: Photo 18** Looking at the forest vegetation.



**Photo ID: Photo 19** Looking at the forest west of the highway.



**Photo ID: Photo 20** Looking at the forest north of Muchea Road.

**Plot 4**

Class D – Scrub (AS 3959 classification – D – 13).



**Photo ID: Photo 21** Looking at the scrub south of Muchea Road.

## Notes to Accompany Vegetation Classification

### 1. Plot 1

Exclusion – Low threat vegetation and non-vegetated areas

Clause 2.2.3.2 (e) & (f) includes the areas modified to 'low threat vegetation'.

This plot comprises the rezoning lots which are cleared and ready for commercial or industrial development. This plot also includes the road infrastructure, and the neighbouring industrial and commercial developments, gardens, and driveways.

### 2. Plot 2

Class G – Grassland under an open woodland (AS 3959 classification – G–06)

This plot comprises the grassland under an open woodland that is adjacent and across the road on the neighbouring lots. The sparse canopy appears to have been retained as protection for the grazing cattle on the continuous grass surface vegetation.

### 3. Plot 3

Class A – Forest (AS 3959 classification – A – 03).

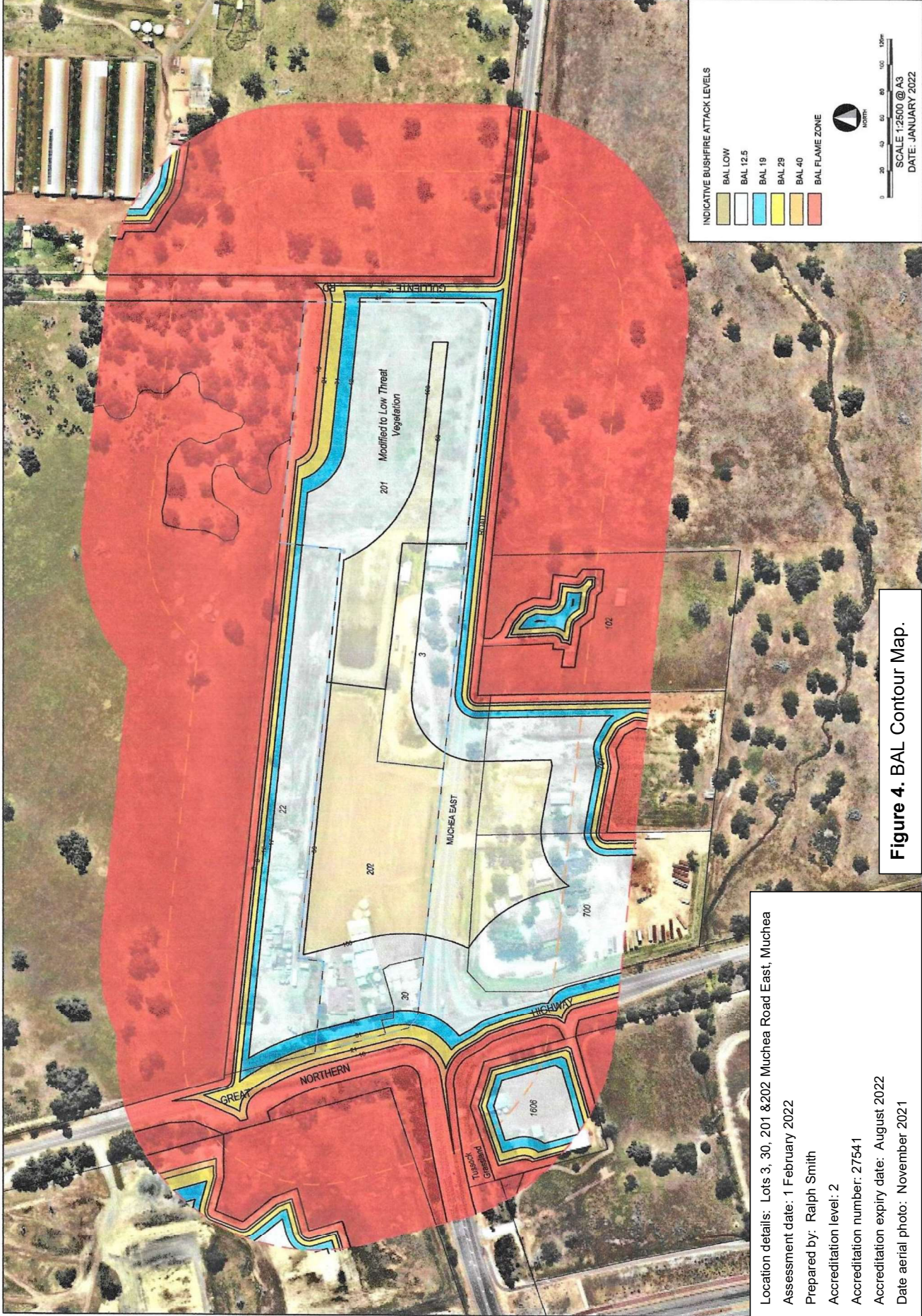
This plot comprises the forest vegetation that is north adjacent to the rezoning lots and west of Great Northern Highway. The portion of the plot adjacent to the rezoning lots is only marginal forest as it appears to have a crown overstorey cover greater than 30%, but this could not be confirmed as the site is private property and fenced. The precautionary principle has been applied to this vegetation classification.

