

LOCAL PLANNING POLICY 27 – WAROONA EAST HILLS DEVELOPMENT

1. Background

The Shire of Waroona Local Planning Strategy provides broad direction for development in the Shire and the Policy area. The purpose of the policy is to provide more detailed policy direction for the Waroona East Hills development area.

Increased development pressure in the Waroona Hills has resulted in the need for greater guidance and coordination in order to preserve the amenity of both the policy area and the wider surrounding area potentially affected by the policy area.

In order to maintain the existing visual amenity of the Darling Scarp as viewed from the western coastal plain, design and location requirements for future development are needed. These requirements are also intended to facilitate the development of the hills area in accordance with the Shire of Waroona Local Planning Strategy without compromising the very amenity that makes the area attractive to prospective residents.

A coordinated and responsible approach to future development in the hills area is needed to ensure that development occurs in a proper and orderly manner and best practice fire safety and access outcomes are delivered. Appendix 1 of this policy provides a wider context for the policy within the planning framework and reasoning for the provisions of this policy.

2. Objectives

1. To provide developers and landowners with guidance in relation to design and location of subdivision and development within the Policy Area.
2. To preserve the amenity derived from the scenic value of the Darling Scarp.
3. To maintain the integrity of landscapes within the Policy Area.
4. To protect and enhance the landscape, scenic and amenity values through control over design, building materials and siting of development.
5. To maintain the integrity of landscapes in the line of sight view corridor of the coastal plain.
6. Indicate preferred future road connections to be incorporated into subdivision guide plans and implemented at subdivision stage in the Policy Area.
7. Ensure bushfire protection is maintained to a high standard for future development.
8. Maintain appropriate separation between future development and extractive industry operations.
9. Protect water quality and reduce the amount of nutrients entering waterways.

3. Legal Status/Considerations

This Policy has been adopted in accordance with Clause 2.4 of Town Planning Scheme No. 7. Where there is an inconsistency between this Policy and Town Planning Scheme No. 7 or the Local Planning Strategy, the scheme and strategy shall prevail.

4. Policy Statement

This policy applies to the Town and Scarp and Darling Range precincts of the Local Planning Strategy as identified in Figure 1. Within this Policy areas / lots are classified as Special Residential, Rural Residential and Hills Landscape Protection as identified under the Local Planning Strategy.

5. Special Procedural Considerations

Subdivision Guide Plans submitted in accordance with Part 7 of the Town Planning Scheme are required to be assessed under the provisions of this policy and the Local Planning Strategy.

When preparing applications for rezoning and/or Subdivision Guide Plans proponents should refer to the objectives and provisions of this policy in order to ensure proposals are in line with Council's expectations for the policy area.

Subdivision applications made to the Western Australian Planning Commission (WAPC) are required to be in accordance with an adopted Subdivision Guide Plan.

Applications for development approval are also required to be assessed under the provisions of this policy. Applicants may be required to submit additional information with an application in order to ensure that the objectives and provisions of this policy are adequately addressed.

6. Rezoning Proposals

6.1 Rezoning proposals need to be consistent with the Shire's Local Planning Strategy and this policy, and shall be supported by the following:

1. A Fire Management Plan demonstrating compliance with 'Planning for Bushfire Protection Guidelines Edition 2, May 2010' or as amended;
2. Landscape/visual amenity impact assessment;
3. Slope analysis;
4. Land capability assessment;
5. Subdivision Guide Plan and special provisions relating to the use, development and management of the land;
6. Details of servicing arrangements including power, water, effluent disposal and road access; and
7. Evidence to demonstrate compliance with relevant WAPC planning policies.

8. Land use permissibility shall be in accordance with the Local Planning Strategy.

6.2 All rezoning proposals and supporting documentation need to address the following issues, as well as any others which may be considered relevant to any specific lot:

1. Lot sizes;
2. Access;
3. Effluent disposal;
4. Protection of water courses;
5. Minimizing building intrusion on landscape and amenity value; and
6. Stormwater disposal and water sensitive urban design.

