

SCHEDULE OF SUBMISSIONS

	Agencies & Govt. Departments		
	Name and Address	Summary of Submission	Recommendation / Officer Comment
1.	Department of Planning, Lands and Heritage (Bushfire Team) 140 William St Perth WA 6000	<ol style="list-style-type: none"> 1. Reference to <i>State Planning Policy 3.7 Planning for Bushfire Risk Management (SPP3.7)</i> and <i>Planning for Bushfire Risk Management Guidelines (the Guidelines)</i> should be updated. 2. The paragraph above "Definitions" section is incorrect, correct wording from WAPC Guidelines provided. 3. Definitions should be consistent with those contained in SPP 3.7 and the Guidelines. 4. 'New dwellings and Outbuildings' section - 20, 000 litres for firefighting purposes is not consistent with the water requirements specified in Appendix 4, Element 4 of the Guidelines. 5. Appendix 4 of the Guidelines has revised the requirement for APZ to allow for compliance with a BAL29 setback rather than require a blanket 20m wide minimum. 6. Appendix 4 of the Guidelines removes the requirement to provide a Hazard Separation Zone. 7. The Department of Planning have reviewed the Guidelines again and now have standard templates for bushfire management plans and statements. These should be used. 	<p>Upheld in part</p> <ol style="list-style-type: none"> 1. Correct reference to SPP3.7 and Guidelines to be used throughout. 2. Agreed. 3. Definitions for Bushfire Management Plan, Bushfire Protection Criteria are to be amended. Definitions for driveway, water supply, strategic firebreak and emergency access way are to be consistent with the WAPC Guidelines content. 4. The WAPC Guidelines only require 10,000litres. DFES Guidelines require 20,000litres. 20,000l was chosen for consistency with DFES, adopted Fire Break Notice and part of applying the 'precautionary principle' as required by SPP3.7 as there is a single road in and out.. 5. Given a precautionary approach is advocated for Point Henry a 20m wide APZ is recommended to be retained. A lesser APZ width to the BAL29 standard (where applicable) may be acceptable with the preparation of a full Bushfire Management Plan. 6. LPP18 currently proposes that the balance of the building envelope be maintained as a HSZ. However, this is inconsistent with the Fire Break Order and the WAPC Guidelines will no longer have a definition or reference for a HSZ. This should be removed from the LPP18 requirements. 7. The first parts of the new standard templates require similar information that would apply to all Statements for Point Henry. The Shire of Jerramungup standard template should be adjusted to accord with the new WAPC templates but with the Point Henry common

			information included in the Jerramungup version to ensure consistency and ease of use.
2.	Department of Planning, Lands and Heritage (Planning) 178 Stirling Tce Albany WA 6331	<ol style="list-style-type: none"> 1. Some of the terms used are not defined, the definitions section may be best placed in the 'Provisions' part of the policy. 2. At point 1, the first dot-point is confusing. Perhaps reword to 'emergency management responses' only. 3. More detail should be added to the 'New dwellings and outbuildings section and that this section be merged with 'Planning application and Approvals section. 4. It is suggested a more explicit statement be included in the 'Future Development' section , for example, no additional land will be supported for re-zoning or structure plans in areas where BAL-40 or BAL-FZ applies or where proposal cannot meet the bushfire protection criteria in the Guidelines 5. Recommend removing reference to Lots 112, 113 and 114 as there is no certainty that there would be support for rezoning this land, with the gazettal of SPP 3.7 6. The standards in the Guidelines have changed for Asset Protection Zones (APZ); this should be reflected in the policy. 7. The policy could encourage existing homes not built to AS3959 be retrofitted with improvements. 8. Provide a purpose of the policy upfront - i.e. to implement findings and recommendations of the draft Point Henry Fire Management Strategy. 9. Include a statement as to the relationship between this document and the Shire's Bushfire Risk Management Plan. 10. Include a brief explanation of State Planning Policy 3.7 and Planning and Guidelines for Planning in Bushfire Prone 	<p>Upheld in part</p> <ol style="list-style-type: none"> 1. Not all terms used require defining but clear reference should be made as to where to find further definitions should they be required. 2. Point 1 may be confusing, rewording is required to clarify the intent of this point to be Point Henry specific matters that require consideration when assessing development proposals. 3. Agree. Merge parts 2 & 9 of the draft policy. Add reference to BAL40 & Fz construction being unacceptable. 4. Agree. Change 'tense' of clause to make it clear that future rezoning and structure plans are unlikely as they will struggle to meet the requirements of the Guidelines. 5. Reword point 4 to state that should rezoning of this land be successful then a structure plan will be required over Lots 112, 113 & 114. 6. The latest version of the Guidelines released in August 2017 allows APZ to be the width required to achieve a BAL29 rating. However in applying the precautionary principle to Point Henry retention of a 20m APZ is recommended unless a full Bushfire Management Plan is prepared by an appropriately accredited person. 7. This information would be best placed in the 'Point Henry Development' Information Pack as public information rather than part of a Local Planning Policy where it may be confused with being a requirement. 8. Add a section to the beginning of the policy 'intent of policy'. 9. Place a statement about the Bushfire Risk Management Plan in the 'background' section of the policy and a link. 10. Agree, this is to be placed in the 'background' section of the policy with appropriate links.

