



Shire of Denmark
Town Planning Scheme No. 3
Scheme Amendment No. 154



Lot 1 (No. 23) Riverbend Lane, Scotsdale

Prepared by Edge Planning & Property for Cultura Foundation Inc.

www.edgeplanning.com.au

November 2023

30 April 2024 - Attachment 9.1.1a

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

SHIRE OF DENMARK TOWN PLANNING SCHEME No. 3

AMENDMENT No. 154

RESOLVED that the local government in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the above Town Planning Scheme by:

1. Replacing 'Pt Lot, 613 Scotsdale Road, Denmark' with 'Lot 110 on Plan 21633 (No. 222) Scotsdale Road, Scotsdale' and add 'and Lot 1 on Diagram 87539 (No. 23) Riverbend Lane, Scotsdale' in Additional Use Site No. 12 (A12) in the second column (Particulars of the Land) in Appendix 2 Schedule of Additional Use Sites.
2. Amending the Scheme Map accordingly.
3. Amending the conditions of Additional Use No. 12 to remove condition 1 and renumbering the conditions accordingly.

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

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

Dated this day of20.....

.....
CHIEF EXECUTIVE OFFICER

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PROPOSAL TO AMEND A TOWN PLANNING SCHEME

1.	LOCAL GOVERNMENT:	Shire of Denmark
2.	DESCRIPTION OF LOCAL PLANING SCHEME:	Town Planning Scheme No. 3
3.	TYPE OF SCHEME:	District Scheme
4.	SERIAL NUMBER OF AMENDMENT:	154
5.	PROPOSAL:	<ol style="list-style-type: none"> 1. Replacing 'Pt Lot, 613 Scotsdale Road, Denmark' with 'Lot 110 on Plan 21633 (No. 222) Scotsdale Road, Scotsdale' and adding 'and Lot 1 on Diagram 87539 (No. 23) Riverbend Lane, Scotsdale' in Additional Use Site No. 12 (A12) in the second column (Particulars of the Land) in Appendix 2 Schedule of Additional Use Sites. 2. Amending the Scheme Map accordingly. 3. Amending the conditions of Additional Use No. 12 to remove condition 1 and renumbering the conditions accordingly.

1. INTRODUCTION

The Shire of Denmark seeks the support of the Western Australian Planning Commission (WAPC) and the approval of the Hon. Minister for Planning to add Lot 1 (No. 23) Riverbend Lane, Scotsdale (the 'site') within Additional Use No. 12 to facilitate expanding the Golden Hill Steiner School (educational establishment).

The purpose of this report and associated plans are to explain and set out the planning merits of the Amendment. More detailed planning and investigations will occur at the Subdivision Application, Development Application and at the Building Permit stages.

The site is shown in [Attachment 1](#). Based on its location, characteristics and context, the site is suitable for an expanded educational establishment. [Attachment 2](#) shows that the site has convenient access to the Denmark townsite.

2. BACKGROUND

2.2 Regional Context

2.1 Property Address and Cadastral Details

Cadastral details for the site are summarised below in Table 1:

Lot and address	Lot 1 Riverbend Lane, Scotsdale
Diagram	37539
Volume/Folio	2023/688
Area	5.96ha
Owner	Shire of Denmark

The site is situated in the Shire of Denmark. The Denmark townsite is located approximately 414 kilometres south-east of Perth and 50km west of Albany. Denmark is a sub-regional centre in the Great Southern and provides a range of services and facilities to residents and visitors.

The town adjoins the Denmark River and is within the Wilson Inlet catchment.

2.3 Local Context

The site is located at the northern edge of the Denmark townsite and is located approximately 1.75 km north of the Denmark town centre (see [Attachment 2](#)). The site is located on the north-eastern corner of the Riverbend Lane and Scotsdale Road intersection. [Attachment 3](#) shows the Opportunities and Constraints Plan which also outlines the site's context. The site adjoins and is generally surrounded by a school and residential development. There is also considerable recreation uses nearby along with tourist development.

The Golden Hill Steiner School is located at Lot 110 Scotsdale Road which adjoins Lot 1 Riverbend Lane to the north.

2.4 Physical Characteristics

The site is outlined in [Attachment 1](#) and has the following characteristics and features:

- It is generally cleared and contains remnant vegetation in the southern and eastern sections;
- It has a gentle gradient, having an elevation of between approximately 5 and 16 metres AHD (Australian Height Datum);
- It contains a single house constructed around 1940. The site is used for rural living purposes;
- There are no natural surface water or drainage features;
- It is not on the Department of Water and Environmental Regulation's Contaminated Site Database; and
- The property is bordered by Scotsdale Brook on its eastern boundary.

The site's physical features present minimal constraints to the Amendment.

2.5 Services

The site is provided with standard 'hard' infrastructure including reticulated (scheme) water, power, telecommunications, drainage and sealed roads. Vehicular access is from both Scotsdale Road and Riverbend Lane. The site is remote from the reticulated sewerage system.

2.6 Heritage

There is no registered Aboriginal heritage site on the subject land area as set out on the Department of Planning, Lands and Heritage Affairs heritage inquiry system. While noting this, land developers have an obligation under the *Aboriginal Culture Heritage Act 2021* to protect places and objects in Western Australia that are important to Aboriginal people because of the connections to their culture.

Additionally, the site does not contain any structure or place of non-indigenous heritage significance on the *Shire of Denmark Heritage Survey* or on the *Shire's Heritage List*.

2.7 Council Resolution

The Council at its Ordinary Meeting on 20 December 2022 resolved -

'That with respect to No. 23 (Lot 1) Riverbend Lane, Council:

1. NOTES the submission received in support of the disposal.
2. AUTHORISE the Chief Executive Officer to enter into a contract to dispose (sell) the property to Cultura Incorporated for \$900,000 (ex GST) subject to the following conditions prior to settlement:
 - a) Western Australian Planning Commission approves a revised structure plan providing a minimum of 2,500sq.m of the lot allocated for educational purposes.
 - b) The Minister for Planning approves a Scheme Amendment providing a minimum of 2,500sq.m of the lot allocated for educational purposes.
 - c) Cultura Incorporated to draft and cover all costs for planning documents required for a) and b).
3. REQUEST the Chief Executive officer to include the sale in the revised Long Term Financial Plan and draft 2023/24 Municipal Budget.'

The report to Council set out that there is no longer a requirement for a second bridge crossing near the site.

The report outlined the 2011 Local Planning Strategy (LPS) identifies the potential need for an additional bridge over the Denmark River to provide alternative access in an emergency. In 2017/2018, detailed investigations were undertaken, which concluded that current access (via South Coast Highway and alternatively via Churchill Road) was sufficient for the foreseeable future. While acknowledging that it is relevant to reassess this potential need periodically, the draft 2022 LPS endorsed by Council in September 2022 notes that:

- Based on anticipated traffic and freight volumes, an additional bridge is unlikely to be required during the life of this Strategy.
- It is, therefore, not appropriate to identify the location for the purposes of a future bridge at this time.
- As a means of supplementing the regional road network, the State should lead any potential future investigations into a new bridge.
- Further improvements to the existing road network may provide more cost-effective outcomes in the short to medium term.

Based on the above, the land parcel is not deemed strategically important and is therefore suitable for sale.

2.8 Cultura Foundation Incorporated

Cultura Foundation Inc. is a not-for-profit, incorporated body whose board is comprised of founding members of Golden Hill Steiner School. Their purpose is to fund anthroposophical initiatives in Denmark, of which the school is one. Anthroposophy is the philosophy upon which a Steiner education is based. Cultura Foundation Inc. remains at-arms-length from the school and its operations and provides philanthropic support. It is proposed that Cultura Foundation Inc. will purchase the site with a view to transferring ownership to the Golden Hill Steiner School once the lots have been subdivided and appropriate

zoning and other relevant planning approvals are in place for the school to operate.

3. PLANNING FRAMEWORK

3.1 Overview

This section outlines how the Amendment suitably addresses relevant planning policies, strategies, plans and the *Shire of Denmark Town Planning Scheme No. 3*. In summary, the Amendment is consistent with the State, regional and local planning framework.

3.2 State Planning Framework

The following strategies and policies are of relevance to the Amendment:

- *State Planning Strategy 2050* - sets a broad strategic plan for Western Australia built on sustained growth and prosperity. The Strategy supports educational and associated facilities and supports developing strong and resilient regions. An objective is 'To encourage active lifestyles, community interaction and betterment' (page 96) and it includes an aspiration of supporting 'More regional educational infrastructure through greater use of technology and e-learning'. The Amendment is consistent with the Strategy given it promotes education services and is located near an established sub-regional centre;
- *State Planning Policy 1 State Planning Framework Policy* - identifies that the primary aim of planning is to provide for the sustainable use and development of land;
- *State Planning Policy 2 Environment and Natural Resources*;
- *State Planning Policy 2.5 Rural Planning* - the objectives seek to protect rural land from incompatible uses, to promote regional development through provision of ongoing economic opportunities on rural land, to promote sustainable settlement in, and adjacent to, existing urban areas, to protect and improve environmental and landscape assets and to minimise

land use conflicts. The Policy supports opportunities for employment and diversification of economic activity related to primary production in rural areas. Previous versions of the Policy **have been applied in the Shire's Local Planning Strategy** and the associated Town Planning Scheme No. 3, through the Special Rural zoning;

- *State Planning Policy No. 2.9 Water Resources* - development is required to adopt water sensitive urban design principles;
- *State Planning Policy No. 3 – Urban Growth and Settlement*: relevant policy objectives include to build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities;
- *State Planning Policy 3.7 Planning in Bushfire Prone Areas* - the site is within a Bushfire Prone Area as shown at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>;
- *State Planning Policy 5.4 Road and Rail Noise* - the site is not **within the 'trigger'** area;
- *State Planning Policy 7.0 Design of Built Environment*; and
- *Guidelines for Planning in Bushfire Prone Areas* - further details relating to bushfire management are set out in section 5.10 and in Attachment 4.