7. Subdivision and Development Proposals

Subdivision Guide Plans and applications for development approval are required to comply with the Local Planning Strategy. The provisions relating to each classification under the Local Planning Strategy are as follows:

7.1 Special Residential

1. A minimum lot size of 2000m² is to be maintained. Larger lots will be required where there is an environmental imperative, including the protection of remnant vegetation, watercourse or wetland or to ensure that the site is capable of handling septic systems.
2. All lots are to be serviced with reticulated water.
3. All lots shall be connected to a reticulated sewerage system, except where reticulated sewerage is not available in which case onsite effluent disposal may be considered in accordance with Clause 5.7 of Statement of Planning Policy No.2.1 'Peel Harvey Coastal Plain Catchment Policy'.
4. Broadacre residential sites involving multiple ownerships to be the subject of an Subdivision Guide Plan prior to subdivision. The location of drainage infrastructure and road links is to be addressed in the plans.
5. A Subdivision Guide Plan is to be prepared to the Shire's satisfaction as part of any rezoning to Special Residential.
6. Rezoning proposals in remnant vegetation must be accompanied by a fire management plan prepared to the satisfaction of the Department of Fire and Emergency Services and the Shire.
7. Broadacre subdivisions to be designed in accordance with water sensitive urban design principles.

7.2 Rural Residential

1. Minimum lot size of 4 hectares.
2. Building setbacks are to be in accordance with the provisions of the Town Planning Scheme.
3. Standard on-site septic systems are only to be provided where there is compliance with the minimum setbacks prescribed in Statement of Planning Policy No. 2.1. The Peel-Harvey Coastal Plain Catchment (minimum of 100 metres from any watercourse or wetland and a 2 metre minimum vertical separation from the highest known groundwater level). Alternative Treatment Units are to be provided where the setback is less than 100 metres.
4. No septic system is to be closer than 50 metres to any watercourse or wetland.
5. Proponents must demonstrate that acceptable protection can be offered to future residents from the bushfire hazard. Any rezoning proposal is to be accompanied by a risk assessment and a fire management plan prepared to the satisfaction of the Department of Fire and Emergency Services and Council.
6. Remnant vegetation is to be retained on all sites with the exception of for roads, access, within defined building envelopes and for the purposes of bushfire protection.
7. A Subdivision Guide Plan is to be prepared and adopted by the Shire at the time of rezoning. As a minimum the plan is to detail the lot configuration and define building envelopes.
8. Rural pursuits and stables will only be considered where there is no native vegetation.
9. The Shire will put a high priority on the protection of the visual amenity from the coastal plain and Lake Moyanup.
10. Tourist Accommodation may be considered on appropriate sites within this area, subject to a scheme amendment addressing all of the relevant considerations.

7.3 Hills Landscape Protection

1. Minimum lot size of 10 hectares.
2. Building setbacks are to be in accordance with the provisions of the Town Planning Scheme.
3. Proponents must demonstrate that acceptable protection can be offered to future residents from the bushfire hazard. Development applications and/or subdivisions to be accompanied by a risk assessment and a fire management plan prepared to the satisfaction of the Department of Fire and Emergency Services and the Shire.
4. Appropriate buffers are to be determined to separate agricultural uses from sensitive land uses such as dwellings.

5. The Shire will put a high priority on the protection of the visual amenity from the coastal plain.
6. Unless subject to a specific scheme amendment, tourist accommodation shall not exceed a density of one unit per hectare.
7. Applications for Intensive Agriculture shall have regard to groundwater quality and availability.
8. Applications for Intensive Agriculture shall have regard to stocking rates and nutrient management.
9. Agricultural operations within this area should generally only be in areas that have been predominately cleared of vegetation.

7.4 General Provisions

In addition to the above provisions, which are specific to each individual classification under the Local Planning Strategy, the following shall apply to all lots within the Policy Area.

1. Road connections are to be generally in accordance with Figure 2;
2. Cul-de-sacs are generally not considered appropriate within the policy area;
3. All services shall be underground;
4. Land uses shall be in accordance with the provisions of the Town Planning Scheme;
5. No building shall be positioned so as to be above the skyline of the Darling Scarp as viewed from prominent public areas, as illustrated in Figure 3;
6. In order to retain the existing topography and amenity of the Policy area, no building shall be positioned on land with a slope greater than 1 in 4 unless it can be demonstrated that the building will not compromise the natural topography of the site and suitable vehicle access can be provided to the site;
7. No galvanized iron, Zincolume or white colourbond may be used as exterior roofing or cladding material;
8. To retain the rural landscape value, owners will retain, as far as practical, existing vegetation;
9. No earthworks shall modify the natural ground level by more than 1m, except where required for road construction;
10. Buildings are to be constructed in accordance with Australian Standard AS 3959-2009; (as amended) or subsequent editions (as amended);

11. Driveways to be located so as to minimize their impact on the visual amenity of the scarp as viewed from the coastal plain. Supplementary vegetation screening may be required to reduce visual impact;
12. Fencing in the Policy area does not require planning approval unless it is not open form (post and rail or post and wire) or similar.
13. Any form of fencing other than post and rail or post and wire (or similar) will require planning consent.
14. Post and rail fences are to be natural timber or are to be painted / stained with colours which blend in with the surrounding land / vegetation.
15. Zincalume, Colorbond, fibre cement or white fencing is not permitted.

