

DISTRICT PLANNING SCHEME NO.2

AMENDMENT No.16

Shire of



Boyup Brook

SUBJECT LAND

LOT 1 FORREST STREET AND PORTION OF RAILWAY PARADE



Contents

| | |
|--|-----------|
| RESOLUTION | 4 |
| AMENDING TEXT | 6 |
| AMENDING MAP | 7 |
| ADOPTION | 8 |
| SCHEME AMENDMENT REPORT | 9 |
| 1. INTRODUCTION | 9 |
| Figure 1 – Subject Land – Location & Reservation - Parks and Recreation | 9 |
| Figure 2 – Cadastre Boundaries – Subject Land | 10 |
| 2. BACKGROUND | 11 |
| 2.1 <i>Regional context</i> | 11 |
| 2.2 <i>Local Context</i> | 11 |
| Figure 3 – Land Uses | 11 |
| Figure 4 – Residential Housing – Forrest St..... | 11 |
| Figure 5 – Farm Supplies Store - Adjacent | 11 |
| Figure 6 – Abel Park – within 300m | 12 |
| Figure 7 – Sandakan Park – within 600m | 12 |
| 2.3 <i>Existing Use</i> | 12 |
| Figure 8 – Public Uses and Parks and Recreation..... | 12 |
| 2.4 <i>Physical Characteristics</i> | 12 |
| 2.5 <i>Roads</i> | 13 |
| 2.6 <i>Drainage</i> | 13 |
| 2.7 <i>Water Supply</i> | 13 |
| 2.8 <i>Wastewater disposal</i> | 13 |
| 2.9 <i>Power and telecommunications</i> | 13 |
| 2.10 <i>Heritage</i> | 13 |
| Figure 9 – Amendment Site (Thompson Surveying Consultants) | 14 |
| 2.11 <i>Flood</i> | 15 |
| Figure 10 – Flood Plain Area (DOW)..... | 15 |
| 2.12 <i>Fire</i> | 15 |
| Figure 11 – Bushfire Prone Areas (DFES)..... | 15 |
| 3. PLANNING CONTEXT | 16 |
| 3.1 <i>Physical Characteristics</i> | 16 |
| 3.2 <i>Local Context</i> | 16 |
| 3.3 <i>Statutory</i> | 16 |
| Figure 12: Parks and Recreation Reservation..... | 18 |
| Figure 13: Recreation Opportunities..... | 19 |
| Figure 14: Concept for Lot layout – 300m ² (subject to sewer connection)..... | 20 |
| 3.4 <i>Bushfire Hazard Level Assessment</i> | 20 |
| Figure 15: Vegetation within 100m of the external boundary of the subject site | 20 |
| Figure 16: Vegetation Type and Classification- ‘Woodland’ | 21 |
| Figure 17: Contours and Elevation | 21 |
| Figure 18: Extract Table 2.4.3 AS3959 | 22 |
| Figure 19: Mapped Results – Hazard Level Assessment..... | 22 |
| 3.5 <i>Effluent Disposal</i> | 23 |
| Figure 20 – Proposed catchment for STED System, Boyup Townsite (Source: Water Corporation) | 23 |
| 4. CONCLUSION | 24 |
| APPENDIX 1 –CERTIFICATES OF TITLE..... | 25 |
| APPENDIX 2 – MINUTES OF THE MEETING OF COUNCIL, MARCH 2016 | 26 |
| APPENDIX 3 –SCHEME AMENDMENT CHECKLIST..... | 27 |

| Document | Procedure | Date |
|---|--|---------------|
| 1. Council report item | Shire Boyup Brook Council resolution (Commission Form 2A) to prepare Amendment 16. | February 2016 |
| 1. Amendment No 16 Document 2. Council report item | Develop Amendment Document Shire Boyup Brook Council resolution to adopt (Commission Form 2A) Amendment 16. | March 2016 |
| 1. Amendment Document No 16 | Advertise proposed amendment for minimum period of 42 days. | |
| 1. Schedule of Submissions | Consider submissions on amendment. | |
| 1. Amendment Document No 16 | Consider finally supporting amendment with or without modifications. | |
| 1. Amendment Document No 16 | Provide amendment to commission for Minister Endorsement. | |



RESOLUTION

Planning and Development Act 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

District Planning Scheme 2
Amendment No 16

Resolved that the local government pursuant to section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. *Rezoning Lot 1 Forrest Street, Boyup Brook from Parks and Recreation Reserve to Residential R15/R30 and amending the Scheme maps accordingly;*
2. *Rezoning portion of the Railway Parade road reserve, Boyup Brook from Parks and Recreation Reserve to No Zone and amending the Scheme maps accordingly;*
3. *Inserting a new sub clause to 5.1.2 Residential Planning Codes: Variations and Exclusions as follows:*

5.1.2.2 Where a lot has a dual coding of R15/30, the local government may approve residential development at a higher code where development is connected to a Septic Tank Effluent Disposal (STED) scheme and where a Local Development Plan demonstrating appropriate design standards has been approved in accordance with Part 6 of the Deemed Provisions; and

4. *Re-numbering subsequent sub-clauses accordingly.*

The Amendment is a 'Standard' amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- b) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this 17th day of March 2016



Alan Lamb
Chief Executive Officer

MINISTER FOR PLANNING

PROPOSAL TO AMEND A DISTRICT PLANNING SCHEME

| | |
|---|----------------------------|
| LOCAL AUTHORITY: | SHIRE BOYUP BROOK |
| DESCRIPTION OF DISTRICT PLANNING SCHEME: | DISTRICT PLANNING SCHEME 2 |
| TYPE OF SCHEME: | DISTRICT SCHEME |
| SERIAL No. OF AMENDMENT: | AMENDMENT No. 16 |

PROPOSAL:

1. *Rezoning Lot 1 Forrest Street, Boyup Brook from Parks and Recreation Reserve to Residential R15/R30 and amending the Scheme maps accordingly;*
2. *Rezoning portion of the Railway Parade road reserve, Boyup Brook from Parks and Recreation Reserve to No Zone and amending the Scheme maps accordingly;*
3. *Inserting a new sub clause to 5.1.2 Residential Planning Codes: Variations and Exclusions as follows:*

5.1.2.2 Where a lot has a dual coding of R15/30, the local government may approve residential development at a higher code where development is connected to a Septic Tank Effluent Disposal (STED) scheme and where a Local Development Plan demonstrating appropriate design standards has been approved in accordance with Part 6 of the Deemed Provisions; and
4. *Re-numbering subsequent sub-clauses accordingly.*

The Amendment is a 'Standard' amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- b) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

AMENDING TEXT

PLANNING AND DEVELOPMENT ACT 2005
AMENDING TEXT
SHIRE OF BOYUP BROOK
DISTRICT PLANNING SCHEME NO. 2
AMENDMENT NO. 16

Amending text as follows:

Existing text:

- 5.1.2 Residential Planning Codes: Variations and Exclusions
 - 5.1.2.1 Unless otherwise shown on the Scheme Maps, the R15 coding applies within the Residential zone. AMD 15 GG 12/5/15
 - 5.1.2.2 For the development of not more than two grouped dwellings Council may, in a particular case, but only where such dwellings are connected to an approved Aerobic Treatment Unit to the satisfaction of Council, modify the development standards to the R17.5 Residential Planning Code.
 - 5.1.2.3 The minimum number of car parking spaces for each dwelling unit shall be two.