		<p>Areas and how they apply.</p> <p>11. Include as an appendix a list of actions/recommendations from draft Point Henry Fire Management Strategy with comment as to actions completed, no longer relevant etc.</p>	<p>11. Agree.</p>
3.	<p>Department of Biodiversity, Conservation and Attractions (Regional and Fire Management Services) 120 Albany Hwy ALBANY WA 6330</p>	<p>1. Generally the Shire is to be commended on proceeding with the development of the Point Henry Strategy, the LPP and its current revision to maintain currency with State Planning Policy 3.7. Generally the policy covers the majority of elements required to improve bushfire risk management for Point Henry however the format, structure and clarity of the current draft policy needs attention.</p> <p>Specific feedback:</p> <p>2. Policy needs a numbering system and/or page numbers</p> <p>3. Reference to bushfire mitigation techniques such as strategic firebreaks, emergency access ways etc within the policy and associated plans and maps to be clear and consistent.</p> <p>4. Change Slashed Hazard Separation Zones" to "strategic fire break" and provide details on maintenance arrangements.</p> <p>5. Remove the 'potential Neighbourhood Safer Place' (NSP) from the Fitzgerald River National Park due to access constraints and consider establishment of another PNSP with better accessibility.</p> <p>6. The 'aspirations' section of the policy confused the relationship between aims, objectives and goals. The structural planning hierarchy of the policy needs review to ensure a clear hierarchy and relation between high level statements down to more specific statements.</p> <p>7. 3rd sentence - "bushfire management plan" is repeated within the sentence.</p> <p>8. In the definitions change the definition of Kwongkan Shrubland to "Kwongkan Shrubland means the Proteaceae Dominated ecological community listed as Endangered under the Environmental Protection Kwongkan and Biodiversity Conservation Act 1999."</p>	<p>Upheld in part</p> <p>1. Acknowledged</p> <p>2. Page numbers and a different numbering system for clauses will be introduced.</p> <p>3. The proposal to rationalise the strategic break system by removing some breaks and upgrading others is not recommended. All breaks should be kept and referred to as either a strategic fire break or an emergency access way in the policy and attached Plan.</p> <p>4. Agree, as per point above</p> <p>5. Access would require major upgrade and needs agreement of DBC&A; NSP to be removed.</p> <p>6. The 'aspirations' section, whilst well intentioned, tends to reiterate elements of the supporting Point Henry Fire Management Strategy and things best addressed through the Bushfire Risk Mitigation Plan. It muddies the Policy and should be removed from this level of planning document.</p> <p>7. Remove repeated term.</p> <p>8. Amend definition to accord with DBCA recommendation</p>