Adoption/Amendments

Draft:

Final:

Amendments:

Figures

1. Policy area map.
2. Road connections map.
3. Skyline diagram.

Appendices

1. Policy Reference Document.

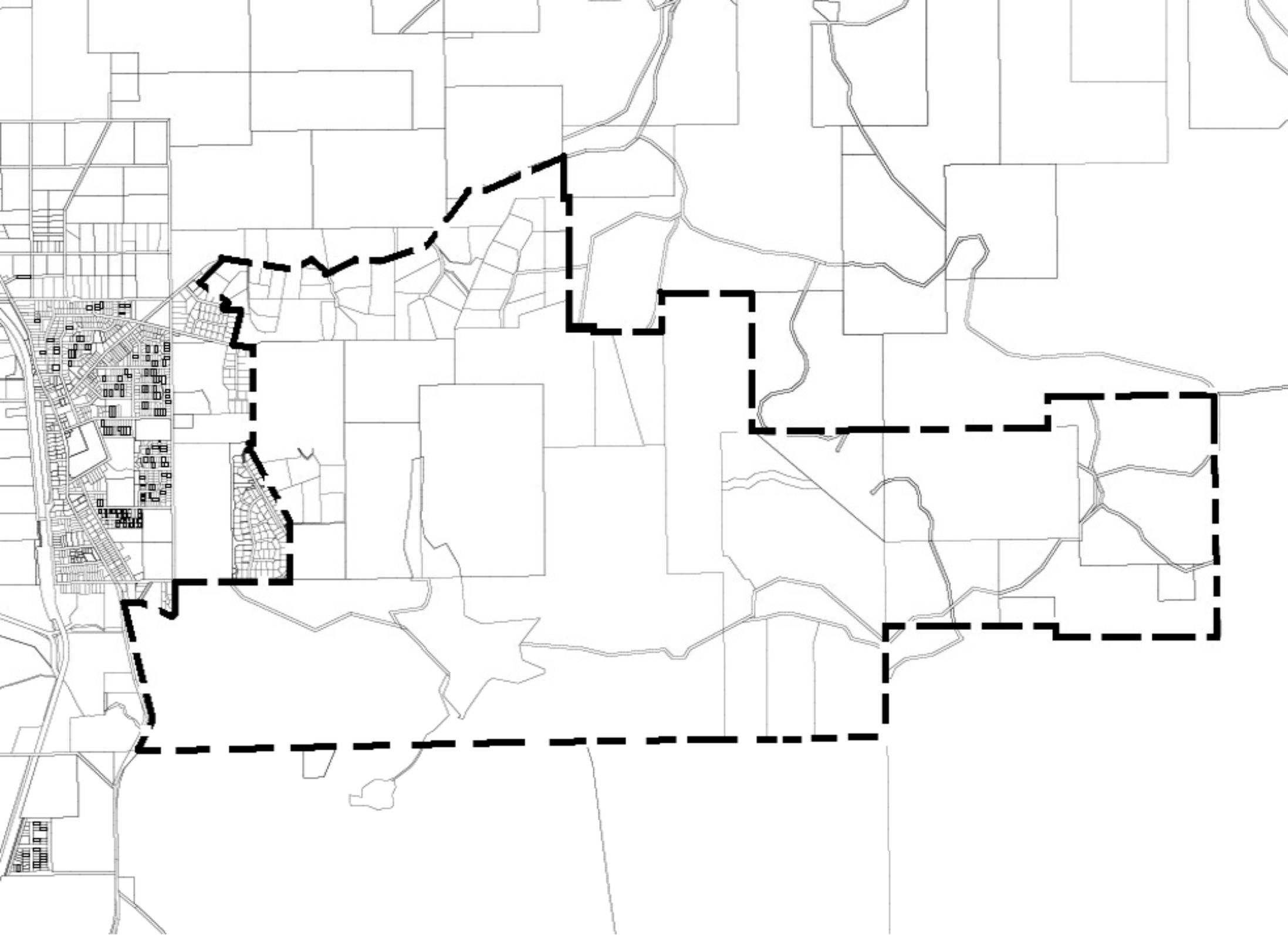
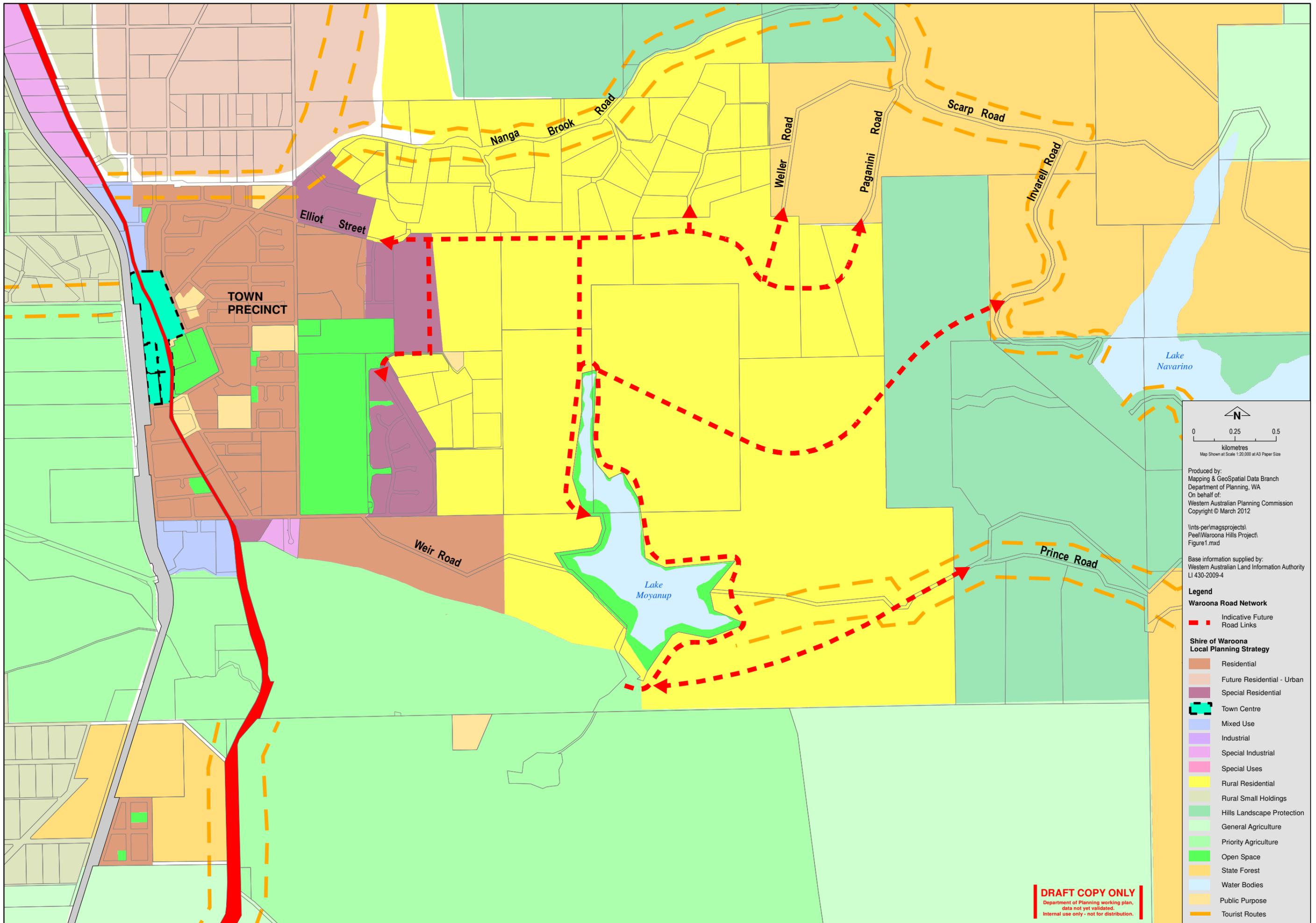