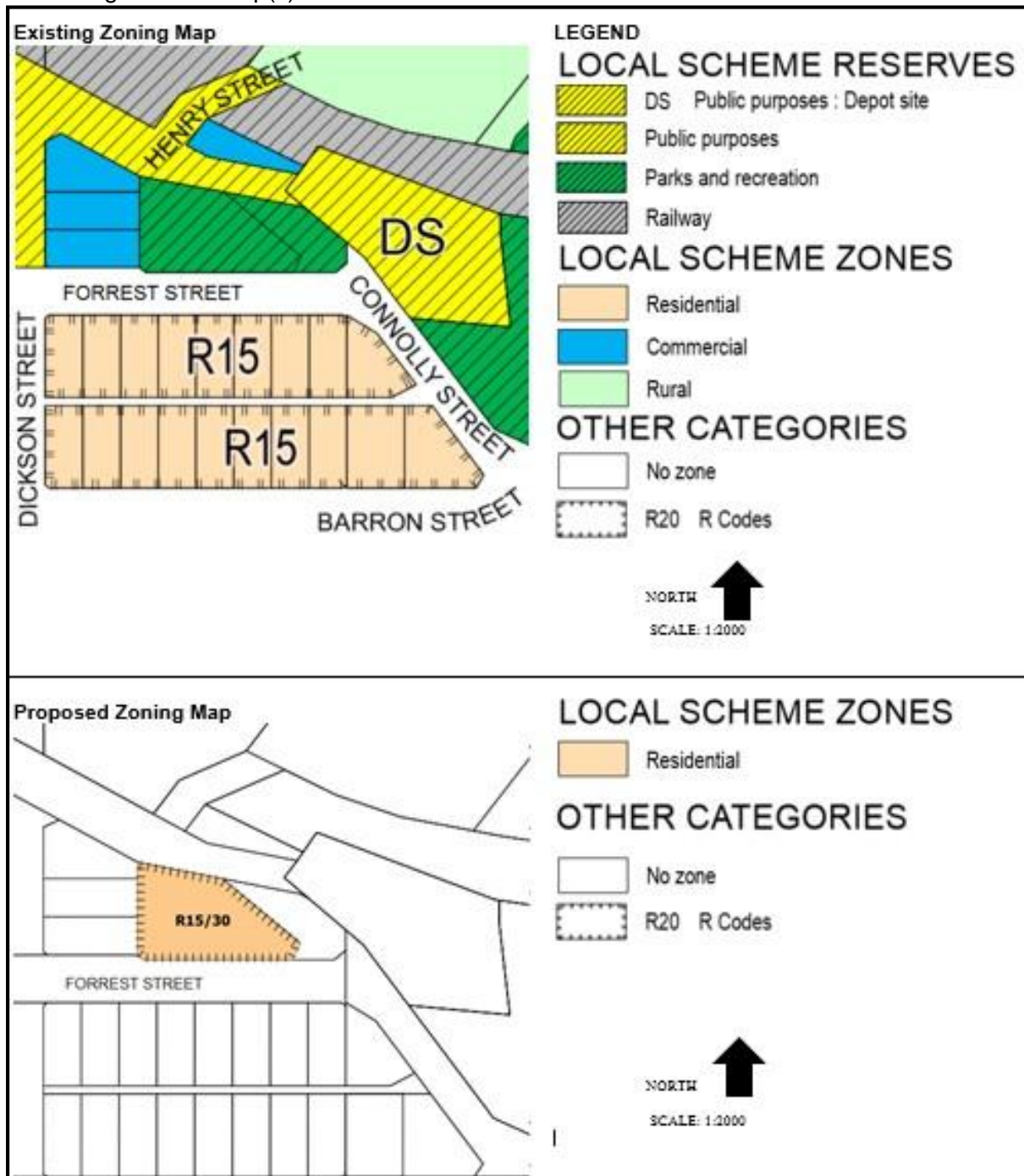
Proposed text and numbering:

- 5.1.2 Residential Planning Codes: Variations and Exclusions
 - 5.1.2.1 Unless otherwise shown on the Scheme Maps, the R15 coding applies within the Residential zone. AMD 15 GG 12/5/15
 - 5.1.2.2 **Where a lot has a dual coding of R15/30, the local government may approve residential development at a higher code where development is connected to a Septic Tank Effluent Disposal (STED) scheme and where a Local Development Plan demonstrating appropriate design standards has been approved in accordance with Part 6 of the Deemed Provisions.**
 - 5.1.2.2 **3** For the development of not more than two grouped dwellings Council may, in a particular case, but only where such dwellings are connected to an approved Aerobic Treatment Unit to the satisfaction of Council, modify the development standards to the R17.5 Residential Planning Code.
 - 5.1.2.3 **4** The minimum number of car parking spaces for each dwelling unit shall be two.

AMENDING MAP

PLANNING AND DEVELOPMENT ACT 2005
AMENDING MAP
SHIRE OF BOYUP BROOK
DISTRICT PLANNING SCHEME NO. 2
AMENDMENT NO. 16

Amending scheme map(s) as follows:



ADOPTION

PLANNING AND DEVELOPMENT ACT 2005
ADOPTION
SHIRE OF BOYUP BROOK
DISTRICT PLANNING SCHEME NO. 2
AMENDMENT NO.16

Adopted by resolution of the Council of the Shire of Boyup Brook at the Ordinary meeting of the Council held on the 17 day of March 2016.



Shire President



Chief Executive Officer

FINAL APPROVAL

Adopted for final approval by resolution of the Shire of Boyup Brook at the Ordinary Meeting of Council held on the **????** day of **???? 201?** and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

Shire President

Chief Executive Officer

Recommended/Submitted for final approval:

Delegated under Section 16 of the Planning and Development Act 2005

Date

Final Approval granted:

Minister of Planning

Date

SCHEME AMENDMENT REPORT

PLANNING AND DEVELOPMENT ACT 2005

SCHEME AMENDMENT REPORT

SHIRE OF BOYUP BROOK

DISTRICT PLANNING SCHEME NO. 2

AMENDMENT NO. 16

1. INTRODUCTION

This amendment document provides planning rationale and requests the approval of the Hon Minister for Planning for the:

1. Rezoning Lot 1 Forrest Street, Boyup Brook from Parks and Recreation Reserve to Residential R15/R30 and amending the Scheme maps accordingly;
2. Rezoning portion of the Railway Parade road reserve, Boyup Brook from Parks and Recreation Reserve to No Zone and amending the Scheme maps accordingly;
3. Inserting a new sub clause to 5.1.2 Residential Planning Codes: Variations and Exclusions as follows:

5.1.2.2 Where a lot has a dual coding of R15/30, the local government may approve residential development at a higher code where development is connected to a Septic Tank Effluent Disposal (STED) scheme and where a Local Development Plan demonstrating appropriate design standards has been approved in accordance with Part 6 of the Deemed Provisions; and

4. Re-numbering subsequent sub-clauses accordingly.

Lot 1 Forrest Street and portion of the Railway Parade (road) are reserved for 'Parks and Recreation' in accordance with the Shire of Boyup Brook *District Planning Scheme 2*.