3.3 Regional Planning Framework

3.3.1 Great Southern Regional Planning and Infrastructure Framework

The Framework identifies Denmark as a sub-regional centre and a focus for growth, services and facilities. The Framework supports a diverse economic base, supports commercial development in appropriate locations and supports enhanced health services.

3.3.2 Lower Great Southern Strategy

The Strategy notes there will be increased education demands and a need for improved facilities and support services.

3.3.3 Great Southern Regional Investment Blueprint

The Blueprint establishes priorities for economic development and growth of the Great Southern region and provides an analysis of local, regional, national and global factors influencing the region. A strategic economic growth plan and proposed transformational projects are set out. The Blueprint also supports growing the **region's population**, promoting new educational facilities, development in key centres and a vibrant economy.

3.4 Local Planning Framework

3.4.1 Shire of Denmark Local Planning Strategy (2011)

Strategy Plan 2 of the Local Planning Strategy **identifies the site as 'Rural Residential'** (Attachment 5).

The Strategy supports growing and diversifying the economy and encouraging enhanced educational facilities.

An objective of the Strategy, at section 4.5 is to **'provide a variety of educational options.'** The Strategy further identifies strategies to achieve this objective as follows **'To identify and secure additional school sites through rezoning and structure plan process.'**

3.4.2 Draft Shire of Denmark Local Planning Strategy

The draft LPS supports the expansion of the Golden Hill Steiner School as outlined in Attachment 6. Page 111 of the draft LPS outlines the proposal to extend the **'educational establishment' use over Lot 1 Riverbend Lane**. Page 111 in part states **'Should the school be able to acquire Lot 1 (or portion), the Strategy supports the use of this site for an Educational Establishment**. Access and other relevant planning issues may be resolved at the development **application stage.'**

The identification of the site for educational establishment in the draft LPS means the proposal is **'seriously entertained'**.

3.4.3 Shire of Denmark Town Planning Scheme No. 3

The *Shire of Denmark Town Planning Scheme No. 3* (TPS3) currently zones Lot 1 (No. 23) Riverbend Lane, Scotsdale as 'Special Rural (SR15)'.

Attachment 7 sets out provisions relating to the site and proposal including from Special Rural Zone No. 15 (Golden Hill Special Rural Zone). A number of provisions relate to Special Rural (SR15) with some of the most applicable being the following:

- (i) Subdivision of Special Rural Zone No. 15 is to be generally in accordance with Plan of subdivision (Plan No. A94-17-1) dated May 1995 as signed by the Shire Clerk.
- (iii) The minimum lot size shall be 1 hectare.
- (v) (f) All buildings shall be constructed in accordance with Australian Standard 3959-1991 "Construction of Buildings in Bushfire Prone Areas".
- (vii) (c) The subdivider shall prepare a Foreshore Management Plan for Scotsdale Brook, dealing with stormwater drainage, erosion control and clearing and development within the Scotsdale Brook Foreshore.
- (d) The subdivider shall prepare a stormwater drainage plan that addresses the drainage requirements of the site and addresses impacts on local water regimes.
- (e) Building envelopes shall be located outside the 50 metre Creek line setback as shown on the Subdivision Guide Plan.
- (viii)(a) All buildings constructed within the zone shall be sympathetic to existing landscape elements (namely landform and vegetation) in terms of their location, scale, height, building materials and colour.

The Golden Hill Steiner School is located at No. 222 Scotsdale Road, within the SR15

zoning. There is an additional use for 'educational establishment', listed as A12 in TPS3 that allows the land use. However, this additional use of educational establishment does not apply to Lot 1 (No. 23) Riverbend Lane.

Additional use No. 12 (A12) provisions are outlined in Attachment 7.

Appendix 1 defines educational establishment.

Appendix 6 – Parking Standards requires 2 parking spaces per secondary school classroom.

In order for the Golden Hill Steiner School to expand the school onto a portion of Lot 1 Riverbend Lane, a scheme amendment to extend the additional use classification across Lot 1 is required. Approval of the Amendment will then enable a Development Application to be considered for an educational establishment largely based on the Master Plan (Attachment 8).

3.4.4 Subdivision Guide Plan

The Subdivision Guide Plan referred to in Special Rural Zone No. 15 (SR15) is provided in Attachment 9. This plan shows the site as having potential to be subdivided into three special rural (rural residential) lots (potential Lots 10, 11 and 12) which are all around 2 hectares in area.

Potential Lot 10 is the western most lot located on the corner of Riverbend Lane and Scotsdale Road and has an area of 2 hectares. Potential Lot 11 is the central lot and has an area of 2 hectares (contains the existing dwelling), while potential Lot 12 is the eastern most lot and adjoins Scotsdale Brook. The land area of Lot 12 is 1.92 hectares. All potential lots have frontage to Riverbend Lane.

Provision (iii) of SR15 states that a minimum lot size of 1 hectare is required.

Based on the approved Subdivision Guide Plan, the site could potentially be subdivided into three (3) lots subject to WAPC approval.

While noting the Subdivision Guide Plan, Cultura Foundation Inc. on behalf of the Golden Hill Steiner School, have arranged a Master Plan (see Attachment 8).

The Master Plan shows 2 rural residential lots (both 1 hectare in area) plus 3.96 hectares allocated for school expansion.

3.4.5 Local Planning Policies

The Council has endorsed several Local Planning Policies, however the current adopted policies are not relevant to the Amendment. At the Development Application stage, relevant policies include signs and public art.

3.4.6 Shire of Denmark Strategic Community Plan (Our Future 2023)

The Strategic Community Plan sets the community's vision for the future and it is the principal strategic guide for the Council's future planning and activities. The plan supports growth and progress locally and regionally. The Council seeks to promote sustainable development and to support enhanced community services.

The vision is 'A vibrant coastal community, connected to the environment, living the village lifestyle.'

A community priority relevant to the Amendment is 'Services and facilities for youth'.

3.5 Planning Framework Implications for the Amendment

Common themes of the planning framework and their implications for the Amendment include:

- Supporting enhanced community/education services;
- Supporting sustainable growth in Denmark which is a designated sub-regional centre;
- Addressing servicing including on-site wastewater design;
- Addressing traffic safety;
- Addressing bushfire risks and servicing;

- Addressing land use compatibility and amenity; and
- Ensuring future buildings are sensitively located and designed.

Based on the above, extending Additional Use No. 12 (A12) for educational establishment purposes over Lot 1 Riverbend Lane is consistent with the planning framework and consistent with the principles of orderly and proper planning.

4. AMENDMENT PROPOSAL

4.1 Overview

The Golden Hill Steiner School seek to grow the school and offer a secondary schooling option (years 7 to 12), in addition to the primary school (kindy to year 6) currently in operation. The school requires access to the adjoining land, Lot 1 Riverbend Lane, to achieve this growth objective.

The intent of the Amendment is to extend Additional Use No. 12 (A12) to enable educational establishment on Lot 1 Riverbend Lane. The base zoning of 'Special Rural' within SR15 will remain over Lot 1 Riverbend Lane.

The proposed additional use of educational establishment over Lot 1 Riverbend Lane will provide a flexible approach to land use planning on the site. By supporting educational establishment as an additional use, there is an opportunity for development to be undertaken for educational establishment (generally based on the Master Plan) plus special rural (rural residential) subdivision/development.

The expansion of the Golden Hill Steiner School will assist to accommodate growing education demands in Denmark.

Future development and uses on the site will be subject to gaining necessary approvals from the Shire including development approval.

4.2 Master Plan and Design Considerations

In support of the Amendment, a Master Plan is provided in Attachment 8 which conceptually shows how the site could be

developed. In addition to the existing development and uses, the proposal is to:

- Cluster new buildings with generous setbacks to Scotsdale Road and Riverbend Lane;
- Provide significant parking areas including for bus parking;
- Retain but reconfigure two crossovers to Scotsdale Road based on the Traffic Impact Assessment ([Attachment 10](#)). This will assist to promote safety for road users travelling on Scotsdale Road;
- Provide internal accessways to service the site and provide convenient carparking and loading areas;
- Limit vehicle access to/from Scotsdale Road for the school expansion (no vehicle access will occur from Riverbend Lane for the school expansion);
- Provide a generous amount of open space including an oval; and
- Upgrade landscaping and replanting.

The Master Plan will be refined at the Development Application stage.

The Master Plan is intended to be progressed following approval of the Amendment. The intent is to extend the Golden Hill Steiner School and to co-ordinate with existing development.

In terms of design considerations, proposed building materials will be sympathetic to and complement the site's setting. The Golden Hills Steiner School currently have and propose an environmentally friendly development which is serviced by a combination of off-grid sustainable power (likely solar) and connection to the grid power supply with progression to full off-grid as technology allows. The development will also use an alternative treatment unit(s) for on-site wastewater disposal.

4.3 Local Development Plan

The extension of Additional Use A12 over Lot 1 Riverbend Lane was initially proposed to be progressed with the preparation of a Local Development Plan to address TPS3 requirements. Based on WAPC advice, a Local Development Plan is not considered necessary for the school expansion.

Instead, the Master Plan will provide a non-statutory guide for future Development Applications.

5. PLANNING CONSIDERATIONS AND PLANNING JUSTIFICATION

5.1 Overview

This section brings together an assessment of the site's attributes, the site's context and the planning framework in considering key planning matters and justifying the Amendment.