		<p>9. Clarify whether 'Strategic Firebreaks' form part of the Fire Strategy Plan and the LPP.</p> <p>10. Amend the sentence under "Strategy Plan" to reflect the name of the plan in the Plan attached "Point Henry Fire Strategy Plan.</p> <p>11. Provision 1 is confusing and poorly worded; alternate wording suggested.</p> <p>12. Change "Kwongan" to "Kwongkan" in provision 6.</p> <p>13. Change "Department of Environment Parks and Wildlife" to "Department of Water and Environment Regulation in provision 8.</p> <p>14. Comment from DBCA regarding Provision 10 would be limited to potential impacts upon listed threatened flora and fauna.</p> <p>15. Impacts on Kwongkan Shrubland is a Federal Department of Environment matter.</p> <p>16. The use of "Implementation" as a title in the same format as "Provisions" makes it unclear whether items 16 - 22 are provisions or something additional.</p>	<p>9. See point 3 above.</p> <p>10. Agree</p> <p>11. Point 1 may be confusing, rewording is required to clarify the intent of this point to be <i>Point Henry specific matters</i> that require consideration when assessing development proposals. Wording changes to utilise DBCA suggestions.</p> <p>12. Agree</p> <p>13. Need to change to <i>Department of Water and Environmental Regulation</i> now.</p> <p>14. Noted</p> <p>15. The Federal Department of Environment have indicated that they do not consider development applications to warrant referral for Kwongkan Shrubland related issues. This Department only wants to see strategic proposals.</p> <p>16. The 'implementation' section should be removed from the Local Planning Policy as these are matters not related to the Local Planning Scheme but addressed through the BRMP, Fire Break order or general Shire operations.</p> <p>These matters may be removed to an appendix that is a list of actions/recommendations from draft Point Henry Fire Management Strategy with comment alongside as to actions completed, no longer relevant,, etc as suggested in submission 2, point 11.</p>
--	--	---	--

Individuals & Groups			
	Name and Address	Summary of Submission	Recommendation / Officer Comment
4.	Dr Ian Weir School of Design Queensland University of Technology	<p>1. Submission made as a private land owner and as a Standards Australia FP-20 Committee Member on AS3959; a member of the Bushfire Building Council of Australia; and as an expert architect of buildings in bushfire prone areas in WA, Victoria and Tasmania.</p> <p>2. Requests an extension to the advertising period and public information sessions.</p> <p>Strategic Firebreaks</p> <p>3. I am concerned that there is a lack of 'corporate knowledge' within the Shire regarding the initial implementation of the firebreaks and their function before and during bushfire events. The disconnect between the end of firebreaks and the road system is deliberate and only to be 'switched on' with a bulldozer in an event.</p> <p>4. Supports the retention of the two firebreaks as emergency access ways for the following reasons:</p> <ul style="list-style-type: none"> • Satisfy important Bushfire safety objectives of providing <u>secondary escapes</u> for land owners • Have already had their vegetation types modified to support slashing and low fuel loads (it is like grass land now in many areas). • Protect houses from extremely high biomass vegetation to the South: That is, the 100 acre Andrew Gooch property and Lots 1 and 2 Horse Hill Rd have not been burnt in over 20 years. For example, I would not like to be the Broadbent's without their secondary means of escape and firebreak between themselves and the Gooch property. 	<p>Upheld in part</p> <p>1. Noted</p> <p>2. A reasonable number of submissions have been received that appear to inform the revised policy well. Numerous letters are sent to landowners and agencies over the course of a year regarding fire management in Point Henry with ample opportunity for questions. No further consultation is recommended at this point.</p> <p>3. Despite the history of the fire breaks, the lack of connectivity between the road network and the fire breaks has the potential to cause real problems for residents using these as a 'secondary escape' prior to a bull dozer attending an event.</p> <p>It is understood that the entries to firebreaks was to be kept low key as one method of reducing the numbers of motorcycles and quad bikes trespassing onto private property.</p> <p>4. The idea of decommissioning a number of strategic breaks was advertised with the draft LPP so as to seek feedback from landowners potentially affected.</p> <p>All strategic firebreaks are now recommended to be retained with a distinction made between those retained purely as a low fuel buffer (those with poor access, difficult terrain and limited strategic value) and those to be upgraded as emergency access ways over time (which offer safe secondary escape routes).</p>