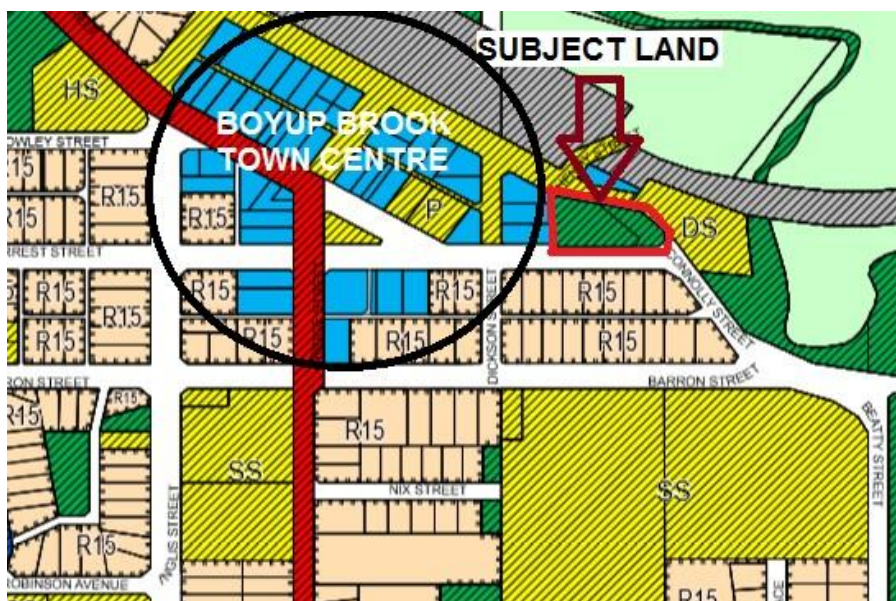


Figure 1 – Subject Land – Location & Reservation - Parks and Recreation

Cadastral details for the subject land is summarised below:

| Lot | Deposited Plan | Volume | Folio | Area |
|--------------------------------|---|--------|-------|--------------------|
| Lot 1 Forrest Street | 37264 | 2660 | 975 | 3785m ² |
| Portion of Railway Parade Road | Original Lot – 281/137A...Area – 1407m ² | | | |

A copy of the current Certificate of Title for Lot 1 Forrest Street is included in Appendix 1.

The registered proprietor of Lot 1 Forrest Street is the Shire of Boyup Brook. The registered proprietor of the subject land encompassing the portion of Railway Parade is Main Roads Western Australia.



Figure 2 – Cadastre Boundaries – Subject Land

Lot 1 Forrest Street and the portion of Railway Parade are not used or needed for the purpose of parks and recreation.

Passive (Abel Park) and active (Bowling Green) recreation facilities are well catered for in close location to the subject land.

What is lacking in the townsite, is housing purpose built to accommodate aged persons. Lot 1 Forrest Street is suitable for housing for the following reasons:

- Lot 1 Forrest Street is flat;
- Lot 1 Forrest Street is owned by the Shire;
- Lot 1 Forrest Street is accessed via two fully developed roads;
- Lot 1 Forrest Street is situated adjacent to residential development; and
- Lot 1 Forrest Street is within walking distance (300m) to shops and recreational facilities.

2. **BACKGROUND**

2.1 **Regional context**

The subject land is located in the Shire of Boyup Brook - Principle Centre, known as the Boyup Brook Townsite. The Boyup Brook Townsite provides a wide range of services and facilities to the residents of the Shire and visitors travelling through the South West Region of Western Australia.

2.2 **Local Context**

The subject land is located approximately 300m from commercial and recreational services including a pharmacy, doctors clinic, general store (IGA), community centre, post office, school, social club with bowling green, Abel Park, swimming pool and nature park.

The subject land directly adjoins residential development, a shire depot and a farm sales equipment store.



Figure 3 – Land Uses



Figure 4 – Residential Housing – Forrest St



Figure 5 – Farm Supplies Store - Adjacent



Figure 6 – Abel Park – within 300m



Figure 7 – Sandakan Park – within 600m

2.3 Existing Use

The portion of the land, known as Lot 1 Forrest Street, has been vacant for 8 years. Previously the land was used as a bowling green. The portion of land known as Railway Parade is developed and used as a local distributor road.

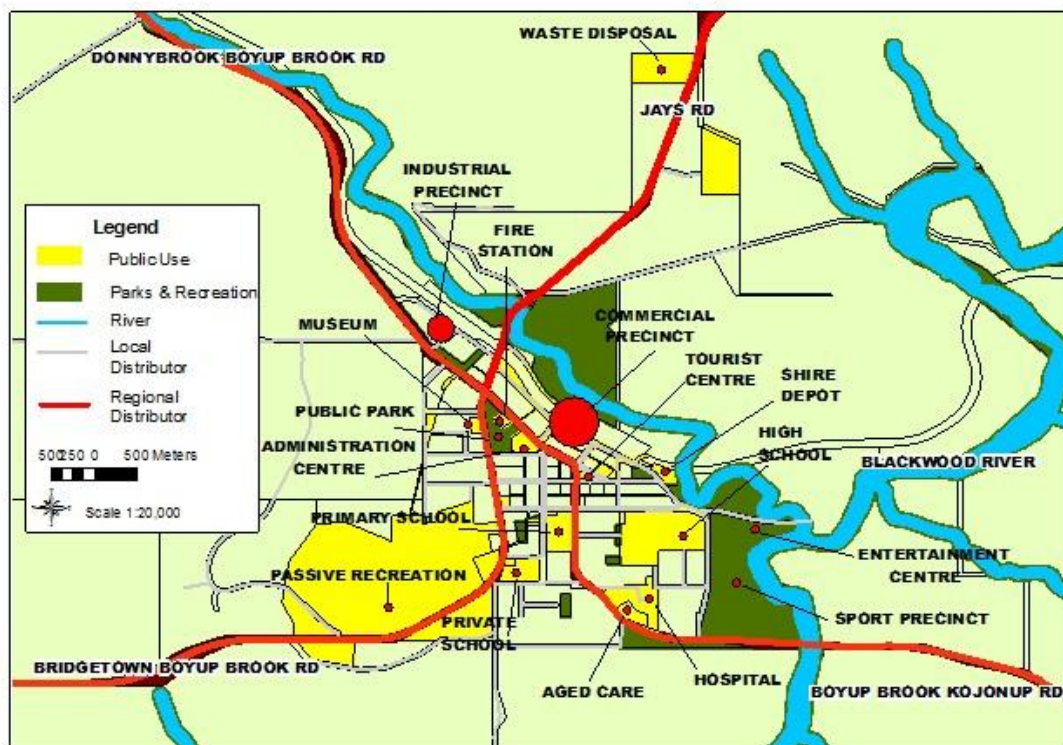


Figure 8 – Public Uses and Parks and Recreation – Boyup Townsite

2.4 Physical Characteristics

The following characteristics apply to the subject land:

- Lot 1 Forrest Street amounts to 3785m²;
- The portion of Railway Parade amounts to 1407m²;
- Lot 1 Forrest Street is 191m above the AHD and the Road is 190m above the AHD;
- A disused shed and shade structure remain on-site at Lot 1 Forrest Street;
- An overhead powerline runs along the southern boundary of Lot 1 Forrest Street;

- An underground reticulated water pipe runs along the western boundary of Lot 1 Forrest St;
- Lot 1 Forrest Street is triangular in shape with roads on two sides and a farm sales equipment store located on the third side (west);
- Lot 1 Forrest Street is cleared of native vegetation (three singular trees remain);
- Surface water discharges to the east;
- The site is not classified as a contaminated site.
- The soil is a sandy loam/clay (Soil Landscape Mapping of South-Western Australia (1987) - Department of Agriculture and Food Western Australia).