5.2 Appropriate Location for Educational Establishment

The site is an appropriate location for an educational establishment (expanded Golden Hill Steiner School) for reasons including:

- The Golden Hill Steiner School adjoins the Amendment site with the school having operated for decades;
- It is consistent with the planning framework including the draft Local Planning Strategy and Community Strategic Plan;
- It adjoins the townsite and is located approximately 1.75 km from the town centre;
- It is a generous sized property (5.96 hectares);
- The locality contains a mix of land uses;
- The Master Plan respects the site's context and features;
- The development footprint is cleared;
- The site has modest environmental assets and future development will create manageable environmental impacts.
- It can be appropriately serviced including on-site wastewater disposal (see [Attachment 11](#));
- The site has high levels of accessibility in Denmark;
- Traffic impacts can readily be accommodated on Scotsdale Road as evidenced by the Traffic Impact Assessment;
- Parking and vehicle manoeuvring will be contained on-site;
- Bushfire protection measures comply with *Guidelines for Planning for Bushfire*

- as set out in the Bushfire Management Plan ([Attachment 4](#));
- The site is not subject to heritage constraints;
- The site is attractive and has a pleasant outlook. The mix of rural/forest settings make it desirable and suitable for educational purposes;
- Expanding the school will benefit Denmark and the district through having convenient access to expanded educational facilities;
- The Golden Hills Steiner School provides an important service to Denmark and the Great Southern and will enhance educational opportunities for the area's youth; and
- The development will provide various benefits to the district and the local community.

The Amendment proposes to extend the educational establishment use over Lot 1 Riverbend Lane. The Amendment site is appropriately located, considerate of its context and it addresses site opportunities and constraints.

The additional use of educational establishment (over Lot 1 Riverbend Lane) represents a good planning outcome.

Accordingly, the site is both suitable and capable of accommodating educational establishment purposes.

5.3 Compatibility with Adjoining and Nearby Land Uses

Based on the Master Plan (see [Attachment 8](#)), the proposed educational establishment on Lot 1 Riverbend Lane has carefully considered its context, neighbouring properties, design and servicing.

The proposed expanded Golden Hill Steiner School will be compatible with adjoining and nearby land uses/development (see [Attachment 3](#)). This is evidenced through effective management of students at the long established Golden Hill Steiner School. There will be minimal risk of land use conflict associated with the educational establishment use. It is also noted:

- The site is well buffered from residential properties to the south;
- There will be effective management of students with associated registration from the Department of Education;
- The school intends to be a 'good neighbour' including effective management of noise from students;
- The educational establishment will operate during the daytime, so will not cause disturbance to regular sleep patterns;
- Significant vegetation will buffer noise while there will be no school traffic on Riverbend Lane;
- There is a mix of land uses in the locality which suggests there is overall community acceptance of non-residential uses;
- All car parking will be contained on-site;
- The site is currently zoned Special Rural; and
- The development will maintain the existing character and amenity of the area.

Accordingly, the zoning will complement and not conflict with adjoining and nearby land uses. The proposed extension of Additional Use No. 12 (A12) represents a logical and sound planning outcome for the site.

5.4 Environmental Impact

The Amendment will create minimal environmental impacts. For instance:

- The development footprint has been previously cleared of native vegetation;
- Existing mature trees will be retained where possible and additional trees and landscaping are proposed;
- There are appropriate buffers to sensitive land uses;
- There will be manageable noise (which will occur in daylight hours);
- The proposed development is expected to produce minimal noise impacts. While noting this, any development is required to address the *Environmental Protection (Noise) Regulations 1997*. There are opportunities to reduce noise impacts

through carefully locating and orientating development and promoting revegetation;

- The site can accommodate on-site sewage (refer to [Attachment 11](#) and section 5.5);
- Stormwater can be effectively managed;
- The site is appropriately serviced;
- Dust can be effectively managed;
- The site is not within the 'trigger' area associated with *State Planning Policy 5.4 Road and Rail Noise*; and
- It is not a contaminated site.

5.5 Sewage disposal

Reticulated sewerage is not available to this site.

The property is within a sewerage sensitive area as outlined at <https://espatial.dph.wa.gov.au/PlanWA/index.html?viewer=PlanWA>.

A Site and Soil Evaluation (SSE) has been prepared by Aurora Environmental which is provided in [Attachment 11](#). The SSE incorporates late winter testing, laboratory testing, photographic recording, logging of soil types and measuring the water table.

The SSE concludes that the proposed educational establishment will comply with the *Government Sewerage Policy*.

Investigation pits were excavated to ascertain the level of site capability for effluent disposal. The majority of the pits returned generally favourable results. Additionally:

- The site is generous in size (5.96 hectares). The on-site sewage disposal systems will be well separated from watercourses;
- The on-site sewage system will be located over 100 metres from Scotsdale Brook;
- The soils have appropriate capability for onsite effluent disposal; and
- There is a need to obtain an on-site wastewater disposal approval from the Shire and the Department of Health.

Any system connected to a building, other than a single dwelling, which produces more than 540 litres of waste per day is required to be approved by, and designed to the satisfaction of the Department of Health and the local government.

5.6 Stormwater management

The site is not classified as a flood prone area.

The landowner/operator is required to appropriately manage stormwater to the satisfaction of the local government. Development is required to ensure that stormwater is designed to ensure that post development run-off rates are no greater than pre-development run-off rates. This is expected to adopt a water sensitive design that seeks to detain, slow down and treat **peak flows that especially addresses 'first flush' runoff treatment**.

It is expected that:

- Stormwater will be managed through rainwater tanks, soakwells/bunding and swales;
- All stormwater from roofed and impervious areas will be collected and disposed of on-site other than in major storm events;
- Some clean fill will be added to assist in redirecting drainage flows;
- There is limited potential for erosion given the site is gently sloping;
- For major rainfall events, overflow drainage will flow towards Scotsdale Brook;
- The development will harvest the stormwater from the buildings for reuse within their operations. Additionally, there are various opportunities for other water sensitive initiatives such as utilising water-efficient fixtures and fittings and encouraging water wise practices; and
- The development will create manageable stormwater management implications and there is the opportunity to revegetate where appropriate.

It is proposed to prepare and implement a stormwater management plan as a

condition of development approval. The plan will demonstrate the site can appropriately accommodate the stormwater generated by the development in the context of site features and the amount of impervious/hardstand proposed.

5.7 Noise

The potential noise impacts are considered to be modest noting the location of the school buildings. Additionally, the hours of operation (during daylight hours), retaining mature trees and proposed replanting assist to act as a buffer will assist to limit noise impacts.

5.8 Recycling and Waste Management

It is expected that waste management will be addressed via a development condition to prepare and implement a Waste Management Plan.

5.9 Landscape Impact and Enhancement

The site and area are characterised by its high landscape qualities including the undulating countryside and the mix of rural, rural living uses and native vegetation. Scotsdale Road is a recognised key tourist route.

The site has filtered views from Scotsdale Road due to the native vegetation in the road reserve.

The Golden Hills Steiner School recognises the importance of maintaining a high-quality landscape. The Golden Hills Steiner School recognises there is merit in retaining most trees on the Scotsdale Road and Riverbend Lane frontage and which border the property to enhance amenity.

As set out in the Master Plan, proposed development will be clustered. There are opportunities for replanting which will further enhance the site's landscape character.

The proposal seeks to implement a high standard of design aesthetic.

The Golden Hills Steiner School proposes to plant a number of trees and shrubs on the property to improve the appearance of the site while still addressing bushfire attack level (BAL) ratings. The intention of the landscaping is to assist in enhancing the site's appearance, particularly when viewed from Scotsdale Road.

The proposal is a modest scale considering the size of the property and will not impact the amenity of the surrounding area. Development has been sited on the cleared areas of the site and will be low-key. Development will be partially screened by existing vegetation in the Scotsdale Road reserve, proposed planting as well as being constructed of materials, colours and finishes that will ensure it complements the forest palette. The planning rules for the site are outlined in Attachment 7.

The Amendment will have manageable impacts on the landscape values of Scotsdale Road.

It is recognised that the Shire may require the preparation and implementation of a landscape plan as a condition of development approval.

5.10 Managing Bushfire Risks

All of the site is within a Bushfire Prone Area as outlined at <https://maps.slip.wa.gov.au/landgate/bushfireprone>.

Bio Diverse Solutions have prepared a Bushfire Management Plan (BMP) to support the Amendment (see Attachment 4). In summary, the BMP concludes the proposal addresses *State Planning Policy 3.7 Planning in Bushfire Prone Areas* and the *Guidelines for Planning in Bushfire Prone Areas*. The BMP sets out the proposal is consistent with the acceptable solutions for Elements 1, 2, 3 and 4 of the Guidelines.

Bio Diverse Solutions set out that most of the property can readily achieve BAL-29 or below, however there are legacy constraints near the existing dwelling on Riverbend Lane. Bio Diverse Solutions have outlined a works program to achieve BAL-

29. It is suggested this works program is formalised as a condition of development approval.

The WA Planning Commission's *Guidelines for Planning in Bushfire Prone Areas* classifies education centres as a 'vulnerable land use'.

A Bushfire Emergency Evacuation Plan will be required to be prepared at the Development Application stage as part of an expanded school. This will require an assessment of risks, options along with evacuation procedures. The plan would be required to be periodically reviewed to ensure it remains current.

5.11 Servicing

The site is already appropriately serviced. It is not envisaged that upgrading of services is required to facilitate the Amendment. Other sections outline the approach to future servicing.

5.12 Vehicular Access and Car Parking

The site adjoins Scotsdale Road and Riverbend Lane. All vehicular access, for the expanded school, is proposed to be limited to/from Scotsdale Road. There will be no vehicular school traffic to/from Riverbend Lane.

The development adjoins the sealed Scotsdale Road.

The Traffic Impact Assessment from Stantec (Attachment 10) concludes the proposed development will create manageable traffic generation. The Traffic Impact Assessment sets out:

- The educational establishment will have manageable impacts on the surrounding road network, including on traffic flow, and can be accommodated in adjacent roads and intersections;
- Scotsdale Road and the nearby road network and intersections have sufficient capacity to address traffic generation from the proposed development;

- There are appropriate sight distances from crossovers on Scotsdale Road in both directions;
- Golden Hills Steiner School also encourages 'kiss and ride' to be undertaken on-site to minimise the impacts on the road network and adjacent residents. Parents will be advised of the parking management guidelines; and
- The site is located on the edge of the townsite and is highly accessible. There are accordingly various opportunities to promote walking and cycling to/from the site given its location. This is facilitated through the dual use path on Scotsdale Road which connects the site to the Denmark town centre. There is considerable space on the site for bicycle parking.