FIGURE 2 - ROAD NETWORK CONNECTIONS



0 0.25 0.5
kilometres
Map Shown at Scale 1:20,000 at A3 Paper Size

Produced by:
Mapping & GeoSpatial Data Branch
Department of Planning, WA
On behalf of:
Western Australian Planning Commission
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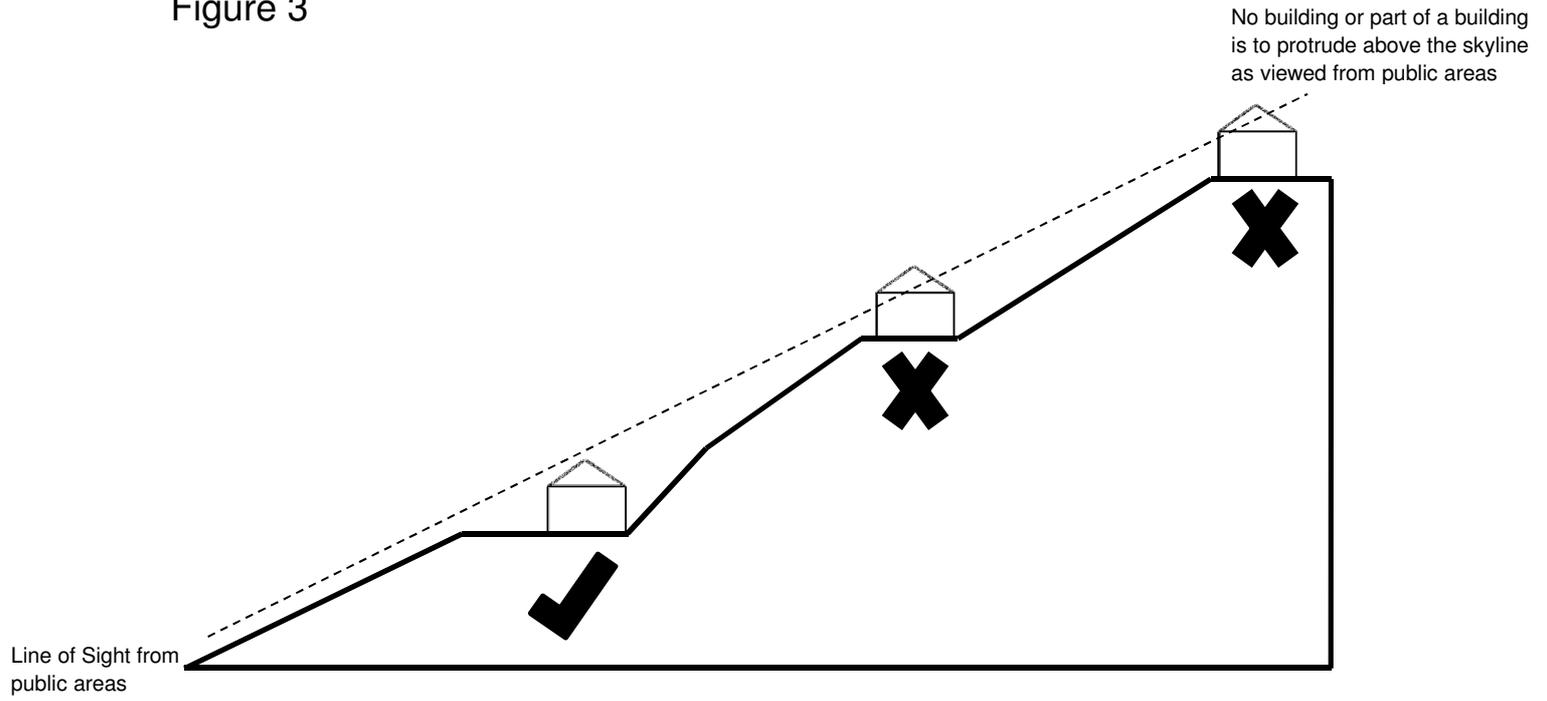
\\nts-per\mags\projects\
Peel\Waroona Hills Project\
Figure1.mxd

Base information supplied by:
Western Australian Land Information Authority
LI 430-2009-4

- Legend**
- Waroona Road Network**
- - - Indicative Future Road Links
- Shire of Waroona Local Planning Strategy**
- Residential
 - Future Residential - Urban
 - Special Residential
 - Town Centre
 - Mixed Use
 - Industrial
 - Special Industrial
 - Special Uses
 - Rural Residential
 - Rural Small Holdings
 - Hills Landscape Protection
 - General Agriculture
 - Priority Agriculture
 - Open Space
 - State Forest
 - Water Bodies
 - Public Purpose
 - Tourist Routes

DRAFT COPY ONLY
Department of Planning working plan,
data not yet validated.
Internal use only - not for distribution.

Figure 3





**LOCAL
PLANNING POLICY 27 – WAROONA EAST HILLS
DEVELOPMENT**

APPENDIX 1

POLICY REFERENCE DOCUMENT

13 November 2012

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1 Introduction

This local planning policy has been prepared in response to the objectives and provisions of the Shire of Waroona Local Planning Strategy 2009 (LPS) and the increasing development pressure on the scarp area to the east of the Waroona townsite. The policy aims to guide the development and use of land for rural residential purposes within the policy area.

The policy area is bounded by the Waroona townsite to the west, Nanga Brook Road to the North, State Forrest to the east and land identified as General Agriculture under the LPS to the south.