2.5 Roads

Vehicle access is via Forrest Street and Railway Parade. Both these roads lead to the centre of town. There are no footpaths adjoining the site.

2.6 Drainage

The site is connected to the Shires stormwater (drainage) network located within the road network.

2.7 Water Supply

The site is connected to the reticulated water system operated by the Water Corporation.

2.8 Wastewater disposal

There is currently no reticulated sewerage in Boyup Brook. Septic tanks with leach drains are the predominant method of effluent disposal.

2.9 Power and telecommunications

Overhead power and telephone services are connected to the site.

2.10 Heritage

The Department of Aboriginal Affairs Aboriginal Heritage Inquiry System shows no known sites of Aboriginal significance on the amendment site.

<http://www.daa.wa.gov.au/heritage/place-search/>

Additionally, the site does not contain any structure or place of heritage significance on the Shire list of heritage places.

Refer to the following Figure 9 for physical characteristics.

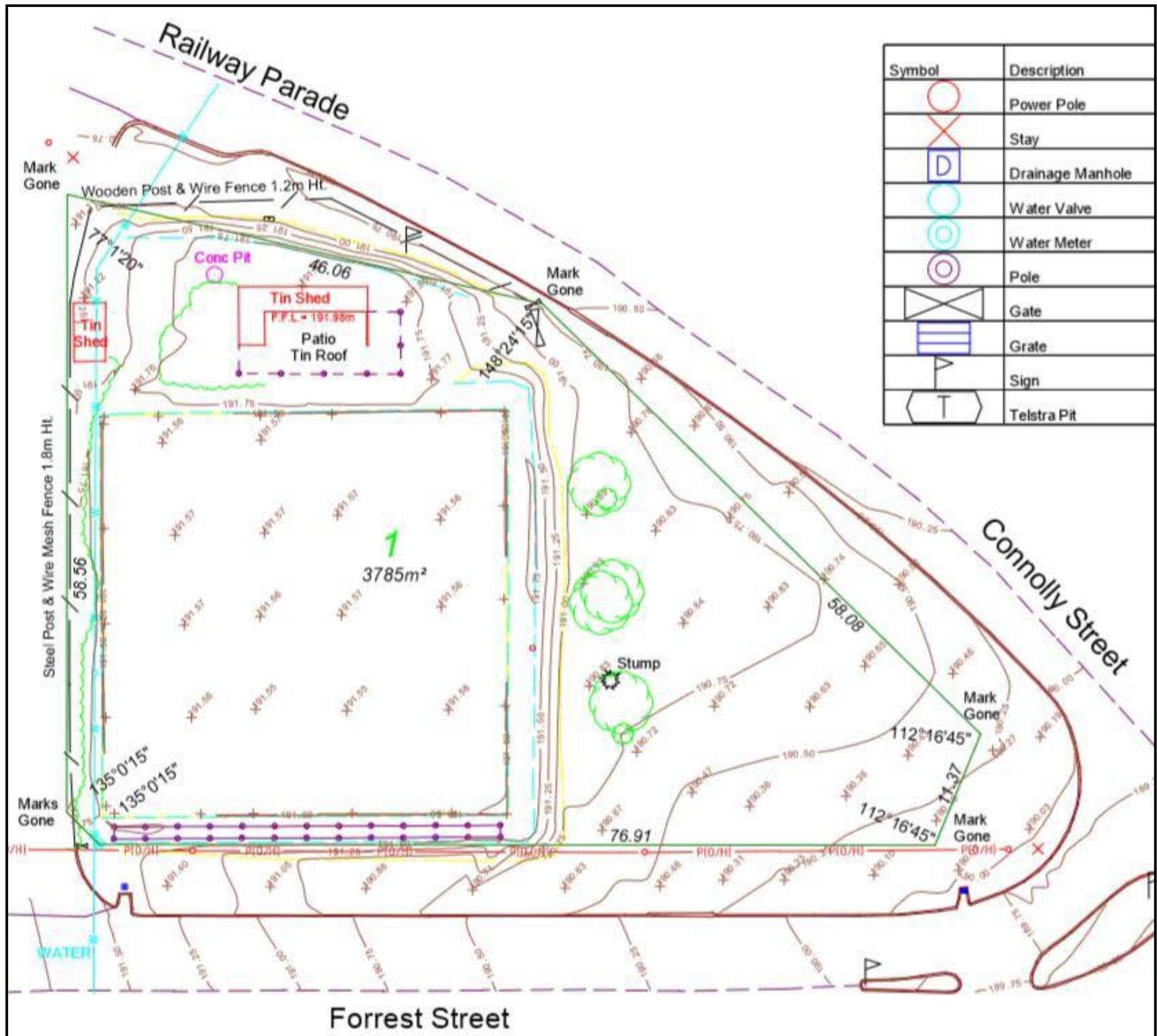


Figure 9 – Amendment Site (Thompson Surveying Consultants)

SERVICES:

| | | | |
|-------|--------|------------|-------------------|
| ELEC. | O/head | ROAD TYPE | Bitumen |
| GAS | No | KERB | Semi-Mountable |
| PHONE | Yes | FOOTPATH | Nil |
| SEWER | No | SOIL | Sandy Loam / Clay |
| WATER | Yes | VEGETATION | Light Grass |

Thompson
surveying consultants

A.C.N. 008 938 903 ABN 59 166 330 334
6/18 Casuarina Drive, Bunbury
PO Box 1719 BUNBURY WA 6231
Ph (08) 9721 4000 Fax (08) 9721 2720
eMail info@thompsons surveying.com.au

2.11 Flood

The subject land is outside of a floodplain area recorded by the Department of Water.



Figure 10 – Flood Plain Area (DOW)

2.12 Fire

Portion of the subject site is within 100m of bushfire-prone vegetation located to the south east.



Figure 11 – Bushfire Prone Areas (DFES)

3. PLANNING CONTEXT

The following section outlines how the proposed Residential zoning suitably addresses the planning framework. In summary, the scheme amendment request is considered consistent with the planning framework.

3.1 Physical Characteristics

The site is physically suited to accommodating residential dwellings for the following reasons:

- The site is flat, meaning extensive earthworks is not necessary to prepare the site for development;
- The site is clear of environmental impediments; - the site is not susceptible to flooding, the site is clear of vegetation and the site is not contaminated.
- The site is connected to utilities including stormwater, sealed roads, power, telecommunications and water.