		<ul style="list-style-type: none"> • Provide the approved 20m vehicle turnaround and secondary escape for Lot 104 Pt Henry Rd • Are very easy to drive down in 4 x 4's • Increases the proposed cellular partitions – sure more cells are better than less cells? <p>Unwritten Bulldozer “policy”:</p> <p>5. Bulldozers are also used to construct firebreaks in an as-needs basis during bushfires and this most often occurs on private land without any approval of the landowners. Examples of this include the 2002 bushfire where a break was constructed in Lot 103 running east-west, and more recently in 2015 south of 171 Point Henry Rd (B&B). The draft policy makes no mention that a key operation ‘policy’ adopted by the Shire is to construct firebreaks when and wherever they are needed. Surely this ‘policy’ needs to be communicated to landowners if it is a fundamental component of the bushfire strategy?</p> <p>Bushfires Act 1954</p> <p>6. There is no mention that the draft policy regarding driveways, water provisions, turnarounds and APZ’s will be enforced using Section 33 of the Bushfire’s Act. The community needs to know that the ‘bushfire notice’ attract fines and costs and are enforceable by law. Using an act of parliament that is intended for farmers in pasture and cropping areas is very poor practice and is in absolute conflict with not only the biophysical qualities of Point Henry (topography and vegetation), but also the original TPS provisions of the subdivision (); the capabilities of the landowners (who unlike farmers do not own the equipment to comply with the Bushfires Act); and the very principle of ‘shared responsibility’.</p>	<p>5. The use of bulldozers to prevent the spread of fires during a bushfire event is an operational matter for the local brigade under powers granted to them under the Bushfire Act 1954.</p> <p>A decision to bulldoze private land is made by the fire captain in charge of an event on an as needs basis and is not a Shire matter. This LPP and related matters concern mitigation practices not response.</p> <p>However, it can be said that bulldozing of land may be reduced over time as the local brigade becomes more familiar with the elements of fire mitigation methods throughout Point Henry including well sign posted emergency access ways and better plans of existing breaks becoming available through the current process.</p> <p>6. The Shire, through LEMC, have already adopted the changes to the Fire Break Notice (FBN) to require that driveways, turnarounds, dedicated water and Asset Protection Zones (APZ) phased in over a 5 year period. This action has been supported by DFES and OBRM and is consistent with legal advice received. It is acknowledged that Point Henry has specific qualities of topography, vegetation and landscape that need to be allowed for through a process of seeking a variation. This process should be clarified in the LPP and a practice note adopted clarifying where variations will be considered. However, it should be noted that whilst the Local Planning Scheme has objectives protection of</p>
--	--	--	--

		<p>Variations & The “precautionary principle”.</p> <p>7. What does the statement in Provision 1 mean? <i>That the “precautionary principle” be applied to the development of the Study Area especially where variations or other reductions to standards are proposed because there is only a Single Access Road to the subject area.</i></p> <p>Does this mean that even though there is a provision #17 for varying a 20m APZ that in practice no variations will be approved?</p> <p>Cost benefit analysis</p> <p>8. It should be noted that all other regularly provisions regarding bushfire risk mitigating pertaining buildings in Australia only come into law through rigorous cost benefit analyses. (The National Construction Code and AS3959 have to be parsed through such as process prior to adoption).</p> <p><u>When will the S of J conduct this Cost Benefit Analysis and when will it be communicated to the affected landowners?</u></p> <p>APZ Requirements</p> <p>9. The requirements here are not best practice regarding Point Henry. They are generic and need modification to better fit the realities of inhabitation on Point Henry.</p> <p>10. Point Henry residents are subjected to high winds on an almost daily basis which are ameliorated by Trees adjacent to buildings. Matures trees not only provide amenity but also bushfire protection, trapping embers and ameliorating the damaging winds associated with bushfires</p>	<p>landscape quality and visual impact there have always been clauses requiring access, APZ and in some areas even compliance with AS3959. These have been poorly enforced in the past, it could be argued that the new clauses within the FBN are bringing these into conformity with the Local Planning Scheme (past & present).</p> <p>7. SPP3.7 requires that the Shire take a precautionary approach to new development on Point Henry as there is only one road in and out, contrary to the requirements of SPP3.7.</p> <p>This would apply to new development and does not preclude variations to the FBN as this is being applied retrospectively to existing development. This should be clarified in the LPP.</p> <p>8. All mitigation measures proposed through the current process improve the protection of life and property whilst balancing this with protection of the environment in a place that was acknowledged by all parties as being highly deficient.</p> <p>The measures have been evolved in consultation with landowners and agencies and accord with adopted policies of DFES and WAPC. A full cost-benefit analysis seems superfluous at this point.</p> <p>9. There is an inconsistency in the draft LPP. Clause 5 requires an APZ to comply with the latest version of SPP3.7 and the Guidelines whilst clause 9(iii) details an older version. This should be rectifies to consistently require compliance with the latest version of SPP3.7 and the Guidelines.</p> <p>10. Development and maintenance of an APZ is important and does not prohibit the retention of mature trees. However, SPP3.7, the Guidelines and AS3959 do not currently formally recognise the shielding benefits of trees. There is no compelling argument to depart from the standard approach to this matter at this time.</p>
--	--	--	--