In order to preserve the high level of natural amenity that exists within the policy area a coordinated approach is needed for subdivision and development planning. The policy therefore identifies key road linkages, land use provisions and development guidelines to facilitate the development of the area in a sustainable manner.

The purpose of this discussion document is to provide justification and context to the provisions of the policy, allowing the policy itself to remain concise to assist with operation and legibility.

1.1 Guiding Principles

The guiding principles underpinning the formulation of this policy are:

1. The Darling Scarp is a feature of regional significance and its visual amenity should be protected.
2. Subdivision designs and road layouts should be formulated in a coordinated manner to increase connectivity.
3. Parts of the Darling Scarp are subject to extreme bushfire risk and any development in this area needs to account for the preservation of human life and property.

1.2 Objectives

1. To provide developers and landowners with guidance in relation to design and location of subdivision and development within the Policy Area, in addition to the provisions contained in the Local Planning Scheme.
2. To preserve the amenity derived from the scenic value of the Darling Scarp.
3. To maintain the integrity of landscapes within the Policy Area.
4. To protect and enhance the landscape, scenic and amenity values through control over design, building materials and siting of development and land uses.
5. To outline Council's expectations where rezoning of land is proposed.
6. To maintain the integrity of landscapes in the line of sight view corridor of the coastal plain.

7. Indicate preferred future road connections to be addressed in subdivision guide plans and implemented at subdivision stage in the Policy Area.
8. Ensure bushfire protection is maintained to a high standard for future development.
9. Maintain appropriate separation between future development and extractive industry operations.
10. Protect water quality and reduce the amount of nutrients entering waterways.

1.3 Background

The LPS was endorsed by the Western Australian Planning Commission on 24 March 2009. Potential changes to the zoning of lots within the policy area are identified in the LPS from Rural 4 – Hills Face and Rural 5 – Darling Range to Rural 6 – Rural Residential and the newly created Hills Landscape Protection zones.

In response to the new zonings proposed by the LPS the Shire has received enquiries and proposals for rezoning and subdivision in accordance with the new development potential of lots. To date subdivision has occurred in a piecemeal fashion with a lack of connectivity and a number of cul-de-sacs prevalent.

Existing developments in the policy area are subject to special provisions relating to the use, development and management of the land via Schedule II of the Shire's Town Planning Scheme No. 7 1996 (TPS). Greater consistency is needed in the preparation of these provisions as well as greater recognition of the regional significance of the visual amenity of the Darling Scarp.

2 State and Regional Planning Context

2.1 State Planning Strategy 1997

The State Planning Strategy provides the key principles underpinning the State Planning Framework and guiding long term planning within Western Australia.

The State Planning Strategy identifies the following relevant strategies for the Peel Region:

- Manage the Peel-Harvey Catchment to reduce nutrient levels.
- Protect environmental resource areas.
- Protect sensitive environmental areas and cultural heritage.

2.2 State Planning Policy

State Planning Policy 2.5 – Agricultural and Rural Land Use Planning (SPP 2.5)

SPP 2.5 aims to protect productive agricultural land from incompatible development while also identifying the need for land to be utilised for urban expansion.

The policy area is identified as an existing area of agricultural production by SPP 2.5, however given the topography of the policy area, it is not considered ideally suitable for intensive agricultural production. The policy area has been identified by the Local Planning Strategy for future development in a rural residential form.

SPP 2.5 aims to provide for existing rural land to accommodate increased settlement in appropriate locations. Providing support to an existing community and having access to services and facilities are the key objectives of SPP 2.5 in relation to the development of rural land for further settlement.

State Planning Policy 2.9 – Water Resources (SPP 2.9)

The objectives of SPP 2.9 include the protection and conservation of water resources identified as having social, economic, cultural and/or environmental values. Drakesbrook Weir is considered to be a water resource of local significance. The public amenity provided by the weir is a valuable asset to the local community and should be protected. Given the location of the study area in relation to the weir, the policy aims to protect the amenity and water quality of the weir in accordance with SPP 2.9.

State Planning Policy 3.0 – Urban Growth and Settlement (SPP 3.0)

SPP 3.0 sets out the principles and considerations to be applied to planning for urban growth within Western Australia. SPP 3.0 acknowledges the importance of rural residential growth in supporting existing rural settlements, but requires that these growth areas occur in suitable location as described.

The principles provided by SPP 3.0 were applied during the preparation of the Local Planning strategy, which identified much of the policy area as potentially suitable for rural residential development.