3.2 Local Context

The site is located within the town centre and within walking distance (300m - 400m) to services including medical, shops and recreation.

3.3 Statutory

State Planning Strategy 2050

The *State Planning Strategy 2050* (SPS) provides an overall strategic planning framework for the State. This strategy seeks to achieve sustainable and prosperous growth and to enable small settlements like Boyup Brook to maintain economic and community land use.

The proposed Amendment seeks to meet principles of the *State Planning Strategy 2050*, including:

- Assisting in the creation of regional wealth; and
- Providing diversity, liveability and connectedness.

State Planning Policy No.1 - State Planning Framework Policy (SPP1)

The SPP1 ensures all state and regional planning documents meet State Planning Strategy principles.

Principles of the SPP1 that the amendment seeks to abide by include:

- Environment:
 - To protect and enhance the key natural and cultural assets; and
 - To deliver a high quality of life which is based on environmentally sustainable principles.
- Community: To respond to social changes and facilitate the creation of vibrant, safe and self-reliant communities.
- Economy: To actively assist in the creation of regional wealth with sustainable development principles.
- Infrastructure: To facilitate strategic development by making provision for efficient and equitable public utilities.
- Regional Development: To assist the development of regional Western Australia by taking account of the special assets and accommodating the individual requirements of the region.

State Planning Policy No. 3 – Urban Growth and Settlement (2006) (SPP3)

This Policy sets out the principles and considerations which apply to urban growth and settlement in Western Australia. The policy promotes a sustainable settlement pattern, supports building on existing communities, and seeks convenient access to employment and services.

The requested scheme amendment is consistent with SPP 3 given the site is conveniently close to services in the town centre and is an extension to existing residential. The site is highly accessible by walking, cycling and car.

Liveable Neighbourhoods 2009; and Draft Liveable Neighbourhoods 2015

Liveable Neighbourhoods is a Western Australian Planning Commission (WAPC) operational policy that guides the structure planning and subdivision for greenfield and large brownfield (urban infill) sites.

The request to amend the classification of the site to enable residential development is considerate of Liveable Neighbourhood principles, such as ensuring:

- Easy access to services such as local shops and parks;
- Development is connected to utilities including stormwater, roads, power and water; and
- Design of the development will be considerate of streetscape amenity and solar efficiency. Prior to development occurring on-site, a Local Development Plan is proposed to ensure liveable principles are met.

State Planning Policy 3.1 - Residential Design Codes (SPP.1)

The SPP3.1 aims to promote sustainability and to facilitate better residential design outcomes throughout Western Australia.

Prior to development occurring on-site, a Local Development Plan is proposed to ensure residential design outcomes are appropriate.

Examples include:

- Designing out crime;
- Suitable car parking;
- Protection of privacy;
- Streetscape appeal;
- Building design to suite the occupants (e.g. aged persons).

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

The intent of this policy is to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.

The risks associated with a potential bushfire have been considered in accordance with the SPP3.7 and associated guidelines.

The amendment document highlights the need for future development to occur in accordance with the *Australian Standard 3959; Construction of buildings in bushfire prone areas*.

District Planning Scheme 2

The subject site is reserved for 'Parks and Recreation'.

The *District Planning Scheme 2* states at Part II-Reserved Land:

2.1.2 Land set aside under this Scheme for the purpose of a reservation is deemed to be reserved for the purpose indicated on the Scheme Map.

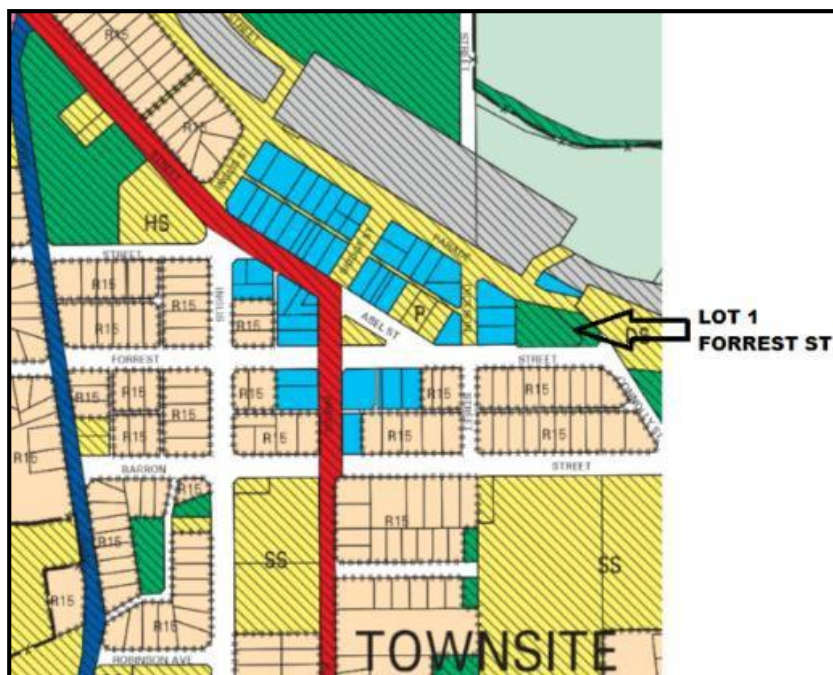


Figure 12: Parks and Recreation Reservation

Clause 3.2.2.1 *Boyup Brook Townsite - Central* states:

Whereas this area contains the town centre and the majority of the older urban development, the following planning policy shall apply:

- (i) The town centre shall be predominantly located within the bounds of, and including those properties fronting Inglis Street, Railway Parade, Dickson Street and Forrest Street.
- (ii) Consolidation and enhancement of the town centre (as defined at paragraph (i) above) shall be promoted and Council shall not generally support proposals for commercial and/or office development within the Shire outside of that area except where it considers such proposals as appropriate within the Urban zone.
- (iii) Residential and commercial development shall be the predominant uses associated with this Policy Area.

Clause 5.1 *RESIDENTIAL ZONE* states:

The Residential Zone is intended primarily for residential development in an environment where high standards of amenity and safety predominate to ensure the health and welfare of the population. All other uses approved within this zone under the provisions of this Scheme shall be compatible with this basic objective.

A proposal to develop dwellings at Lot 1 Forrest Street is not in-keeping with the *District Planning Scheme 2* clause 2.1.2.

The scheme reservation needs to be changed to a zoning that will support dwellings. The 'Residential' zone is the most appropriate. The supply of small lots with dwellings designed to accommodate aged persons is lacking in the Boyup Townsite. A medium density code (R30) enables the development of small lots - subject to connecting to a sewerage scheme.

The subject site is not being used for the purpose indicated on the scheme map.

Other parks (Sandakan Park and Beatty Park) within close proximity to the subject site provide generous recreation services to the surrounding community.