		<p>Bushfire Risk Assessment</p> <p>11. There is no mention of a risk assessment being conducted. The policy assumes there is a high risk and it incorrectly identifies some vegetation types as 'High' and 'Extreme' hazards. So when will an objective risk assessment be conducted?</p> <p>Applying the Minor Development Principle</p> <p>12. Overall the Draft Policy revision reflects an approach that is best applied to <u>future subdivisions</u> not existing ones. The State Planning Policy 3.7 classifies development on all existing lots as 'Minor Development'. As such, there are greater provisions in SPP for variations and performance based outcomes in existing lots than for development in new subdivisions and rightly so – otherwise it would stall or impeded development, which I believe will be the outcome of this policy.</p> <p>13. I encourage the Shire of Jerramungup to present a case to the OBRM and state legislators that generic state-based approaches to Bushfire Risk Mitigation need to be better tailored to development in existing subdivisions. We simply <u>cannot achieve uniformity</u> on Point Henry without stalling development, contravening the original Town Planning Scheme, locking development in the courts, or in the least being at odds with the day to day realities of living in this particular landscape.</p>	<p>11. The original Point Henry Fire Management Strategy was conducted having regard for AS/NZS ISO 31000-2009 Risk Management – Principles and Guidelines. The draft LPP references and draws on this strategy for context.</p> <p>12. The draft policy does refer to future 'development proposals'. The FBN applies requirements retrospectively to existing development. SPP3.7 defines 'minor development' as: <i>Minor development: Refers to applications in residential built-out areas at a scale which may not require full compliance with the relevant policy measures....</i> (emphasis is my own). The draft LPP seeks to clarify that development proposals in Point Henry will not be refused on the basis that development cannot comply with SPP3.7 but does insist new development make every effort to comply. Lastly, a clear 'variation policy' for the FBN is drafted and before Council for consideration that allows for existing matters of topography, visual amenity, erosion potential, etc to be accounted for in Point Henry when applying the APZ requirements retrospectively.</p> <p>13. The Shire is <u>required</u> by the Planning and Development Act 2005 & associated Regulations to apply SPP3.7 and the Guidelines through the Local Planning Scheme. Uniformity of approach is important for consistency and to achieve some measure of certainty for responders in a fire event. However, the LPP and variation policy to the FBN can apply some regional variations and account for local conditions, which is the point of drafting the current LPP.</p> <p>The draft LPP should be amended to clarify this point.</p>
--	--	---	---

		<p>The National Construction Code (NCC)</p> <p>14. The NCC does not mandate that buildings in Bushfire Prone Areas are to be constructed to AS3959, so this should be omitted from Policy #18 regarding Building Permits. It should just say to be built to the NCC – this is important because often state jurisdictions have state-based variations, plus AS3959 is just one of the ways of meeting the performance requirements.</p> <p>15. The historical intention of the zoning provisions and the guiding strategic documents that applied to Point Henry have an emphasis on vegetation and landscape protection and environmental controls. The current approach will result in wide spread clearing in opposition to the original intent of this development.</p> <p>The reduction of fuels on the ‘balance of titles’ (19)</p> <p>16. This is nothing more than a Wayne Gregson/OBRM thought bubble which is completely impractical and will only raise the risk to an intolerably high level on Point Henry. Landowners will think that the most cost effective way of reducing fuel will be with fire. The difficulties of getting approvals given the ever-shortening safe window period for prescribed burns will only encourage uncontrolled fire to go unextinguished in a timely manner by the local fire agencies. It follows that you cannot have a policy that encourages fuel reduction on the balance of land without significantly increasing the likelihood of loss of life and assets on Point Henry. It should be noted that Gregson’s</p>	<p>14. The construction standard required for buildings is generated through an assessment using AS3959 as the basis. Compliance with AS3959 is the most common ‘acceptable development’ method of complying with construction standards in bushfire prone areas. However, it is acknowledged that there are performance based approaches and discussion of applying AS3959 should be removed and placed in Information Packs rather than in the LPP.</p> <p>15. As stated above, it should be noted that whilst the Local Planning Scheme has objectives protection of landscape quality and visual impact there have always been clauses requiring access, APZ and in some areas even compliance with AS3959. These have been poorly enforced in the past; it could be argued that the new clauses within the FBN are bringing these into conformity with the Local Planning Scheme (past & present). The measures proposed through the draft LPP and already imposed through the FBN are not extreme in nature and seek to achieve a balance between fire and the environment. With clear standards for variations to APZ and other information on managing vegetation communities on the Point now formally drafted and adopted it is unlikely the application of the measures proposed will result in “widespread clearing”.</p> <p>16. This issue was not in response to anything that Wayne Gregson may have raised in the past. It was raised in public consultation sessions by local landowners. It seems to make sense that fuel loads on the balance of a title need addressing once the public land and area immediately around a house have been addressed to improve the safety of the overall area. The clause in the draft LPP should be removed as this issue will be addressed through a different measure and not as a requirement of landowners. It will be conducted in a the spirit of ‘shared responsibility’ using</p>
--	--	---	---