### Plot 4

Class D – Scrub (AS 3959 classification – D – 13).

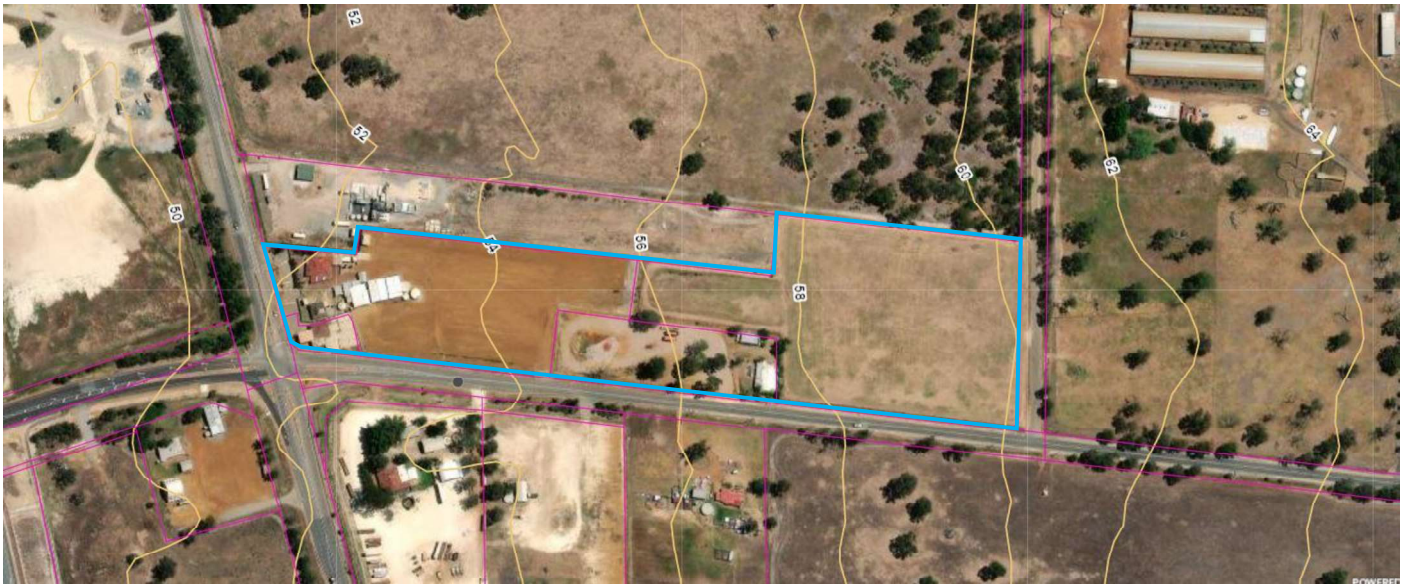
This plot comprises the very small area of scrub vegetation that is west of Great Northern Highway and greater than 100 metres from the rezoning lots.