State Planning Policy 3.4 – Natural Disasters and Hazards (SPP 3.4)

SPP 3.4 aims to ensure that natural hazards are given due consideration in the planning process. Bushfires are of particular relevance to the policy area, given the vegetated nature of the precinct and proximity to state forest. The policy is supported by a strategic level bushfire hazard assessment in accordance with the principles outlined in *Planning for Bushfire Protection Edition 2 (WAPC, 2010)*, which identifies areas of medium and extreme bushfire hazard. Accordingly, a Fire Management Plan will be required to support rezoning proposals, in accordance with 'Planning for Bushfire Protection Guidelines (WAPC 2008)'.

Development Control Policy 3.4 – Subdivision of Rural Land (DCP 3.4)

DCP 3.4 provides support and greater detail to the objectives of SPP 2.5 and SPP 3.0. DCP 3.4 requires that the subdivision of rural land for rural residential purposes be in accordance with proper and orderly planning and be identified through the preparation of local planning strategies, and that the relevant zoning be incorporated into the local planning scheme prior to subdivision.

DCP 3.4 requires reticulated water supply to be provided for rural residential development with lots in the 1-4 Ha range where it is practical and reasonable to do so. Given the topography and geology of the Policy Area, providing reticulated water may not be an achievable outcome. Where this is the case supporting documentation will be required providing a rationale for the absence of this utility.

2.3 Peel Region Scheme (PRS)

The policy area is zoned Rural under the PRS. The purpose of the Rural zone is *“to provide for the sustainable use of land for agriculture, assist in the conservation and wise use of natural resources including water, flora, fauna and minerals, provide a distinctive rural landscape setting for the urban areas and accommodate carefully planned rural living developments”*.

The carefully planned and managed development of the policy area for rural residential purposes is in accordance with the purpose of the Rural zone under the PRS.

The policy area is not identified under PRS policies as an area of strategic significance for agriculture or basic raw materials.

3 Local Planning Context

3.1 Shire of Waroona Local Planning Strategy 2009 (LPS)

The LPS was prepared by the Shire of Waroona and endorsed by the Western Australian Planning Commission in 2009. The LPS provides the strategic direction for future development within the Shire of Waroona. Any proposed amendments to the Town Planning Scheme are required to be in accordance with the LPS.

The policy area is identified under the LPS as potentially suitable for Special Residential, Rural Residential and Hills Landscape Protection development, and straddles the boundary of the Town and Scarp as well as the Darling Range precincts.

The western section of the policy area borders the existing Waroona Townsite and is identified as Special Residential. The objective of the Special Residential area is *“To provide adequate larger residential lots in proximity to Waroona in locations with good residential amenity and where the environmental impacts can be adequately managed”*. Subdivision in the Special Residential area is required to maintain a minimum lot size of 2000m² with larger lots being required in areas subject to environmental constraints.

The central section of the policy area is identified as Rural Residential under the LPS. This area forms a large majority of the catchment of the Drakesbrook Weir and is of high visual amenity. The objective of the Rural Residential area under the LPS is *“To provide areas that will offer lifestyle blocks in close proximity to the Waroona Townsite, with good amenity and in locations where environmental impact can be minimised”*. A minimum lot size of 4ha is required by the LPS in the Rural Residential area.

The eastern section of the policy area borders the state forest and includes a portion of Lake Navarino is identified as Hills Landscape Protection under the LPS. The Hills Landscape Protection area under the LPS aims to “*provide for opportunities for small-scale agriculture and tourism accommodation whilst providing landscape protection*”. The LPS requires a minimum lot size of 10ha in the Hills Landscape Protection area.

3.2 Shire of Waroona Town Planning Scheme No. 7 1996 (TPS No.7)

TPS No.7 was formulated by the Shire of Waroona and endorsed by the Western Australian Planning Commission in 1996. TPS No.7 provides the statutory head of power for the implementation of planning controls within the Shire of Waroona. All development within the Shire is required to be assessed in accordance with TPS No.7.

The policy area is zoned a combination of Rural 4 – Hills Face and Rural 5 – Darling Range and Rural 6 – Rural Residential. TPS No.7 states that within the Rural 4 – Hills Face zone “*Council will ensure the continuation of appropriate rural and other activities which will retain the zone’s landscape and environmental value.*” In addition to this the Rural 5 – Darling Range zone encourages the development of suitable recreation and tourism facilities.

The intent of the Rural 6 – Rural Residential zone is to “*select and appropriately zone areas wherein subdivision and development of small holdings will be permitted to provide for such uses as rural-residential and hobby farms, and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.*”

Lots within the policy area which have not already been rezoned will require an amendment to TPS No.7 in order to bring the zoning under TPS No.7 into line with the zones identified by the LPS, prior to development for more intensive rural settlement.