Stantec outline anticipated parking requirements for the expanded educational establishment based on the Master Plan. Sufficient on-site car parking bays will meet the parking demands of the educational establishment. Accordingly, all parking associated with the educational establishment will be contained on-site.

As outlined in Attachment 8, the Master Plan shows generous vehicle parking areas. Sufficient car parking for student drop-off and pickup, and staff can be provided on site. The final number of carparking bays and associated design will be determined and set by the Shire through the development approval.

5.13 Foreshore Reserve

It is understood a Foreshore Management Plan was prepared decades ago at the subdivision stage.

5.14 Supporting the Local Community and Economy

As previously outlined, the proposed extension of Additional Use No. 12 (A12) over Lot 1 Riverbend Lane is consistent with the planning framework. Approval and implementation of the Amendment will assist to provide enhanced educational services to Denmark. Additionally, it will have various community and economic

benefits. This includes supporting local employment, assisting in a more sustainable local economy and adding to The potential to offer secondary education, by expanding the Golden Hill Steiner School, provides a range of schooling options that will improve

Denmark's overall viability, vitality and prosperity as a sub-regional centre.

educational outcomes for the community and the social benefits that accompany it. The Amendment will facilitate positive social and economic outcomes for the community.

5.15 Planning Justification

The planning justification for the Amendment is summarised below in Table 2:

Table 2 – Summarised Planning Justification				
Strategic	Land Use Planning	Environment, Landscape and Heritage	Transport and Servicing	Economic and Community
<p>The Amendment is consistent with the State, regional and local planning framework including that it promotes enhanced education and community services and economic development.</p> <p>Future development will reinforce Denmark as a sub-regional centre.</p>	<p>The site is well located for an educational establishment including it is compatible with adjoining and nearby uses.</p> <p>The site is suitable and capable for an educational establishment.</p> <p>Development will be effectively controlled through TPS3 provisions.</p> <p>The Master Plan will provide a co-ordinated approach with existing and proposed development.</p>	<p>The site contains modest environmental assets and will not create adverse environmental impacts.</p> <p>There are modest landscape impacts and there are opportunities to introduce revegetation and landscaping to enhance the area's amenity.</p> <p>The site has filtered views from Scotsdale Road.</p> <p>Bushfire protection measures comply with <i>Guidelines for Planning in Bushfire Prone Areas</i>.</p> <p>A range of measures will be adopted to lower bushfire risks.</p> <p>There are no heritage constraints nor is it located in a public drinking water source area.</p>	<p>Traffic impacts of the proposed development can readily be accommodated on Scotsdale Road.</p> <p>There will be no school traffic on Riverbend Lane.</p> <p>Car parking will be contained on-site.</p> <p>The site is appropriately serviced.</p> <p>Safe vehicular access can be achieved between the site and Scotsdale Road.</p>	<p>It will enhance education services in Denmark.</p> <p>It will promote job creation and assist to diversify and grow the local economy.</p> <p>The proposal will assist to enhance Denmark through adding to its overall viability, vitality and prosperity and adding to the range of services that can be provided.</p>

In view of the above, the Amendment is consistent with the planning framework and the principles of orderly and proper planning.

This report confirms that the Amendment is consistent with the planning framework, it respects the local context and the site is suitable to extend Additional Use No. 12 (A12) for educational establishment over Lot 1 Riverbend Lane.

The support of the WAPC and the Hon. Minister for Planning is requested to approve the Amendment by extending the Additional Use No. 12 (A12) of educational establishment to Lot 1 (No. 23) Riverbend Lane, Scotsdale.



PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF DENMARK

TOWN PLANNING SCHEME No. 3

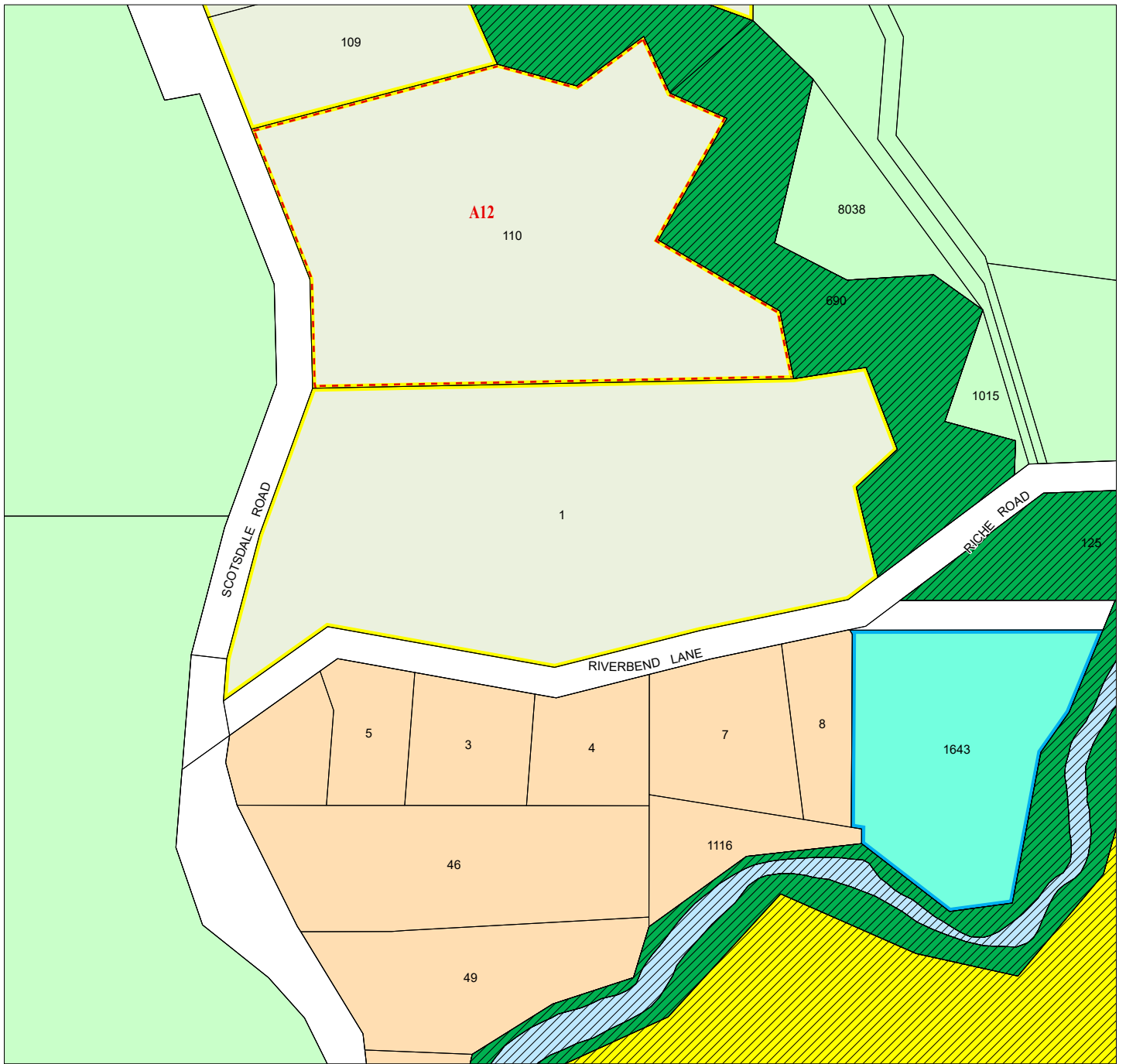
AMENDMENT No. 154

The Shire of Denmark under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above Town Planning Scheme by:

1. Replacing 'Pt Lot, 613 Scotsdale Road, Denmark' with 'Lot 110 on Plan 21633 (No. 222) Scotsdale Road, Scotsdale' and add 'and Lot 1 on Diagram 87539 (No. 23) Riverbend Lane, Scotsdale' in Additional Use Site No. 12 (A12) in the second column (Particulars of the Land) in Appendix 2 Schedule of Additional Use Sites.
2. Amending the Scheme Map accordingly.
3. Amending the conditions of Additional Use No. 12 to remove condition 1 and renumbering the conditions accordingly.

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

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



EXISTING SCHEME MAP

Legend

- | | |
|--------------------------|--------------------------|
| Cadastre with Lot number | Tourist |
| LPS Zones | |
| Residential | Drainage and waterbodies |
| Rural | Parks and recreation |
| Special rural | Public use |



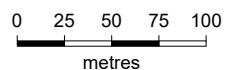
Department of Planning,
Lands and Heritage

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Department of Planning, Lands and Heritage, Perth WA
Base Information supplied by Western Australian
Land Information Authority SLIP 1096-2018-1

Shire of Denmark


Town Planning Scheme No. 3

Amendment No. 154






Legend

 Cadastre with Lot number

Zones and Reserves Amendments - Additional uses (A)

 Additional uses

PROPOSED SCHEME AMENDMENT MAP



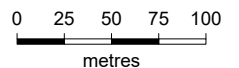
Department of **Planning,**
Lands and Heritage

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Department of Planning, Lands and Heritage, Perth WA
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Shire of Denmark

Town Planning Scheme No. 3

Amendment No. 154



ATTACHMENT 8

LEGEND

- Existing Buildings
- Current / Stage 1 Buildings
- Priority / Stage 2 Buildings
- Future / Stage 3 Buildings



preferred sewage land application area: 750m² (2700m² Total)

preferred sewage land application area: 1950m² (2700m² Total)
note: to be installed to the satisfaction of the Department of Health



MASTER PLAN
2116 Steiner School Master Plan
222 Scotsdale Road, Scotsdale WA 6333

sk.04	rev
26/09/2023	L

PTX
ARCHITECTS



GOVERNMENT OF
WESTERN AUSTRALIA

S48A Referrals

Environmental Protection Authority

Title: Shire of Denmark Town Planning Scheme 3 Amendment 154

Location: Lot 1 Riverbend Lane and Lot 110 on Plan 21633 (No. 222) Scotsdale Road, Scotsdale.