## Slope



**Figure 5.** Two-metre contour lines.

The slope is a gentle rise from west to east.

**Subsection 3.2: Assessment outputs**

| Plot | Applied Vegetation Classification  | Effective Slope Under the Classified Vegetation (degrees) | Separation Distance to the Classified Vegetation (metres) | BAL Contour |
|------|--|---|---|-------------|
| 1    | Exclusion – Low threat vegetation and non-vegetated areas Clause 2.2.3.2 (e) & (f) | Not applicable  | Not applicable  | LOW         |
| 2    | Class G – Grassland under an open woodland (AS 3959 classification – G–06)         | Level   | 3   | FZ          |
| 3    | Class A – Forest (AS 3959 classification – A – 03).                                | Level   | 3   | FZ          |
| 4    | Class D – Scrub (AS 3959 classification – D – 13).                                 | Level   | 112   | LOW         |

Note: As a consequence of the size of the lots it is possible to place a building at a BAL rating of BAL–29 or less.

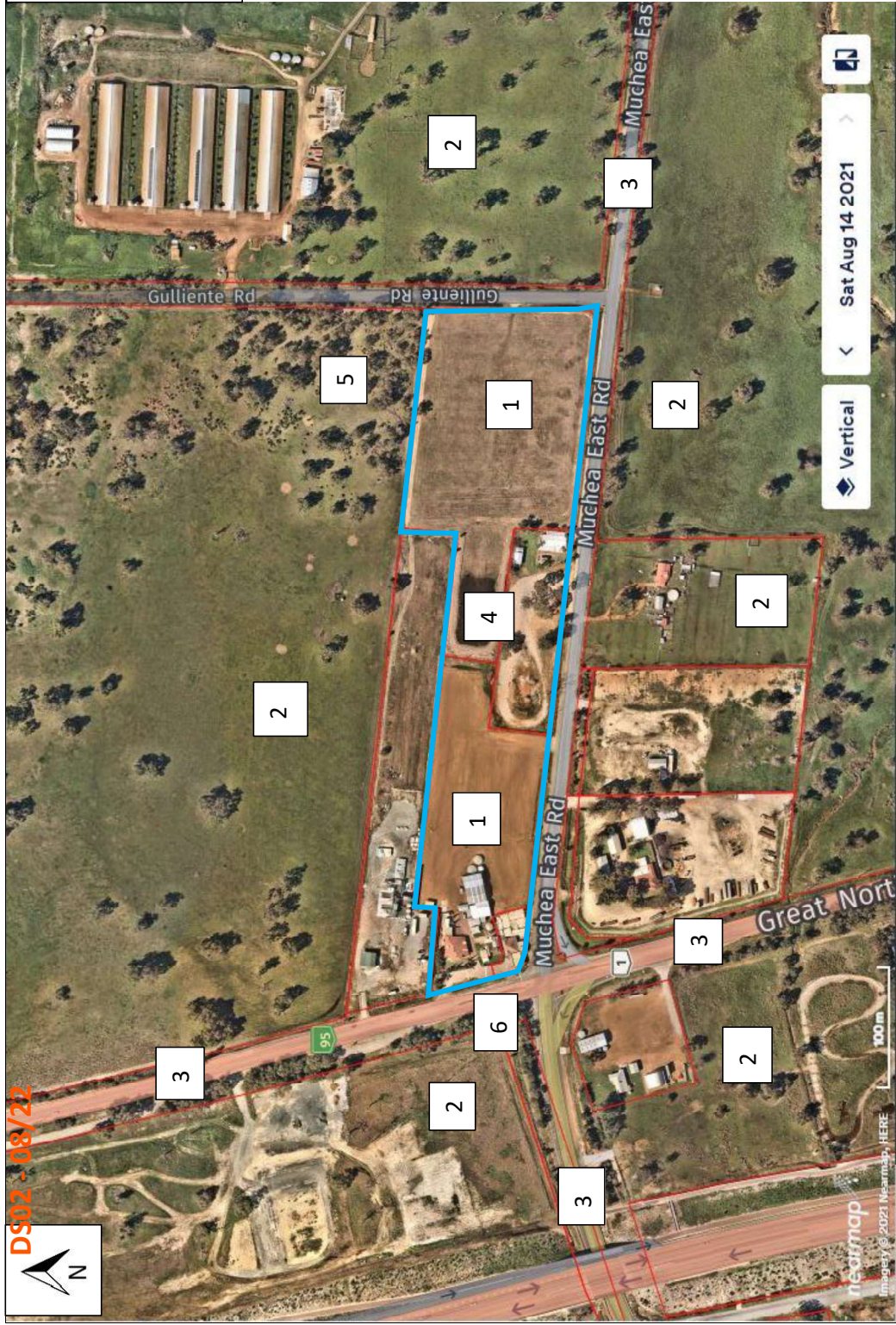
**Section 4: Identification of bushfire hazard issues**