		<p>Concept Paper (2014) noted that landowners would not be indemnified for loss to their 'neighbours' if fuel reduction burning got out of control. So the risk here is all placed on the individual lot owner, so one must ask, if the shire raises the level of risk with this policy and the landowner takes all the responsibility where is the 'Shared Responsibility' Approach be taken. Even if Nathan McQuoid's veg assessment prescribes fuel reduction through mechanical or other means and not fire, surely that the monetary cost of that – in perpetuity – would need to be presented to the community prior to adoption (or rejection) of the policy.</p> <p>Road reserve slashing</p> <p>17. It must be noted that some of the highest fuel load areas on Point Henry are in the thickets of Coastal Tea Tree, and some of the densest thickets are on road reserves and adjacent private property (eg Black Rocks Rd). The Shire cannot have a policy for road reserve slashing that does not require, first and foremost eradication, of the tea tree, because all it will do is increase the actual risk to ratepayers , not lessen it. Again this must be costed one would think.</p> <p>Defend-ability</p> <p>18. Is the 'policy' still to not defend Point Henry in the event of a bushfire? There has been no concurrent explanation of the role of fire-fighting response to Policy#18 – how do that two interlace and 'play out' before, during and after a fire. Without this narrative (eg past and projected scenarios) it is hard, if not impossible, for the public to interpret the efficacy of the policy against key matters that remain only known to the local government. The 'unwritten policy' of bulldozing firebreaks on an 'as needed' basis during fires on Point Henry is a case in point</p>	<p>the approach formulated by the "Vegetation Behaviour and Management at Bremer Bay and Point Henry"; a study prepared for the Shire by Nathan McQuoid and Gary McMahon that is the result of a very specific, localised study.</p> <p>Best practice measures will be promoted where people can be shown how to manage a specific community without fire, with a result of manipulating the local environment and retaining biodiversity.</p> <p>17. The Shire is working on adopting a standard for roadside slashing in Point Henry that will include removal of Victorian tea tree in an acceptable manner.</p> <p>Removal from private property is a separate project but is intended on being approached through the recommendations of the Vegetation Behaviour and Management at Bremer Bay and Point Henry and separate projects run by FBG.</p> <p>18. There is no policy not to defend Point Henry in the case of a bushfire. This thought came from a statement by DPAW senior staff that labelled Point Henry as 'undefensible' when an assessment was made during a substantial fire north of Bremer Bay in December 2012 that threatened the town. Since this time the Shire has made major efforts to improve the situation in both improving mitigations strategies and improving knowledge of Point Henry with responders.</p> <p>The submission appears to confuse the current LPP which proposes mitigation measures, with operational firefighting policies that lie with brigades, DFES and DPAW approaches to firefighting. What the Point Henry Fire Management Strategy, the draft LPP and</p>
--	--	--	---