Description: The Shire has initiated Amendment 154 to Town Planning Scheme 3 (TPS3), which proposes to add Lot 1 Riverbend Lane Scotsdale (Lot 1) in Additional Use (AU) Site No. 12 'Educational Establishment' in Appendix 2 Schedule of Additional Use Sites and amend the scheme map accordingly. This is to enable the expansion of the existing school site located to the north of Lot 1. It is also proposed to amend the scheme text in AU Site No 12. to replace Pt Lot 613 Scotsdale Road with Lot 110 on Plan 21633 (No. 222) Scotsdale Road Scotsdale. This is the existing school site.

Ref ID: APP0025026

Date Received: 04/12/2023 **Date Sufficient Information Received:** 04/12/2023

Responsible Authority: Shire of Denmark

Contact: Craig Pursey

Preliminary Environmental Factors: Inland waters, Flora and vegetation, Terrestrial fauna

Potential Significant Effects: Impact to native vegetation that is habitat for conservation significant fauna, impact to hydrology and water quality.

Management: Impacts can be managed through the proposed scheme provisions. In addition, future planning processes will provide further management of potential impacts. EPA advice, including recommendations for additional scheme text, is also provided.

Determination: **Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. Advice Given (Not Appealable)**

The EPA has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

This Determination is not appealable.

Chair's Initials: 

Date: 21 December 2023

**ADVICE UNDER SECTION 48A(1)(a)
ENVIRONMENTAL PROTECTION ACT 1986**

Shire of Denmark Town Planning Scheme (TPS) 3 Amendment 154

**Location: Lot 1 Riverbend Lane Scotsdale and Lot 110 on Plan 21633 (No. 222)
Scotsdale Road Scotsdale**

Determination: Scheme Not Assessed – Advice Given (Not Appealable)

Determination Signed: 21 December 2023

Summary

The Shire of Denmark has initiated Amendment 154 to Town Planning Scheme 3 (TPS3), which proposes to add Lot 1 Riverbend Lane Scotsdale (Lot 1) in Additional Use (AU) Site No. 12 'Educational Establishment' in Appendix 2 Schedule of Additional Use Sites and amend the scheme map accordingly. This is to enable the expansion of the existing school site located to the north of Lot 1. It is also proposed to amend the scheme text in AU Site No 12. to replace Pt Lot 613 Scotsdale Road Denmark with Lot 110 on Plan 21633 (No. 222) Scotsdale Road Scotsdale. This is the existing school site.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the documentation provided by the Shire of Denmark. Having considered this matter, the following advice is provided.

1. Environmental Factors

Having regard to the EPA's Statement of Environmental Principles, Factors and Objectives, the EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- Inland waters
- Flora and vegetation
- Terrestrial fauna

2. Advice and Recommendations regarding Environmental Factors

Inland waters

Future development associated with the amendment has the potential to impact groundwater and surface water hydrology and quality of the surrounding environment. Lot 1 is adjacent to the Scotsdale Brook, a tributary of the Denmark River, which ultimately discharges to the Wilson Inlet. Lot 1 is within a 'sewage sensitive area' as defined in the Government Sewerage Policy 2019 due to its proximity to the Wilson Inlet.

It is noted that TPS 3 contains scheme provisions applying to Lot 1 which will protect and manage potential impacts to Inland waters values. The provisions include requirements for the preparation of a foreshore management plan, setbacks to Scotsdale Brook, stormwater

drainage plan, provision of minimum lot sizes of one hectare and onsite effluent disposal to be in accordance with the Health Department of WA and Council requirements.

Lot 1 generally has low land capability for onsite effluent disposal. Given the constraints on Lot 1, the compatibility of land use in the context of management of wastewater disposal and capacity of the receiving environment to satisfy the Government Sewerage Policy 2019 and Draft State Planning Policy 2.9 Planning for Water, requires careful consideration.

The EPA expects that the natural values of the Scotsdale Brook will be protected as part of any future development within the amendment area. Water management planning should maintain or improve groundwater and surface water quality. Maintenance of pre-development hydrology should be considered at all stages as part of water management planning. Future development should also consider best practice management of stormwater, management of fertiliser use, and retention of native vegetation. The Department of Water and Environmental Regulation (DWER) should be consulted regarding any future water management planning documents.

It is recommended the Shire consider modifying the scheme provisions with reference to recommendations below that should be enacted prior to development within the amendment area to further protect and manage values related to Inland Waters:

- On site effluent disposal should be consistent with the Government Sewerage Policy 2019 including the use of secondary treatment systems with nutrient removal where required. In addition to the Shire and the Department of Health, on site effluent disposal systems should be to the satisfaction of DWER.
- A Site and Soil Evaluation (SSE) report should be prepared to inform the capability of the proposed land application area to manage on site effluent disposal. The SSE should be used to inform development applications, proposed method of on-site effluent disposal, building envelopes, remediation works (where applicable) should be prepared to the satisfaction of the Shire of Denmark, DWER and Department of Health.
- The foreshore management plan, including consideration of appropriate setbacks to waterways, should be prepared to the satisfaction of DWER.
- The stormwater drainage (management) plan should be prepared to the satisfaction of DWER.

Flora and vegetation; Terrestrial fauna

The amendment area contains native vegetation, including stands of Marri, Jarrah and Karri that provides habitat for threatened species of black cockatoo. Implementation of the scheme amendment may result in the clearing of native vegetation and fauna habitat for future development.

The proposed master plan for the future school development provided with the amendment documentation retains areas of native vegetation. The Bushfire Management Plan (Bio Diverse Solutions 2023) also considers that native vegetation is not proposed to be cleared as part of the future development of the school site. The scheme provisions, including requirements for minimum one hectare lot sizes, can manage potential impacts to vegetation and fauna values. The EPA supports the retention of native vegetation/fauna habitat within the amendment area.

Should clearing be proposed as a result of proposed subdivision/development, the EPA expects that a targeted black cockatoo habitat survey would be undertaken to inform future planning processes. The EPA expects that future planning would retain significant trees as well as areas containing significant environmental value including consolidated areas of native vegetation that are also habitat for conservation significant fauna species.

The EPA also advises that proposed clearing of conservation significant fauna habitat, in particular, black cockatoo habitat, may require referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

It is recommended the Shire considers updating the existing scheme provisions to reference the following recommendations to further protect and manage Flora and vegetation and Terrestrial fauna values:

- A Landscape Management Plan to be prepared at subdivision to identify, retain and manage fauna habitat and foreshore vegetation and for the management of fertilizer/nutrient input.
- A Bushfire Management Plan to be prepared at subdivision to accommodate any existing remnant vegetation to be retained on-site and be informed by the Landscape Management Plan and Foreshore Management Plan.

Conclusion

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through the existing and recommended scheme provisions. In addition, future planning processes and management measures can manage potential impacts. The EPA recommends its advice is implemented to mitigate potential impacts to the above environmental factors.

From: [Local Planning Schemes](#)
To: [Shire of Denmark - Enquiries](#)
Cc: [Craig Pursey](#)
Subject: Decision - Consideration Prior to Advertising - Denmark - Amendment 154
Date: Monday, 8 January 2024 9:20:03 AM
Attachments: [image001.png](#)

OFFICIAL

TO WHOM IT MAY CONCERN

That the Department of Planning, Lands and Heritage resolves to under Section 83A(2) (b) of the Planning and Development Act 2005, determine that Amendment No.154 to the Shire of Denmark Town Planning Scheme No. 3 require the following modifications, prior to advertising the amendment:

1. Modify the amendment by inserting the following:
 3. Amending the conditions of Additional Use No. 12 to remove condition 1 and renumbering the conditions accordingly.
2. Remove the underlying Special Rural zoning from the 'proposed scheme amendment' map as this zoning is not changing under the proposed amendment.

Further, it is recommended that the Local Government be advised that:

1. It is the expectation that the local planning scheme amendment is to be advertised within 28 days of this decision letter in accordance with section 84 of the *Planning and Development Act 2005*; and
2. While a preliminary assessment has been undertaken, this should not be construed as support for the local planning scheme amendment or that further modifications cannot be required following advertising.

Regards

PLANNING ADMINISTRATION – DEPARTMENT OF PLANNING, LANDS AND HERITAGE



The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay our respects to their Elders, past and present.

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30 April 2024 - Attachment 9.1.1c

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SCHEDULE OF SUBMISSIONS


Town Planning Scheme No.3 – Amendment No.154

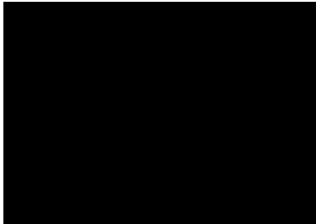
Submissions Received from Public



Ref No.	Submitter Details	Verbatim Submission	Planning Services Comment
S1		<p>We write in support of the Denmark Shire's proposed Scheme Amendment 154 to extend the additional use of education on GHSS campus Lot 12 to the adjacent Lot 1 Riverbend Lane, Scotsdale Rd</p> <p>The Hall family support this amendment of zoning and development of a high school at the Golden Hills Steiner school.</p> <p>We are residents of Riverbend Lane (4 ) , business owners on Riverbend Lane () and parents to a pupil attending Golden Hills Steiner school (currently Y5).</p> <p>We chose to enrol our son at the school as the curriculum and style of teaching and learning of the school suits his learning needs and has proved to be the best decision we have made for him regarding his education.</p> <p>Part of the choice was based on the hopes/expectation that he would be able to remain at the school for the remainder of his education.</p> <p>We believe the land is ideally suited to the continued education purposes in keeping with the schools ethos. With space to learn and play, space to expand horticultural curriculum; within walking distance from town and with a safe path which we know is well used by pupils.</p> <p>We understand that the additional access will be from Scotsdale Rd and will not intrude on Riverbend Lane.</p> <p>We fully support the use of Lot 1 Riverbend to expand the offering of GHSS and I urge the Denmark Shire to approve Scheme Amendment 154.</p>	<p>Comments noted.</p>