The most significant bushfire hazard is the forest vegetation on the neighbouring lot. The forest north of the rezoning lot has a primarily grass surface vegetation. The grassland area that is grazed is also a significant bushfire threat.

**Section 5: Assessment against the Bushfire Protection Criteria****Subsection 5.1: Compliance Table**

| Bushfire protection criteria | Method of Compliance   |  | Proposed bushfire management strategies  |
|------------------------------|--|--|--|
|                              | Acceptable solutions   |  |  |
| Element 1: Location          | A1.1 Development location  |  | The rezoning will result in the development only permitting buildings restricted to the BAL rating of BAL–29 or less.<br><br>There is no formal requirement for an APZ associated with any buildings within the development. |
|                              | A2.1 Asset Protection Zone (APZ)   |  |  |
| Element 2: Siting and design | A3.1 Two access routes   |  | Muchea Road East and Great Northern Highway provide multiple access options for the proposed rezoning, and link to the substantial bitumen road network.   |
|                              | A3.2 Public road   |  | No new roads will be developed as a component of this rezoning.  |
|                              | A3.3 Cul-de-sac (including a dead-end-road)  |  | No new roads will be developed as a component of this rezoning.  |
|                              | A3.4 Battle-axe  |  | No new roads will be developed as a component of this rezoning.  |
| Element 3: Vehicular Access  | A3.5 Private driveway longer than 50 m.<br>A private driveway is to meet detailed requirements contained within the Guidelines.  |  | It is anticipated that there will not be any driveways longer than 50 m constructed with this development. If there are, they will be compliant with the Guidelines.   |
|                              | A3.6 Emergency access way  |  | Nil will be constructed with this development.   |
|                              | A3.7 Fire service access routes (perimeter roads)  |  | Nil will be constructed with this development. Firebreaks and fuel loads will continue to be maintained in accordance with the Shire's firebreak order.  |
|                              | A3.8 Firebreak width   |  | During establishment, and after rezoning, firebreaks and fuel loads will be maintained so as to comply with the Shire's firebreak and fuel order.  |
| Element 4: Water             | A4.1 Reticulated areas   |  | Not applicable.  |
|                              | A4.2 Non-reticulated areas   |  | The rezoning lots are in an area that does not have reticulated water. The rezoned lots will develop a domestic/commercial and firefighting water supply in accordance with the Shire's requirements.                        |
|                              | A4.3 Individual lots within non-reticulated areas (Only for use if creating 1 additional lot and cannot be applied cumulatively) |  | Not applicable.  |





## REQUIREMENTS

1. The site is not serviced by a reticulated scheme water system and therefore each lot will require a tank for commercial/industrial and firefighting water to the Shire's requirements.
2. This is the principal bushfire hazard vegetation being the grassland vegetation.
3. Principal access roads for access and egress.
4. The rezoning land is all classified as AS 3959 - Exclusion.
5. This forest overstorey has a grass surface vegetation.
6. Forest vegetation with a scrub understorey.