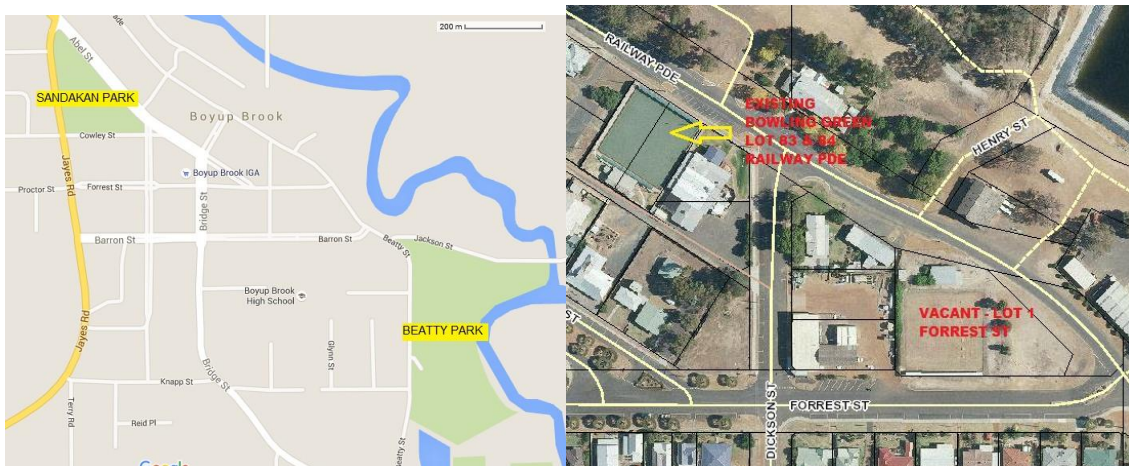


Figure 13: Recreation Opportunities

The Shire's strategic focus (draft Local Planning Strategy) is to concentrate investment towards the larger parks, which can accommodate a range of passive and sporting activities in the one location.

The Shire wishes to undertake the following procedure to achieve dwelling development at Lot 1 Forrest Street:

- Amend the scheme to enable development to be considered;
- Develop a Local Development Plan in accordance with opportunities and constraints of the subject area;
- Grant development approval for grouped housing to accommodate aged persons; and
- Commence development, possibly with the aid of regional funding.



Figure 14: Concept for Lot layout – 300m² (subject to sewer connection)

The scheme amendment request is considered consistent with LPS1 requirements including relating to the objectives of the Residential zone. In particular:

- Residential being the predominant use in the central policy area;
- Residential development located in an environment where high standards of amenity and safety predominate to ensure the health and welfare of the population.

Amending the zoning on Lot 1 Forrest Street will ensure there is a consistent approach to zoning in the area.

3.4 Bushfire Hazard Level Assessment

Portion of the subject land is classified as being in a Bushfire Prone Area.

As indicated by a bushfire hazard level assessment completed for this amendment document, the bushfire hazard level is low-moderate. The proposal to rezone the land to accommodate development is therefore considered 'Acceptable' in accordance with A1.1 *Guidelines for Planning in Bushfire Prone Areas 2015*.



Figure 15: Vegetation within 100m of the external boundary of the subject site

The following Australian Standards 3959 methodology has been used to determine the Bushfire Attack Level for the subject site:

1. Fire Danger Index

- The Fire Danger Index applicable to the subject land is 80 (Table 2.4.3 – AS3959).

2. Bushfire Prone Vegetation

- Having conducted a site visit and applied AS3959, it has been determined that the vegetation within 100m of the boundaries of the subject land is classified as 'Woodland' (Eucalypts 10-30m high with 10-30% foliage cover). The bushfire vegetation is located to the southeast and approximately 50m from the subject land.



Figure 16: Vegetation Type and Classification- 'Woodland'

3. Slope of Land

- The subject land is uphill of bushfire prone vegetation.
- The land between Lot 1 Forrest Street and vegetation varies in height by 6m.
- Using the Table 2.2 in the AS3959, the slope calculates to 4°.

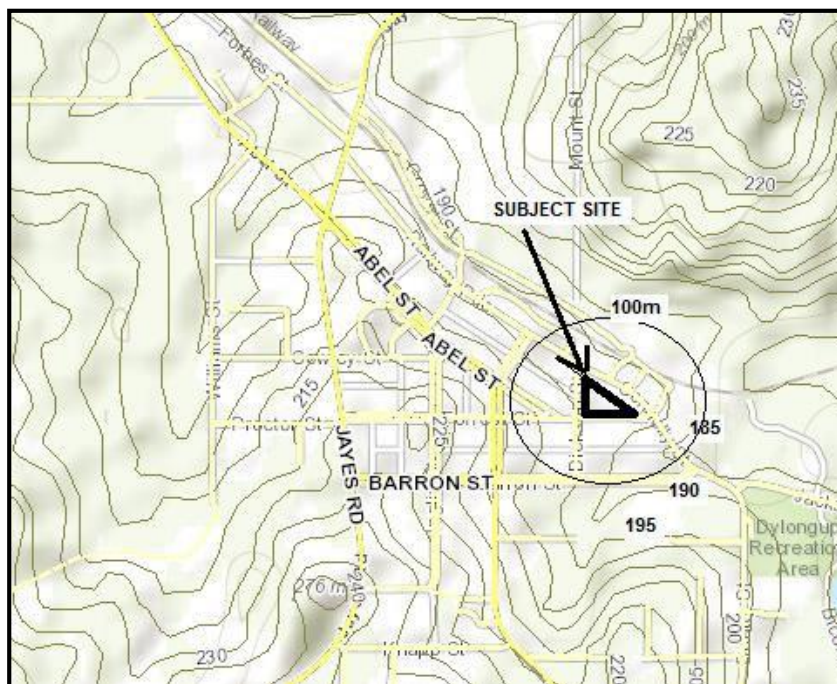


Figure 17: Contours and Elevation

4. Bushfire Attack Level

- Distance (35-<100m), slope (0-5°) and vegetation (Woodland) values were input to the AS3959 model – Table 2.4.3, to determine a Bushfire Attack Level.

TABLE 2.4.3
DETERMINATION OF BUSHFIRE ATTACK LEVEL (BAL)—FDI 80 (1090 K)

| Vegetation classification | Bushfire Attack Levels (BALs) | | | | |
|---------------------------|--|--------|--------|--------|----------|
| | BAL—FZ | BAL—40 | BAL—29 | BAL—19 | BAL—12.5 |
| | Distance (m) of the site from the predominant vegetation class | | | | |
| | All upslopes and flat land (0 degrees) | | | | |
| A. Forest | <16 | 16–<21 | 21–<31 | 31–<42 | 42–<100 |
| B. Woodland | <10 | 10–<14 | 14–<20 | 20–<29 | 29–<100 |
| C. Shrubland | <10 | 10–<13 | 13–<19 | 19–<27 | 27–<100 |
| D. Scrub | <7 | 7–<9 | 9–<13 | 13–<19 | 19–<100 |
| E. Mallee/Mulga | <6 | 6–<8 | 8–<12 | 12–<17 | 17–<100 |
| F. Rainforest | <6 | 6–<9 | 9–<13 | 13–<19 | 19–<100 |
| Downslope >0 to 5 degrees | | | | | |
| A. Forest | <20 | 20–<27 | 27–<37 | 37–<50 | 50–<100 |
| B. Woodland | <13 | 13–<17 | 17–<25 | 25–<35 | 35–<100 |
| C. Shrubland | <11 | 11–<15 | 15–<22 | 22–<31 | 31–<100 |
| D. Scrub | <7 | 7–<10 | 10–<15 | 15–<22 | 22–<100 |
| E. Mallee/Mulga | <7 | 7–<9 | 9–<13 | 13–<20 | 20–<100 |
| F. Rainforest | <8 | 8–<11 | 11–<17 | 17–<24 | 24–<100 |