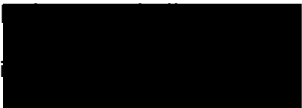
S2		<p>I write in support of the Denmark Shire's proposed Scheme Amendment 154 to extend the additional use of education on GHSS campus Lot 12 to the adjacent Lot 1 Riverbend Lane, Scotsdale.</p> <p>A few points to be mentioned...</p> <ul style="list-style-type: none"> • the zoning of Lot 1 Riverbend Lane for additional use education offers the opportunity for GHSS to further grow into a high school, • attraction to families from outside the district and all the ensuing benefits to the community including employment, business activity, etc • Steiner curriculum runs from K to year 12...families wishing to complete their children's Steiner schooling will not move on. • the land is ideally suited to education purposes.... space to learn and play, space to expand horticultural curriculum; within walking distance from town; has a bike path, etc • expanded GHSS activity will be accessed from Scotsdale Rd and will not intrude on Riverbend Lane... • as a present parent and staff member my child has only ever attended a Steiner School and was enrolled in the Perth Waldorf High School for year 7 in 2023 until we received approval for the high school in in Denmark. So now we are staying in our wonderful community. • over the 36 year history of GHSS we have seen a great contribution to the social and cultural life of Denmark.... • the school has stood on its own feet financially and has never sought any financial prop from the Denmark community. <p>I fully support the use of Lot 1 Riverbend to expand the offering of GHSS and I urge the Denmark Shire to approve Scheme Amendment 154.</p>	<p>Comments noted.</p>
S3		<p>I write in support of the Denmark Shire's proposed Scheme Amendment 154 to extend the additional use of education on GHSS campus Lot 12 to the adjacent Lot 1 Riverbend Lane, Scotsdale.</p> <p>The zoning of Lot 1 Riverbend Lane for additional use education offers the opportunity for GHSS to further grow into a high school.</p> <p>As a current parent at GHSS, I personally know of three families who have moved to Denmark, specifically to send their children to Golden Hill Steiner. The benefits of families relocating to Denmark are obvious, in the way of employment and business opportunities, as well as, their</p>	<p>Comments noted.</p>


		<p>contribution to community life.</p> <p>Steiner curriculum runs from K to year 12. Therefore, families wishing to complete their children's Steiner education will remain in Denmark.</p> <p>Lot 12 ideally suited to education purposes, with space to learn and play, and to expand the horticultural curriculum. It is within walking distance from town, has a bike path and existing bus service.</p> <p>Expanded GHSS activity will be accessed from Scotsdale Rd and will not intrude on Riverbend Lane.</p> <p>The school has stood on its own feet financially and has never sought financial contribution from the Denmark community.</p> <p>I fully support the use of Lot 1 Riverbend to expand the offering of GHSS and I urge the Denmark Shire to approve Scheme Amendment 154.</p>	
S4		<p>I write in support of the Denmark Shire's proposed Scheme Amendment 154 to extend the additional use of education on GHSS campus Lot 12 to the adjacent Lot 1 Riverbend Lane, Scotsdale.</p> <p>My daughter has attended Golden Hill Steiner School (GHSS) for a number of years - from Playgroup in 2015 to her current enrolment in Class 5 in 2024. During her years at GHSS, she has benefited from the beautiful location of the school, it's natural environment and having space to learn, to play and to explore the natural world around her. The extension of the school to use Lot 1 Riverbend Lane will continue to allow an education that is in harmony with the landscape.</p> <p>Our intention for our daughters ongoing education is that she is to continue at GHSS for the next seven years. We do not want to change schools as she grows through her high school years. The Steiner education model suits our daughter and her learning style and we are completely convinced that GHSS is the best option for our daughter through to the end of her schooling in Class 12. This means that GHSS will be in rapid growth until 2028 when they see their first high school cohort graduate. We are committed to travelling this path with many other parents and know that GHSS will need the use of Lot 1 Riverbend Lane to assure this education through high school.</p> <p>GHSS is a wonderful and enriching part of the social and cultural life of Denmark. It set the tone for our experiences and expectations of the town, from Spring Festivals to Winter Solstice celebrations, from participating in the community of the school through Parent Participation hours to volunteering in busy bees, from watching the children presenting at assemblies and performances to attending Steiner education classes. This school is a benefit to our community</p>	<p>Comments noted.</p>

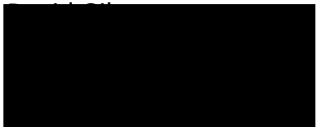
		<p>and is reflective of core values held by the Shire of Denmark, positive values and culture where we work together to build connections and embrace the opportunity to support our community, contributing to the five pillars (Our Economy, Our Natural Environment, Our Built Environment, Our Community, Our Local Government) outlined by the Shire and offers opportunities for the diversity of our town through educational representation.</p> <p>Beyond this, GHSS is a successful business. The school has thrived throughout it's 36 year history and has been fully financially autonomous throughout this time. As a fantastic example of a local business economic success, they deserve to be supported in their bid to secure the use of Lot 1 Riverbend Lane.</p> <p>I fully support the use of Lot 1 Riverbend to expand the offering of GHSS and I urge the Denmark Shire to approve Scheme Amendment 154.</p>	
S5		<p>██████████ is writing to you in support of the proposed Town Planning Scheme 3 Amendment 154 to extend the additional use of education on GHSS campus Lot 12 to the adjacent Lot 1 Riverbend Lane, Scotsdale.</p> <p>██████████ are mostly current or past parents and teachers at Golden Hill Steiner School, some of us going back to the school's opening 35 years ago in 1988.</p> <p>We feel the land at Lot 1 is very well suited to the coming needs of GHSS. It presents a beautiful space to continue developing an already attractive school campus and offers safe pedestrian, cycle and vehicle access to the town. The school has good relations with its neighbours which, we are certain, will continue as a quiet and happy coexistence.</p> <p>As you know Cultura's principal aim is to support education, particularly at GHSS, and we are grateful to the Shire of Denmark for providing this opportunity to expand the school into its secondary years. In making this transition GHSS will join 21 other Australian Steiner secondary Schools and will make Denmark a particularly attractive destination for families looking for this educational path. The ensuing benefits for Denmark's business activity and employment will be significant and, we think, particularly well aligned with Denmark's creative, culturally and environmentally aware community.</p> <p>Over the years we have seen a number of families move away from Denmark to complete their children's Steiner Schooling, the full curriculum for which runs from Kindergarten to Year 12. This dilemma will be avoided for those who have made Denmark their home.</p> <p>The prospect of Steiner secondary schooling is also generating interest among parents currently home schooling their primary aged children and will offer a path for those children into their</p>	<p>Comments noted.</p>

		<p>teenage years.</p> <p>We wish to thank the Denmark Shire Council for making the land available and for the Shire's support in planning matters. We fully support the use of Lot 1 Riverbend Lane to provide a secondary school offering at GHSS and urge the Denmark Shire Council to approve Scheme Amendment 154.</p>	
S6		<p>I write this email to you in support of the Denmark Shire's proposed Scheme Amendment 154 to extend the additional use of education on GHSS campus Lot 12 to the adjacent Lot 1 Riverbend Lane, Scotsdale.</p> <p>As you will be aware, the zoning of Lot 1 Riverbend Lane for additional use education offers the opportunity for GHSS to further grow into a high school, thereby benefiting the Denmark community by offering more choice for senior schooling educational opportunities. This will likely attract families to Denmark, and I can confirm as the Enrolments officer at the school that we receive many enquiries from families not currently living in Denmark regarding moving to the area so that their children may attend our school into the High School years. With this influx the community benefits greatly with more business activity and more people available for employment purposes, sporting groups and volunteering.</p> <p>The fact that the Steiner curriculum runs from K to Year 12 will hold families in town if they wish their children to complete their schooling in a Steiner school. The land is ideally suited to education purposes, with space to learn and play, space to expand our horticultural curriculum and is within walking distance from town with an available bike path. I believe that an expansion to GHSS on the land in question will not intrude on residents on Riverbend Lane, as access will be via Scotsdale Road.</p> <p>I am aware that GHSS has a 36 year history in this town, contributing to the social and cultural life of Denmark, and my own experience of the school for the past 7 years has been one of enjoyment and awe. With no previous experience or knowledge of a Steiner school or Steiner education before moving to Denmark I am only able to look back in hindsight and wish for my own children's sake that we had had the knowledge earlier.</p> <p>GHSS should be proud of the fact that they have supported themselves financially since their inception and not sought financial support from the Denmark community.</p> <p>In summary, I fully support the use of Lot 1 Riverbend Lane to expand the offering of GHSS and I urge the Denmark Shire to approve Scheme Amendment 154.</p>	<p>Comments noted.</p>

S7		<p>I write in support of the Denmark Shire's proposed Scheme Amendment 154 to extend the additional use of education on GHSS campus Lot 12 to the adjacent Lot 1 Riverbend Lane, Scotsdale.</p> <p>A few points below in why I am supporting this amazing opportunity for the Golden Hill Steiner School and the community at large.</p> <p>The zoning of Lot 1 Riverbend Lane for additional use education offers the opportunity for GHSS to further grow into a high school, attraction to families from outside the district and all the ensuing benefits to the community including employment, business activity, etc Steiner curriculum runs from K to year 12 Families wishing to complete their children's Steiner schooling will not move on.</p> <p>The land is ideally suited to education purposes.... space to learn and play, space to expand horticultural curriculum; within walking distance from town; has a bike path, etc. Expanded GHSS activity will be accessed from Scotsdale Rd and will not intrude on Riverbend Lane.</p> <p>As a present parent, whose child has attended since playgroup to now being in Year 6 have also been part of the 36 year history of GHSS. We have seen a great contribution to the social and cultural life of Denmark.</p> <p>The school has stood on its own feet financially and has never sought any financial prop from the Denmark community.</p> <p>I fully support the use of Lot 1 Riverbend to expand the offering of GHSS and I urge the Denmark Shire to approve Scheme Amendment 154.</p>	<p>Comments noted.</p>
S8		<p>I fully support the proposed Amendment but have two observations / queries:</p> <p>1. Fire / emergency access</p> <ul style="list-style-type: none"> • <i>The site is provided with standard 'hard infrastructure' including ... access from both Scotsdale Road and Riverbend Lane (2.5 Services, p5.)</i> • <i>No emergency access ways are proposed. (table 4, A3.2b, p9, Attachment 4.)</i> <p>The school's single ingress/egress to Scotsdale Rd has a high potential to become a dangerous bottleneck in an emergency evacuation.</p> <p>An obvious secondary access is the current residence driveway to Riverbend La, which could easily be upgraded and would relieve pressure on the main access, should it be needed.</p> <p>At the same time the Riverbend La junction with Scotsdale Rd needs to be upgraded, by taking</p>	<p>Noted</p> <p>In this instance the Bushfire Planning Framework only requires access to Scotsdale Road which in turn provides two way access north and south from the subject site.</p> <p>However, as a 'vulnerable land use' in a bushfire prone area, a Bushfire Emergency Evacuation Plan (BEEP) will be required as part of any future development application. This</p>