**Figure 6.** Spatial representation of bushfire management strategies.

## Section 6: Responsibilities for Implementation and Management of the Bushfire Measures

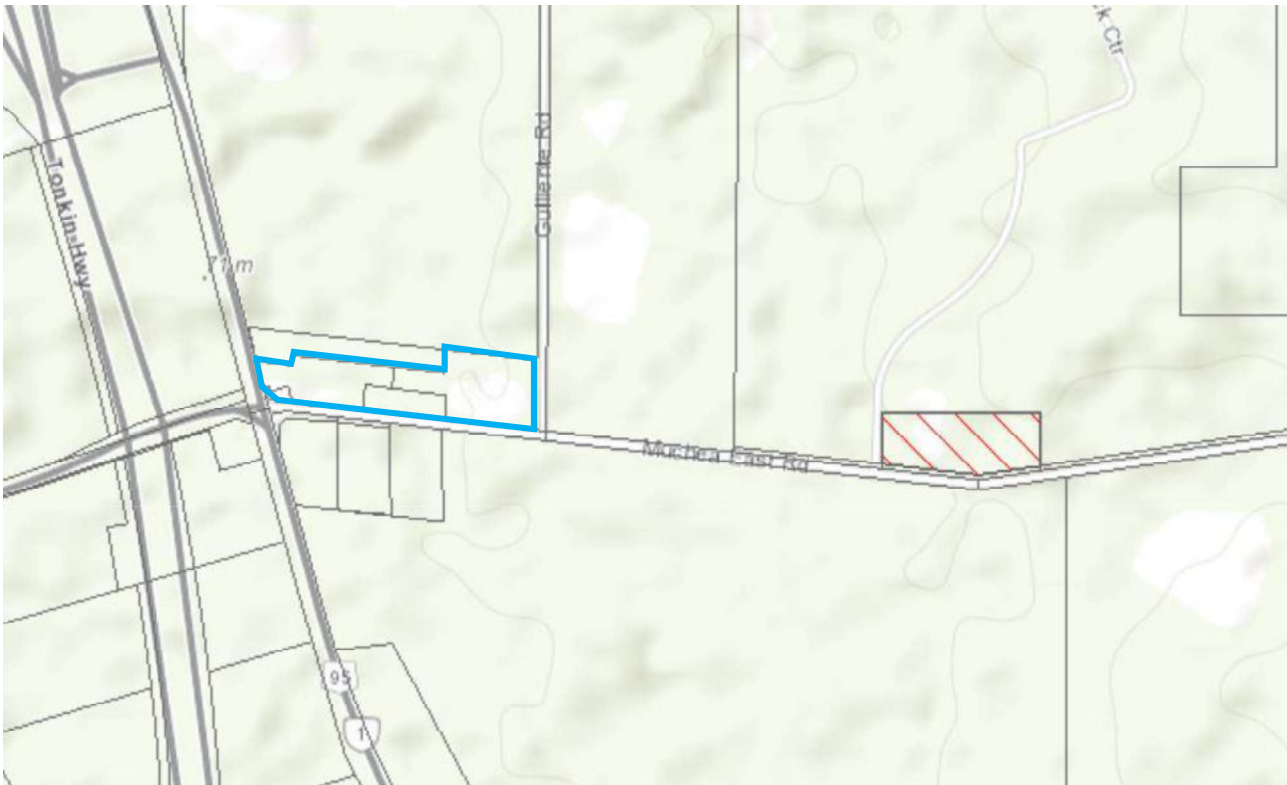
This section is to set out the responsibilities of the developer/s, landowner/s and local government with regards to the initial implementation and ongoing maintenance of the required actions.