Figure 18: Extract Table 2.4.3 AS3959

- Using the Table 2.4.3 (FDI80) of the Australian Standards 3959, the portion of land at Lot 1 Forrest Street shown as being bushfire prone (DFES Bushfire Mapping), has a Bushfire Attack Level rating of 12.5. This means that there is the potential for heat exposure and ember attack and that dwellings will need to be constructed to comply with construction standard 3 and 5 as per the Australian Standard 3959: Construction of Buildings in Bushfire Prone Areas.
- The following maps the results:



Figure 19: Mapped Results – Hazard Level Assessment

3.5 Effluent Disposal

The amendment document proposes that Lot 1 Forrest Street has a dual density coding, meaning that the land can be developed at either a low density with standard onsite effluent disposal systems or at a higher density subject to connecting to a sewerage scheme.

The Liberal National Government has committed \$50 million in the 2015-16 State Budget to extend the State's Infill Sewerage Program and Boyup Brook has been earmarked to receive a Septic Tank Effluent Disposal (STED) scheme...refer to <http://www.watercorporation.com.au/about-us/media/media-releases/media-release/extension-of-states-infill-sewerage-program>.

STED schemes are designed to take wastewater that has already been partially treated in household septic tanks through a pipeline system to an evaporation and infiltration disposal pond system.

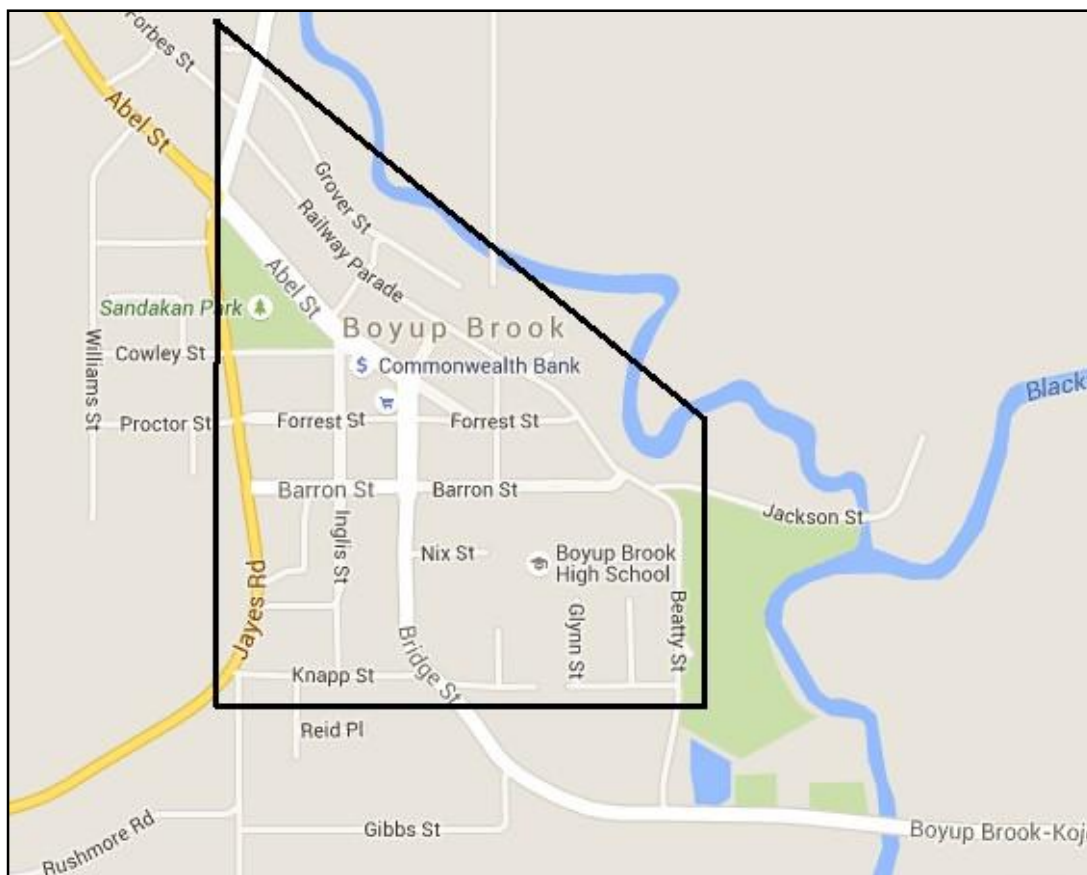


Figure 20 – Proposed catchment for STED System, Boyup Townsite (Source: Water Corporation)

4. CONCLUSION

The proposal is to amend the Shire of Boyup Brook District Planning Scheme 2 in order to enable the development of dwellings, for aged persons, at Lot 1 Forrest Street and to fix the reservation anomaly for a portion of Railway Parade.

Despite the fact that Lot 1 Forrest Street and the portion of Railway Parade are reserved for Parks and Recreation, Lot 1 Forrest Street has been vacant for 8 years and the portion of Railway Parade is being used as a road.

Lot 1 Forrest Street is better suited to accommodating dwellings for the following reasons:

- The site is flat;
- The site is within walking distance to services and other established recreation facilities;
- The site is adjacent to existing dwellings;
- The site is not subject to extreme bushfire hazard or flooding; and
- The site is connected to utilities including sealed roads, power and water.

The portion of Railway Parade land the subject of the amendment is to remain acting as a local distributor for vehicles and is therefore best reserved in the Scheme as 'No Zone'.

The proposed Amendment is justified on the following grounds:

1. The subject land is not used or intended to be used for the dedicated reservation;
2. The proposed residential zone will be appropriately serviced and developed;
3. The supply of housing for aged persons can be improved to accommodate the high demand.

This report confirms that the scheme amendment request is consistent with the planning framework and that Lot 1 Forrest Street Boyup Brook is considered to be both suitable and capable for accommodating residential use. The amendment provides a consistent approach to the zoning in the precinct.

The support of the WAPC and the Hon. Minister for Planning is requested to approve the scheme amendment to transfer Lot 1 Forrest Street Boyup Brook from the reservation of 'Parks and Recreation' to the 'Residential' zone and the portion of Railway Parade from the reservation of 'Parks and Recreation' to the 'No Zone'.

APPENDIX 2 – Minutes of the meeting of Council, March 2016.