		<p>out the “kink” constructed by council in the early 2000s. This has proven extremely awkward and potentially dangerous: far from improving traffic conditions it has made turning in and out of Riverbend La perilous, especially for large or extended vehicles such as semi-trailers, trucks, and vehicles towing caravans or camper-trailers, and when any vehicles travelling in opposite directions meet at the junction. (This work is not strictly relevant to the amendment, but please see that it goes on the shire’s engineering priority to-do list ...)</p> <p>2. Future subdivision Are lots 1 and 2 intended for later subdivision into private lots? There is no suggestion in the document that this is intended or will occur – hence my question. Is there anything to prevent the new owner from further subdividing the land?</p>	<p>document will analyse the mechanics of an evacuation of the school in an emergency and if another access point is recommended to Riverbend Lane as part of this detailed study this could be easily facilitated from the edge of the proposed oval (or similar).</p> <p>Intersection comment: The Shire has not undertaken a realignment of Riverbend Lane. Kerbing and construction of a shared path where Riverbend Lane and Scotsdale Road meet resulted in a formalising of this intersection where people could have previously cut across the roads shoulder. The road construction is fully compliant with the relevant road standards.</p> <p>The rezoning does not prevent the further subdivision of the lots fronting Riverbend Lane as identified in the subdivision guide plan for the underlying Special Rural zone</p>
S9		<p>I write in support of the Denmark Shire's proposed Scheme Amendment 154 to extend the additional use of education on GHSS campus Lot 12 to the adjacent Lot 1 Riverbend Lane, Scotsdale. A few points to be mentioned...</p> <ul style="list-style-type: none"> • the zoning of Lot 1 Riverbend Lane for additional use education offers the opportunity for GHSS to further grow into a high school, • attraction to families from outside the district and all the ensuing benefits to the community including employment, business activity, etc • Steiner curriculum runs from K to year 12...families wishing to complete their children's 	<p>Comments noted.</p>

		<p>Steiner schooling will not move on.</p> <ul style="list-style-type: none"> • the land is ideally suited to education purposes.... space to learn and play, space to expand horticultural curriculum; within walking distance from town; has a bike path, etc • expanded GHSS activity will be accessed from Scotsdale Rd and will not intrude on Riverbend Lane... • as a past/ present parent, staff member I..... • over the 36 year history of GHSS we have seen a great contribution to the social and cultural life of Denmark.... • the school has stood on its own feet financially and has never sought any financial prop from the Denmark community <p>I fully support the use of Lot 1 Riverbend to expand the offering of GHSS and I urge the Denmark Shire to approve Scheme Amendment 154.</p>	
S10		<p>Shire of Denmark : Submission : re. Rezoning of Lot 1 Riverbend Lane to Education</p> <p>This submission is in wholehearted support of the rezoning of Lot 1 Riverbend Lane to Education to enable the expansion of Golden Hill Steiner School (GHSS) into High School years.</p> <p>The points I make below all align with the Shires (& thus communities) values and aspirations..... as documented in the Shires own top level documents, being the Community Strategic Plan 2027 (CSP), Local Planning Strategy (LPS), and the Shires formal Declaration of the Climate Emergency in 2019.</p> <p>GHSS has resided on the adjacent site for decades. They have proven to both nurture and improve the land with planting trees, vegetables and native gardens using regenerative practices, and community building. GHSS will continue to preserve that ‘village feel’ loved by Denmarkians and is in keeping with Shire’s key goals in the CSP & LPS.</p> <p>It will also make a statement that Shire are trying to act on their own statement of declaration of the climate emergency.</p>	<p>Comments noted.</p> <p>Design and height of buildings will be considered at the development application stage with retention of landscape values and the amenity of the development from Scotsdale Road considered as part of the assessment.</p>

		<p>GHSS will (as built into its values) build relatively aesthetically beautiful, and environmentally friendly buildings, as is the GHSS primary school built environment, in keeping with the communities overwhelming importance of care of the natural environment in Shire's CSP</p> <p>This sits in stark contrast with the last proposed use of lot 1 being a major road, cutting through the very old karris and across the river. This indeed went against the communities desire of 'village feel'. And specifically against the declaration of climate emergency. Encouraging unnecessary major infrastructure development.</p> <p>The irony that we need 'more exits' in the case of major bushfire (exits that all end up on a single road on the eastern side of town), destroying the forest to keep us safe, is fundamentally flawed. There is of course the second bridge exit at Church-hill road (2 lanes sealed).</p> <p>On a personal note, I was a parent at GHSS some 10 years ago. The school holds many values that Denmark aspires to. My now adult child would not have 'survived' the main stream system, as the class sizes and systemic inflexibility were detrimental to his well-being. The option of a Steiner based high school would have helped his positive development and identity immensely.</p> <p>Additionally, and importantly the current high school mainstream system does not meet numerous students Needs. I know of at least 10 high school students (over just 2 years) who have left the system at year 10 due to the inflexibility of education and mental health impacts.</p> <p>I unreservedly support the rezoning of Lot 1 Riverbend Lane to Education for GHSS, for the solid reasons above that align with community expectations, and the Shires own key guiding documents. Our community needs to enable a much needed alternate High School. However, I would advocate for building height and design restrictions.</p>	
S11		<p>I write in support of the Denmark Shire's proposed Scheme Amendment 154 to extend the additional use of education on GHSS campus Lot 12 to the adjacent Lot 1 Riverbend Lane, Scotsdale.</p>	<p>Comments noted.</p>

As a parent of a child at the school we are very grateful to be part of the Golden Hill Steiner School community. Extending the school to year 12 and enabling the full steiner curriculum is a wonderful opportunity for existing and potential new students and will likely attract many families from beyond Denmark.

As the architects for the schools masterplan and high school project we have been witness to the highly considered approach and good financial management by the school. As access to the school will continue to be provided off Scotsdale Rd, it will have minimal impact on Riverbend Lane and will only enhance the amenity of the local area. Being able to expand into a high school will enable GHSS to build on the extensive contribution it has made to the Denmark community since it was founded in the late 1980's.

I fully support the use of Lot 1 Riverbend to expand the offering of GHSS and I urge the Denmark Shire to approve Scheme Amendment 154.

Submissions Received from Government Agencies

G1	Department of Biodiversity, Conservation & Attractions	DBCA Frankland District, has no objection to Town Planning Scheme No 3 Amendment 154 Lot 1 Riverbend Lane Denmark.	Noted.
G2	Department of Water & Environmental Regulation	<p>Thank you for providing the above proposal for the Department of Water and Environmental Regulation (DWER) to consider.</p> <p>It is noted that advice and recommendations were provided by the EPA in Determination dated 21 December 2023. Advice - Shire of Denmark Town Planning Scheme 3 Amendment 154.pdf (epa.wa.gov.au)</p> <p>In relation to the following EPA recommendation regarding Inland Waters:</p> <ul style="list-style-type: none"> • <i>A Site and Soil Evaluation (SSE) report should be prepared to inform the capability of the proposed land application area to manage on site effluent disposal. The SSE should be used to inform development applications, proposed method of on-site effluent disposal, building envelopes, remediation works (where applicable) should be prepared to the satisfaction of the Shire of Denmark, DWER and Department of Health.</i> <p>It is acknowledged that an SSE report was prepared in October 2023 and has been submitted for review as part of the proposed scheme amendment.</p> <p>The report has identified that the proposal area is located within a Sewage Sensitive Area (SSA) due to its proximity to Wilson Inlet. The separation requirements between proposed points of effluent discharge and the highest known groundwater level, is a minimum of 1.5m within SSA's. The current SSE acknowledges that the depth to groundwater at proposed points of discharge has not yet been determined. The Shire should ensure that this information is made available by the proponent for review at the Development Application stage, noting that October/November are the optimum months for the collection of this data.</p> <p>In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.</p>	Noted.