| DEVELOPER – PRIOR TO ISSUE OF TITLES |   |                    |
|--------------------------------------|---|--------------------|
| No.                                  | Implementation Action   | Rezoning Clearance |
| 1                                    | <p>A notification pursuant to Section 165 of the <i>Planning and Development Act 2005</i>, is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising the existence of a hazard or other factor.</p> <p>Notice of this notification is to be included in the diagram or plan of survey (deposited plan).</p> <p>The notification is to state as follows:</p> <p><i>“This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land”</i> (Western Australian Planning Commission).</p> |                    |
| 2                                    | Comply with the relevant local government annual firebreak notice issued under s33 of the Bush Fires Act 1954.  |                    |
| 3                                    | Establish and maintain suitable quantities of water to support the development on the lots and firefighting.  |                    |

| LANDOWNER/OCCUPIER – ONGOING |  |
|------------------------------|--|
| No.                          | Management Action  |
| 1                            | Comply with the relevant local government annual firebreak notice issued under s33 of the Bush Fires Act 1954. |
| 2                            | Maintain suitable quantities of water to support the development on the lots and firefighting.                 |
| 3                            | Comply with the ongoing requirements within the BMP.   |

**Appendix 1**

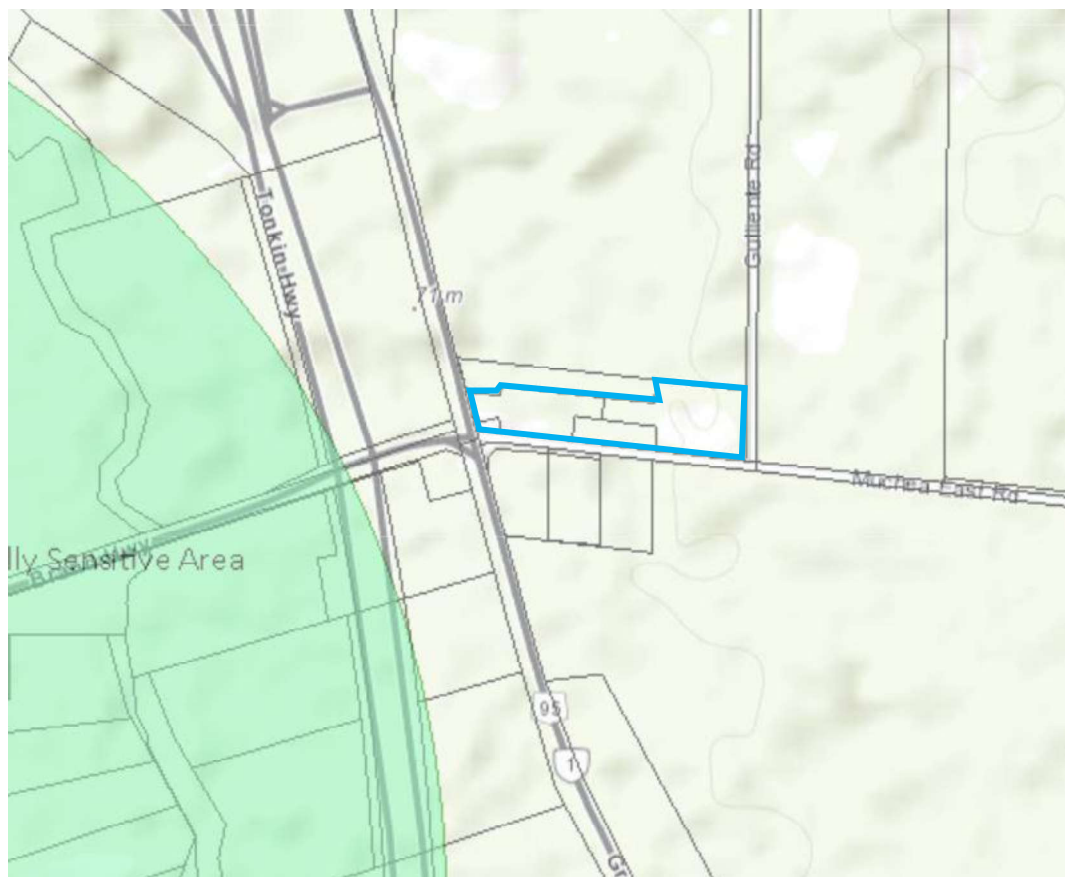
Location of the contaminated site which is east of the rezoning lots.