			<p>the preparation of the BRMP has done to improve knowledge of Point Henry for the brigade, provide confidence that there will be safer circumstances for responders in an event, added water resources and emergency access ways to improve the legibility of the area. All of this makes it much more likely that responders will respond to an emergency in Point Henry in a more efficient manner but this will always be in a safe manner consistent with their own policies that highlight the safety of firefighters as well.</p>
5.	<p>Gavin Mair Lot 124 Wellstead Road Bremer Bay</p>	<p>Support for two items in particular :</p> <ol style="list-style-type: none"> 1. Extension of Wellstead road through to the south portion and link at Black Rocks Road. 2. Much improved verge slashing - Black Rocks Road and Wellstead Road South are the two I have noticed as overthrowing at a rapid rate. 	<p>Noted</p> <ol style="list-style-type: none"> 1. The Shire has always waited on the development of Lot 400 Wellstead Road before pursuing the completion of this road link. However, the WAPC have been refusing subdivisions similar to that proposed in the past at Lot 400 and therefore private developer funding of this link is in doubt. The Shire will investigate the completion of this link including negotiating with Western Power for the removal of a power pole that currently stands in the way. 2. Slashing of Black Rocks Road and Wellstead Road South has now been completed.
6.	<p>Gerard Siero 5a Teague Street Burswood & Landowner at Short Beach, Bremer Bay</p>	<p>I am sending these comments as both an architect and research scholar in ecological, landscape urbanism and architecture with interest and experience in ecological planning and architecture design in Australian Bushfire landscapes. I also write in support of the submission of my colleague and neighbour, Dr Ian Wier.</p> <ol style="list-style-type: none"> 1. A prime driver for many people who have invested substantially in Bremer Bay, especially Point Henry, is living within a pristine, biodiverse, natural landscape, neighbouring the Fitzgerald National Park and forming part of the Fitzgerald Biosphere, part of one of the globe's major Biodiversity Hot Spots under the UN Biodiversity Treaty of which Australia is a signatory. The Federal Government has adopted the 	<p>Noted</p> <ol style="list-style-type: none"> 1. It is acknowledged that many people who buy land at Point Henry do so because of the landscape values and biodiversity. The draft LPP only reiterates the requirements of the WAPC SPP3.7 and Guidelines and the Shire is required by the Planning and Development Act 2005 to implement these requirements.

		<p>Biodiversity Conservation Act and it is my view and that of Dr Ann Smithson of Smithson Environmental, that the kind of mandation of BAL 29 and clearing around structures that is implied in the SoJ policy will be in contravention of that Federal Act. As you may be aware, federal acts and national treaties out rank local and state laws.</p> <p>2. There is no practical impediment to the design of fire resistant buildings in Flame Zone bushfire landscapes. There is therefore, zero necessity for SoJ to mandate regulations enforcing clearing of habitat around buildings in bushfire landscapes.</p> <p>3. In any case, there is ample evidence, as per Dr Weir's various submissions and writings, that clearing offers little to no protection from structural fires during bushfire events. Buildings burn from structural fires, NOT bushfires.</p> <p>4. As landscapes evolve over time and vegetation regrows, the only response is to build all houses to flame-zone standard.</p>	<p>The draft LPP seeks to acknowledge the local factors of topography, landscape and environmental attributes that make Point Henry special and provide for some regional variation in applying the state policies and guidelines.</p> <p>The intention of the international Biosphere program is show how people and the environment can co-exist in a sustainable fashion so to say that the current suite of bushfire mitigation may contravene obligations under a Federal Act may be exaggerated.</p> <p>2. It is not recommended to pursue an approach that would effectively require people to build at considerable cost to a 'flame-zone' standard, contrary to the entire state bushfire management framework.</p> <p>3. There are various studies that substantiate that an effective APZ reduces the likelihood of a house burning down in a bushfire event. The state government, in a collaborative approach through the WAPC, Building Commission and DFES, require the establishment of an APZ.</p> <p>AS3959, an Australian Standard for construction of standards in bushfire prone areas makes the statement in the foreword that <i>"Improving the design and construction of buildings to minimize the damage from the effects of bushfire is one of several measures available to property owners and occupiers to address damage during bushfire. Property owners should be aware that this Standard is part of a process that aims to lessen the risk of damage to buildings occurring in the event of the onslaught of bushfire. Other measures of mitigating damage from bushfire fall within the areas of planning, subdivision, siting, landscaping and maintenance."</i></p> <p>4. Planning approvals and the application of the FBN that is consistent with the requirements of the current planning requirements create a situation where it is possible to police the maintenance of low fuel areas</p>
--	--	--	---