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.1

MOVED: Cr Aird

SECONDED: Cr Rear

That Council

Resolves to ADOPT the amendment to the District Planning Scheme 2 in accordance with regulations 35(1) and 35(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, as follows:-

Planning and Development Act 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

*District Planning Scheme 2
Amendment No 16*

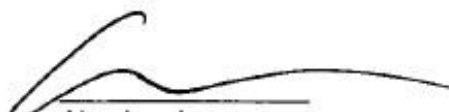
Resolved that the local government pursuant to section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Rezoning Lot 1 Forrest Street, Boyup Brook from Parks and Recreation Reserve to Residential R15/R30 and amending the Scheme maps accordingly;
2. Rezoning portion of the Railway Parade road reserve, Boyup Brook from Parks and Recreation Reserve to No Zone and amending the Scheme maps accordingly;
3. Inserting a new sub clause to 5.1.2 Residential Planning Codes: Variations and Exclusions as follows:
5.1.2.2 Where a lot has a dual coding of R15/30, the local government may approve residential development at a higher code where development is connected to a Septic Tank Effluent Disposal (STED) scheme and where a Local Development Plan demonstrating appropriate design standards has been approved in accordance with Part 6 of the Deemed Provisions; and
4. Re-numbering subsequent sub-clauses accordingly.

The Amendment is a 'Standard' amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- c) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
- d) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this 17th day of March 2016


Alan Lamb
Chief Executive Officer

APPENDIX 3 – Scheme Amendment Checklist.

SCHEME AMENDMENT CHECKLIST LODGEMENT WITH WAPC FOR FINAL DECISION

| | | | |
|-------------------------|--|---|---|
| Local Government | | | |
| Scheme No. | | Amd No: | |
| 1. | Amendment Type | | |
| 1.1 | Basic <input type="checkbox"/> ; or <small>Reg:34; Reg: 35 (2)(a)</small> | Standard <input type="checkbox"/> ; or <small>Reg:34; Reg: 35 (2)(a)</small> | Complex <input type="checkbox"/> <small>Reg:34; Reg: 35 (2)(a)</small> |
| 1.2 | Reason(s) for amendment type: <small>Reg:34; Reg: 35 (2)(b)</small> | | |
| 2. | Amendment Maps | | Yes No |
| 2.1 | Does the amendment propose modifications to the scheme map? | | <input type="checkbox"/> <input type="checkbox"/> |
| 2.2 | If yes: | | |
| | • Does the amendment contain maps depicting both existing and proposed zoning/coding of the relevant area? | | <input type="checkbox"/> <input type="checkbox"/> |
| | • Are the proposed zones and/or reserves consistent with Schedule 3 of the Regulations? | | <input type="checkbox"/> <input type="checkbox"/> |
| | • Does the map contain legend, north point and scale? | | <input type="checkbox"/> <input type="checkbox"/> |
| | • If a region scheme applies, does the map legend separate region and local scheme zones/reserves/designations? | | <input type="checkbox"/> <input type="checkbox"/> |
| | • Are designations such as the R-Codes, Special Control Areas included? | | <input type="checkbox"/> <input type="checkbox"/> |
| 3. | EPA Referral | | Yes No |
| 3.1 | Has the amendment been referred to the EPA prior to advertising? <small>S.81 Planning and Development Act 2005.</small> | | <input type="checkbox"/> <input type="checkbox"/> |
| 3.2 | Has EPA advice has been received and forwarded to the DoP? | | <input type="checkbox"/> <input type="checkbox"/> |
| 4. | Advertising & Consultation | | Yes No |
| 4.2 | Has the standard/complex amendment been advertised in accordance with the <i>Planning and Development (Local Planning Scheme) Regulations</i> . <small>Complex Amd: (Reg:38(2)(a)); Standard Amd: (Reg:47(2)(a)); Complex Amd: (Reg:38(2)(b))</small> | | <input type="checkbox"/> <input type="checkbox"/> |
| 4.3 | Dates advertising took place: | | |
| | From: | To: | Total Days: |
| 4.4 | Agencies consulted during the advertising period | | |
| | Agency | Tick if referred | Response Received |
| | • Department of Aboriginal Affairs | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Department of Agriculture and Food | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Department of Education | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Department of Environment Regulation | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Department of Fire and Emergency Services | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Department of Health | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Heritage Council | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Main Roads Western Australia | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Department of Mines and Petroleum | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Department of Parks and Wildlife | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Public Transport Authority | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|-----------|---|--------------------------|--------------------------|
| | • Tourism WA | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Department of Water | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Water Corporation | <input type="checkbox"/> | <input type="checkbox"/> |
| | • Western Power | <input type="checkbox"/> | <input type="checkbox"/> |
| | Other agencies (as required) | | |
| | • | <input type="checkbox"/> | <input type="checkbox"/> |
| | • | <input type="checkbox"/> | <input type="checkbox"/> |
| | • | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. | Submissions | | Yes No |
| 5.1 | Were submissions received? <i>Complex Amd: (Reg:40(1)(2); Standard Amd: (Reg:49(1)(2)</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.2 | If yes, please attach copies of all submissions <i>Complex Amd: (Reg:44(1)(i); Standard Amd: (Reg:53(1)(i)</i> | | |
| | • Total number of submissions received | | |
| | • The number of submissions of support | | |
| | • The number of submissions of objection | | |
| | • The number of submissions expressing no comment | | |
| 5.3 | Is the Schedule of Submissions attached? NB: Schedule to include names and addresses of submitters). <i>Complex Amd: (Reg:44(1)(a); Standard Amd: (Reg:53(1)(a)</i> Please also email the schedule of submissions in Word format to: schemes@planning.wa.gov.au | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.4 | Is the amendment the subject of re-advertising as a result of proposed modifications? <i>Complex Amd: (Reg:42); Standard Amd: (Reg:51)</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. | Council Resolution | Yes | No |
| 6.1 | Copy of the Council Resolution and Report to Council attached? <i>Complex Amd: (Reg:44(1)(e); Standard Amd: (Reg:53(1)(3); Basic Amd: (Reg:58)</i> Please also email the resolution and report in Word format to: schemes@planning.wa.gov.au | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. | Modifications | Yes | No |
| 7.1 | Are modifications to the Amendment proposed? <i>Complex Amd: (Reg:44(1)(d); Standard Amd: (Reg:53(1)(d)</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7.2 | If yes, is the Schedule of Modifications attached? <i>Complex Amd: (Reg:44(1)(d); Standard Amd: (Reg:53(1)(d)</i> Please email the Schedule of Modifications in Word format to schemes@planning.wa.gov.au | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. | Model and Deemed Provisions compliance | Yes | No |
| 8.1 | Does the amendment propose variation(s) to the model provisions (Schedule 1 of the <i>Planning and Development (Local Planning Scheme Regulations)</i> ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8.2 | Does the amendment propose supplemental provisions to the Deemed Provisions (Schedule 2 of the <i>Planning and Development (Local Planning Scheme Regulations)</i> ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8.3 | If yes to 8.1 or 8.2, is a schedule attached including justification for model provision variations and/or supplemental provisions Please email a copy of the Schedule of in Word format to schemes@planning.wa.gov.au | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. | Administrative | Yes | No |
| 9.1 | Are two bound identical copies of the document attached? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9.2 | Do the documents include an initiation page, report, final adoption, maps and signing clause in correct order? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9.3 | Are the Initiation/adoption and approval pages consistent with Regulations? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9.4 | Are changes to the amendment resolution made only to the adopted amendment resolution, and not initiation page? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9.5 | Are the initiation and adoption/approval pages signed, dated and sealed? | <input type="checkbox"/> | <input type="checkbox"/> |