**Appendix 2**

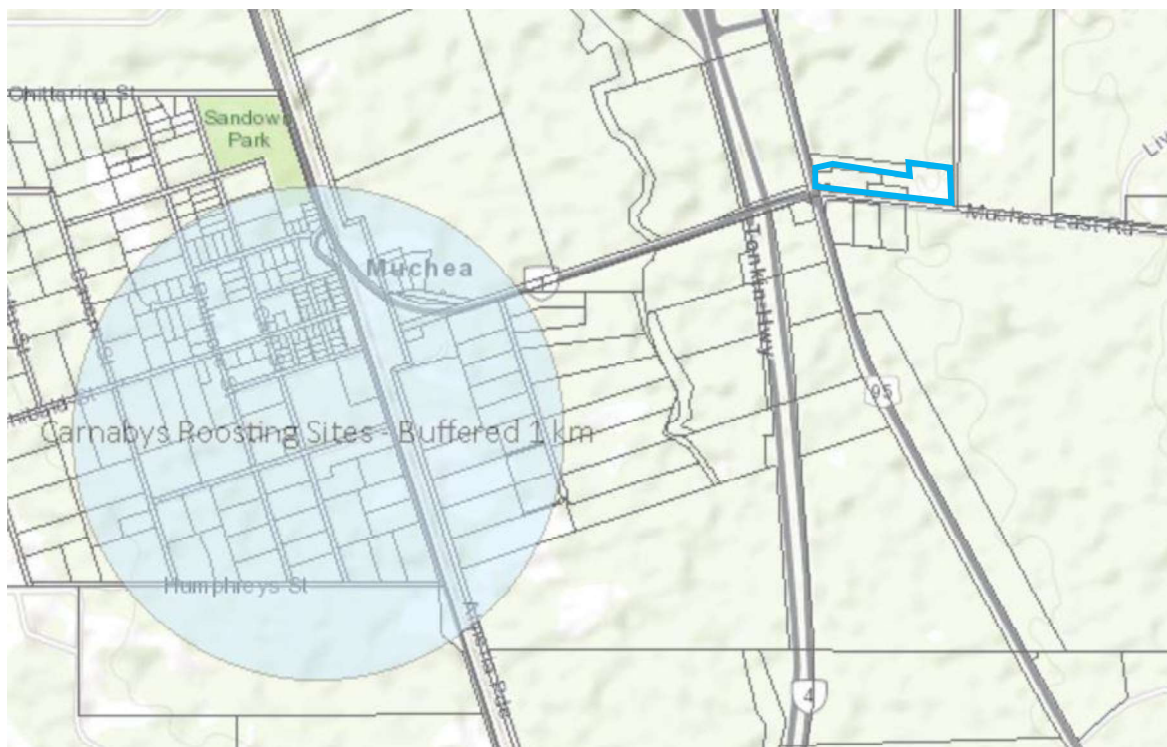
Copy of the Environmentally Sensitive Areas map for the general area and the rezoning lot.





**Appendix 3**

Copy of the Carnaby Cockatoo roosting sites.



## Appendix 4

Extract of the Shire of Chittering Firebreak & Bushfire Hazard Reduction Notice.