4 Analysis of Opportunities and Constraints

4.1 Land Capability

Land within the policy area is not generally suitable for urban development, with the exception of the area classified as Special Residential under the LPS, due to steep gradients. The predominant land use in the policy area is currently grazing, which would indicate that the policy area is capable of accommodating livestock. However the capability of the land varies with the topography and some areas are not suitable for stocking due to erosion and overgrazing threats.

In order to retain the natural amenity of the policy area excessive earthworks are prohibited, and landowners will be required to develop lots in keeping with the natural topography. Because of this, some areas will have a lower development capability than others. However with the lot sizes indicated by the LPS subdivision should occur in a manner which provides areas of higher capability to all lots.

In addition to dwelling sites, lots other than those within the Special Residential area identified by the LPS may require on-site effluent disposal. With varying depth of topsoil and areas of steep

gradient, the policy area is potentially restrictive in its capability to accommodate on-site effluent disposal for development. All proposals for rezoning and / or development will be required to address the issue of land capability during the design process.

4.2 Water Resources

The policy area is largely within the catchment of the Drakesbrook Weir. While the policy area is outside of the boundaries of the Peel Harvey Catchment as defined by State Planning Policy 2.1 – The Peel Harvey Coastal Plain Catchment, given its close proximity and topography it is reasonable to assume that runoff will contribute to the catchment. For these reasons any development within the policy area will need to address any potential impact on runoff levels and in particular nutrient levels.

Rural residential areas can potentially have great influence on nutrient levels in water runoff, with many owners on lifestyle properties maintaining large areas of lawn and fertilising paddocks for increased stocking potential, in addition to the increase nutrient loading of effluent disposal.

In order to ensure excessive levels of nutrients do not enter waterways via runoff provisions are required in relation to effluent disposal and landowners should be encouraged to establish additional vegetation to assist with nutrient take-up.

4.3 Visual Amenity

The policy area is situated on the Darling Scarp, and is visually evident from the coastal plain. As a result it is of high visual value to the local region. The elevated aspect of large portions of the policy area is one of the key factors providing development pressure.

In order to maintain the iconic and rural landscape value of the area, controls are needed to ensure that development occurs in a manner that is responsive to the landscape and does not become visually obtrusive. The location, as well as the design and materials used in development are all essential factors in maintaining the existing level of amenity of the Darling Scarp as viewed from the coastal plain.

The use of colours and finishes conducive to the landscape and screening vegetation will ensure development does not become visually intrusive. In addition to this, development should be located in areas obscured from the coastal plain and below the natural skyline.

4.4 Roads and Connectivity

Vehicle access throughout the policy area is currently limited and development has occurred in a piecemeal manner with a lack of forward planning of connectivity. In order to ensure future development provides for greater connectivity a cohesive plan is required to provide guidance to developers.

The existing access to the policy area is provided via Nanga Brook Road and Weir Road. Scarp and Invarell Roads provide access into the eastern section of the policy area, but this access

crosses the Waroona Dam wall, which is not a gazetted road. Currently the road network is fragmented by private lots and offers a poor choice of escape routes in the event of a natural disaster.

Given the extreme risk of bushfire hazard in the policy area, as identified by the Department of Fire and Emergency Services, multiple escape routes are required. In order to achieve this forward planning is required to provide coordinated linkages between lots and ensure lots which develop in the future are not isolated by poor road network design.

4.5 Bushfire Hazard

Mapping and assessment provided by the Fire and Emergency Services Authority (FESA) has identified large areas of medium and extreme bushfire hazard within and surrounding the policy area. In order to achieve an appropriate development outcome, a cautious approach needs to be taken to the assessment of any proposal for the intensification of development.

A Fire Management Plan will be required to support rezoning proposals, in accordance with 'Planning for Bushfire Protection Guidelines Edition 2' (WAPC 2010).

Buffer distances from the state forest and other areas of extreme fire danger, as well as on-site vegetation and topography need to be considered as part of the locational criteria for new development.

Escape routes and access for emergency services also need to be considered at the rezoning stage and should be in a coordinated fashion utilising connectivity between lots to maximise efficiency.

Clearing of vegetation for fire separation requirements needs to be considered when determining the location of lot boundaries and building envelopes on lots. In order to maintain the amenity and landscape value of the policy area the clearing of existing vegetation needs to be minimised. This can be assisted by locating development areas away from areas of existing vegetation to prevent any conflict between vegetation retention and fire safety.

In order to facilitate fire fighting within the policy area, and where reticulated water supply is not available, water tanks will be required and made available to fire fighters in the case of a bushfire emergency.