		<p>5. I object to the use of the Bushfire Act to apply in ways that were never intended or foreseen when it was drafted - which seems unjust at best, if not highly irregular. It would seem that the Shire may be being used by the Office of Bushfire Risk Management to trial roll-out of policies that are unsupported by science and which are likely to meet with substantial objections on similar ecological and biodiversity grounds to those I have outlined above, once they become known.</p> <p>6. I am also concerned about the decommissioning of strategic firebreaks on Point Henry Peninsula, though I do support the use of roads. Along roads, excessive verge clearing ought be avoided, especially in areas where roadside vegetation forms important remnant patches and linkages, important for biodiversity conservation.</p>	<p>around houses in perpetuity. Therefore building to a standard that responds to the low fuel area size and the surrounding topography is possible without going to the extreme of requiring Flame Zone construction.</p> <p>5. Refer response 6 to submission 4.</p> <p>6. Noted. Refer to response 4 to submission 4. Roadside clearing standards have been prepared and are proposed for formal adoption at this Council meeting.</p>
7	Helen Robertson Lot 19 Point Henry Road, Bremer Bay	1. Opposes proposal to remove strategic break from bottom of Lot 19 as it is required to support their own personal fire planning and it is easily accessible offering an alternate escape route to Banky Beach.	Upheld, refer to response 4 to submission 4.
8	D & J Varris 40 Pt Gordon Road Bremer Bay	<p>1. Supportive of removing certain strategic breaks.</p> <p>2. Seek consideration of an amendment to the FBN with respect to the 20m APZ as it would apply to their existing house.</p> <p>3. Seek a variation to the turnaround requirement as it may be problematic to provide it given their specific circumstances.</p> <p>4. Finally, in aspiration (vi) are you able to give any information as to the form that these communications would take?</p>	<p>1. As discussed above the strategic breaks are now proposed to be retained but reclassified as to the role they will play in a fire event.</p> <p>2. A 'variation policy' describing the circumstances that variations to the 20m APZ will be considered is proposed as part of this Council agenda item.</p> <p>3. Since the writing of this submission a variation has been granted to D&J Varris for the requirement to provide a turnaround based on their specific circumstances.</p> <p>4. This report recommends removing the 'aspirations' section of the draft LPP. However, existing communications systems include:</p>

			<ul style="list-style-type: none"> • 'Phone tree' established through the Bushfire Ready Group; and • Shire and DFES emergency advice though text messaging. <p>In the future the Shire may consider siren systems and additional warning signs as examples of improvements to communication systems.</p>
9	Nigel Oakey Lot 83 Black Rocks Road Bremer Bay	<p>1. Supports the removal of the strategic fire break from Lot 83 Black Rocks Road as it has been established in a position contrary to that shown on the Subdivision Guide Plan for the area.</p> <p>Failing that supports a realignment of the strategic break as previously discussed with staff.</p>	<p>1. As discussed above the strategic breaks are now proposed to be retained but reclassified as to the role they will play in a fire event. The alternative alignment will continue to be negotiated at officer level.</p>
10	Simon McQuoid & Abigail Crisp Lot 19 Ridgeway Drive Bremer Bay	<p>1. I would like to firstly concur with Ian Weir on his recent submission, but I add a few specific notes of our own below.</p> <p>2. Feel that the firebreak on the adjoining property should be retained as it is critical for access for Lot 19 and surrounds.</p>	<p>1. Noted</p> <p>2. Upheld. Refer to response 4 to submission 4.</p>
11.	Nathan McQuoid 20 Short Beach Road Bremer Bay	<p>1. The issues and implications around the draft LPP are considerable, complex and potentially expensive and further public consultation is warranted.</p> <p>2. Notwithstanding the need for further consultation a revise LPP with track changes was provided.</p> <p>3. All strategic breaks should be kept and upgraded where needed. Removal of breaks would be a significant departure from the original agreement. These breaks are important for the following reasons:</p> <ul style="list-style-type: none"> • They provide a reasonably comprehensive set of locations from which to conduct fire suppression operations; more is better than less; • Some breaks may have road access issues but these could be solved easily with bollards to prevent 'recreational access'; • The breaks are a success, mostly settling nicely into low vegetation conformity as selected by the mowing regime, which is simple and efficient to maintain; 	<p>1. Noted, refer to response 2 to submission 4.</p> <p>2. The suggested changes are supported and are included in the revised version of LPP 18 where the clause referred to has been retained.</p> <p>3. Upheld. Refer to response 4 to submission 4.</p>

		<ul style="list-style-type: none"> • Many serve as role models for achieving and maintaining low fuel ground protection whilst maintaining amenity values; • They are a uniform approach which assists with a standardised approach and are better than individual approaches that may be taken if implemented by individual landowners; • Ideally they reduce the need for bulldozer impacts and mineral earth fire breaks in areas prone to erosion; • Removal and decommissioning could be seen as an abrogation of the Shire's responsibility, and cost shifting to ratepayers. <p>4. Support and endorsement of Ian Weir's submission and encouragement for involving Ian in future revisions and consultation processes.</p>	<p>4. Noted and where possible the Shire does discuss these matters beforehand with local experts in their fields.</p>
--	--	--	--