### 1. ALL PROPERTIES OF ANY SIZE

- Maintain grassed areas to a height of no more than 50 millimetres by slashing / mowing or grazing by livestock, as far as reasonably practicable.
- You must create an Asset Protection Zone (APZ) by installing and maintaining a 20 metre fuel reduced zone around all buildings or an asset of value. "Fuel reduced" is a reduction in the vegetation so as to reduce the impact of a bushfire on that asset.
- Trees over 5 metres in height within the APZ, must be under pruned to a clearance of 2 metres from the ground.
- Trees and shrubs within 2 metres of the asset, must not exceed 2 metres in height.
- Ensure the roofs, gutters and walls of all buildings on the land are free of flammable matter.
- Properties that have haystacks or fuel storage areas must ensure there is a bare earth firebreak, not less than 5 metres wide, with a 4 metre vertical clearance completely surrounding haystacks and/or fuel storage areas. This requirement is in addition to firebreak requirements inside property boundaries.

Firebreaks may be constructed by one or more of the following methods: ploughing, cultivating, scarifying, raking, burning, chemical spraying or other approved method.

### 2. PROPERTIES 5000M<sup>2</sup> (½ HECTARE) AND LARGER

- Install and/or upgrade firebreaks
- Clear a bare earth firebreak by removing all flammable material. The firebreak should be 3 metres wide, with a 4 metre vertical clearance (trafficable) along the inside of the property boundaries.
- Properties with an area of 120 hectares or more must have a firebreak in such a position which divides the land into areas not exceeding 120 hectares.

If it is impractical for you to clear a firebreak along your boundary, you may request permission from the Shire to install a firebreak in an alternative location, or of a different nature. All requests must be in writing to the Shire and received by 1 October.

### 3. BUSHFIRE AND EMERGENCY MANAGEMENT PLANS

All properties with a Bushfire Management Plan, Emergency Management Plan, or an approved Bushfire Attack Level assessment (BAL), approved as part of a Local Planning Scheme, subdivision approval, development approval or a building permit for an individual, or group of properties, shall comply with the plan in its entirety.

All bushfire management plan requirements are in addition to the requirements of this notice. Compliance is required throughout the year, each and every year.

## References

Australian Building Codes Board, (2019). *Building Code of Australia*. Australian Building Codes Board, Sydney

Shire of Chittering, (2021). *Firebreak & Fuel Hazard Reduction Notice 2021/22*. Retrieved 18 January 2022 from [https://www.chittering.wa.gov.au/Profiles/chittering/Assets/ClientData/Documents/Development\\_Services/Firebreak\\_\\_\\_Bushfire\\_Hazard\\_Reduction\\_Notice\\_2021-22](https://www.chittering.wa.gov.au/Profiles/chittering/Assets/ClientData/Documents/Development_Services/Firebreak___Bushfire_Hazard_Reduction_Notice_2021-22).

Near map from <http://maps.au.nearmap.com/>

Slope percentage to degrees conversion from <https://www.calcunation.com/calculator/slope-percent-conversion.php>

Department of Fire and Emergency Services (DFES), (2020). *Map of Bushfire Prone Areas*. Retrieved 18 January 2022 from <http://www.dfes.wa.gov.au/regulationandcompliance/bushfireproneareas/Pages/default.aspx>

Standards Australia. (2018). *Australian Standard 3959 – Construction of buildings in bushfire-prone areas*. Standards Australia, Sydney, NSW.

Western Australian Planning Commission. (2015). *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*. Western Australian Planning Commission, Perth, WA.

Western Australian Planning Commission. (2017). *Guidelines for Planning in Bushfire Prone Areas*. Western Australian Planning Commission, Perth, WA. December 2017

Environmental and conservation values from <https://espatial.dplh.wa.gov.au/PlanWA/Index.html?viewer=PlanWA>

Contour map from <https://maps.agric.wa.gov.au/nrm-info/>