G3	Department of Health	<p>The Department of Health's Water Unit has reviewed the site and soil evaluation (SSE) report and provide the following comment:</p> <p>Wastewater Management</p> <p>The Department of Health has no objection to the proposal subject to all development complying with the recommendation of the SSE report for the subject lots, especially in regards to:</p> <ul style="list-style-type: none"> • The use of Secondary Treatment Systems for onsite effluent disposal of the subject lots, • Achieving Setback distances from ground water and Scotsdale brook, • Fill requirement, and • Land application calculation. <p>In accordance with the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i>, approval is required for any on-site waste water treatment process (by the Department of Health or/and local government) with such proposals being in accordance with the following publications. These may be referenced and downloaded from: https://ww2.health.wa.gov.au/Articles/A_E/Apply-to-install-a-wastewater-system</p> <p>Any non-drinking water (i.e., water that is not intended or suitable for drinking) must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration and suitable backflow prevention arrangements in accordance with Australian/New Zealand Standards AS3500 – Plumbing and Drainage.</p> <p>Drinking water Management</p> <p>All drinking water provided on site must meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011.</p>	<p>Comments noted.</p> <p>Recommendations of the SSE will be applied at the development application stage.</p>
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G4	Water Corporation	<p>Water Corporation has no objection to Town Planning Scheme No. 3 Amendment 154, Lot 1 Riverbend Lane, Scotsdale.</p> <p>Water Servicing is already existing at the proposed site, wastewater servicing is not available. No additional water services are available off the nearby water main, only what is currently connected. The developer should get in contact with Water Corporation to discuss future water demands for the expansion of the school.</p>	<p>Noted.</p> <p>The site is able to be serviced by reticulated water supply and any extension of this supply is to be addressed at the development approval stage.</p>
G5	Department of Energy, Mines, Industry Regulation and Safety	<p>Thank you for your letter dated 8 February 2024 inviting comment on the proposed Town Planning Scheme No. 3, Amendment 154.</p> <p>The Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.</p> <p>DEMIRS lodges no objections to the above Town Planning Scheme amendment.</p>	<p>Noted.</p>
G6	Department of Primary Industries and Regional Development (DPIRD)	<p>Thank you for the opportunity to comment on Town Planning Scheme No. 3 Amendment 154 to extend Additional Use No. 12 (Educational Establishment) to include Lot 1 Riverbend Lane, Scotsdale.</p> <p>The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed amendment to extend Additional Use No. 12 (Educational Establishment) to Lot 1 Riverbend Lane, Scotsdale. The lot is currently zoned 'Special Rural (SR15)' and can be subdivided to accommodate the extension of the school.</p>	<p>Noted.</p>
G7	Environmental Protection Authority (EPA)	<p><i>The following is a summary of the advice provided; a full copy of the submission can be found at attachment 9.x.xb of this report.</i></p> <p>The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the <i>Environmental Protection Act 1986</i> (EP Act). The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the documentation provided by the Shire of Denmark. Having considered this matter, the following advice is provided.</p> <p>It is recommended the Shire consider modifying the scheme provisions with reference to recommendations below that should be enacted prior to development within the amendment area to further protect and manage values related to Inland</p>	<p>Noted.</p> <p>The issues raised in the EPA advice are consistent with good planning principles and environmental practice and are wholly supported.</p> <p>However, no modification to the scheme amendment is recommended in response to these issues as the existing planning framework already covers the issues raised adequately. Further explanation follows:</p> <ul style="list-style-type: none"> Onsite effluent disposal, the requirement for a Site and Soil Evaluation are already called up by the Government Sewerage Policy 2019 and are a

	<p>Waters:</p> <ul style="list-style-type: none"> • On site effluent disposal should be consistent with the Government Sewerage Policy 2019 including the use of secondary treatment systems with nutrient removal where required. In addition to the Shire and the Department of Health, on site effluent disposal systems should be to the satisfaction of DWER. • A Site and Soil Evaluation (SSE) report should be prepared to inform the capability of the proposed land application area to manage on site effluent disposal. The SSE should be used to inform development applications, proposed method of on-site effluent disposal, building envelopes, remediation works (where applicable) should be prepared to the satisfaction of the Shire of Denmark, DWER and Department of Health. • The foreshore management plan, including consideration of appropriate setbacks to waterways, should be prepared to the satisfaction of DWER. • The stormwater drainage (management) plan should be prepared to the satisfaction of DWER. <p>It is recommended the Shire considers updating the existing scheme provisions to reference the following recommendations to further protect and manage Flora and vegetation and Terrestrial fauna values:</p> <ul style="list-style-type: none"> • A Landscape Management Plan to be prepared at subdivision to identify, retain and manage fauna habitat and foreshore vegetation and for the management of fertilizer/ nutrient input. • A Bushfire Management Plan to be prepared at subdivision to accommodate any existing remnant vegetation to be retained on-site and be informed by the Landscape Management Plan and Foreshore Management Plan. <p>Conclusion</p> <p>The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through the existing and recommended scheme provisions. In addition, future planning processes and management measures can manage potential impacts. The EPA recommends its advice is implemented to mitigate potential impacts to the above environmental factors.</p>	<p>requirement of the Deemed Provisions.</p> <ul style="list-style-type: none"> • DWER have not requested a Foreshore Management Plan however, there is adequate nexus between a development proposal and the foreshore to allow for the preparation of a foreshore management plan as a condition of development approval without encumbering the Scheme further. • Stormwater drainage planning will be addressed at the development applicant stage and is already a requirement of the Scheme through the application of the Deemed Provisions. • Clause 5.24.2 of the Scheme already covers the requirement to prepare a landscaping master plan by stating: • <i>Landscaping shall be provided and maintained in accordance with a landscape plan approved by the Council.</i> • Preparation and implementation of a Bushfire Management Plan for development of a 'vulnerable land use' is already a requirement of the Scheme through the application of the requirements of State Planning Polcyn 3.7 and the associated bushfire planning framework.
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G6	Department of Fire and Emergency Services	<p>I refer to your email dated 8 February 2024 regarding the submission of a Bushfire Management Plan (BMP) (Version 2), prepared by Bio Diverse Solutions dated 11 October 2023, for the above Scheme Amendment.</p> <p>This advice relates only to State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines). It is the responsibility of the proponent to ensure the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.</p> <p><u>Assessment</u></p> <ul style="list-style-type: none"> The Decision Maker's attention is drawn to the Guidelines section 6.12.2, which states that Level 2 practitioners are accredited to provide services limited to BMP's, excluding those for Vulnerable or High-Risk Land Uses. DFES notes that while the proposal is for a scheme amendment, the proposed land use is vulnerable. 	<p>Comments Noted</p> <p>A BMP has been included in the Amendment documentation with several shortcomings identified by DFES. However, none of the identified issues are fatal flaws and would prevent the Amendment proceeding.</p> <p>SPP3.7 notes that vulnerable land uses in areas where BAL12.5 to BAL 29 applies should have a BMP and an emergency evacuation plan.</p> <p>Any future development application for the site will need an adjusted BMP and emergency evacuation plan with details to the Shire's satisfaction.</p> <p>The <i>recommendations</i> of section 6.12.2 of the Guidelines for Planning in Bushfire Prone Areas are noted. However, the Guidelines 'strongly recommend' but do not <i>require</i> application of the accreditation system.</p> <p>In this case the bushfire assessors are extremely familiar with local conditions, and have a good depth of experience with access to level 3 practitioners. The BMP provided is of a good standard and accepted by the local government.</p>
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	<p>1. Policy Measure 6.3 a) (i) Results of a Bushfire Hazard Level (BHL) Assessment</p> <p>Vegetation Exclusion Plot 3 has been excluded from classification. However, there is no enforcement mechanism to accept this exclusion and ensure that the area in question will be maintained as low threat as per AS3959 in perpetuity. DFES notes that the plot consists of several different ownerships, and it is unclear if a mechanism is in place to validate the exclusion of the vegetation in perpetuity. The plot includes both private ownerships as well as road reserve verges.</p> <p>DFES notes that some of the excluded areas include continuous canopy with areas of Class A Forest.</p> <p>The BMP should be updated to provide substantiated evidence or alternatively modify the vegetation classification map and BAL Contour map to the worst case scenario.</p> <p>BAL Assessment The BMP has not included any separation distances to validate the proposed BAL ratings provided in Table 3. The BMP should be updated to detail the distance is applied to the Class A Forest to allow the inputs to be validated.</p> <p>DFES notes the inclusion of comments regarding the separation distances required for onsite grassland, however as these areas have been excluded, the BAL contour cannot be validated.</p> <p>2. Policy Measure 6.3 c) Compliance with Bushfire Protection Criteria</p> <p>Location and Siting A1.1 and A2.1 – not demonstrated The BAL Ratings cannot be validated, as the vegetation classification inputs require modification as per the table above.</p>	<p>Plot 3 consists of the existing school grounds, the APZ's of nearby residences and the Riverbend Caravan Park. All of these are clearly in a low fuel state and this can be assumed 'in perpetuity' as the Shire's Fire Management Notice applies requiring APZ around all buildings. Only the school grounds would potentially impact the BAL Contour findings as Plots 6 & 7 impact Lot 1 to a greater degree.</p> <p>The low fuel requirements for the existing school will be further consolidated in a future BMP prepared as part of the development application for the new development.</p> <p>These are clearly shown in the BAL Contour Plan and seen as unnecessary.</p> <p>The notes on grassland refer to Plots 4 & 5 which are assumed as managed in the BAL Contour Plan. This is a reasonable assumption for the future development of the site. The purpose of the BMP at this stage of the assessment process is to identify fatal flaws in the future development potential of the site under the proposed zoning.</p> <p>Clearly the APZ standards allow for the inclusion of larger trees. Detailed assessment of which trees are to be retained and then factored into a future BAL Assessment of the buildings will be a function of the development application stage.</p>
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	<p>Further, DFES note comments regarding the need for trees with a DBH greater than 50 cms to be retained. The practitioner should provide evidence that these trees can be retained while still ensuring compliance with APZ standards (ensuring that tree canopies within the APZ will not connect).</p> <p>Water A4.2 - Comment Only For all class 9 developments, including those impacted by the National Construction Code 2022, water supply requirements for structural firefighting may exceed those required for compliance with SPP 3.7.</p> <p>DFES recommends engaging with the DFES Built Environment Branch to determine requirements at the earliest stages of planning and design. Further details can be found at: https://www.dfes.wa.gov.au/regulation-and-compliance/building-plan-assessment</p> <p>3. AS3959 construction standards including clause 3.2.3 adjacent structures</p> <p>Class 9 buildings should be afforded significant protection from the impacts of a bushfire due to being occupied by people who may need assistance, or be unable, to evacuate the building in the event of a bushfire. In response, revised provisions in the National Construction Code will apply in May 2025.</p> <p>The proposed changes include but are not limited to; minimum separation between buildings, and separation from allotment boundaries, carparking areas and hazards. It is suggested the decision maker consider applying the proposed higher construction and design standards to the proposed development.</p> <p>Further information regarding the proposed changes can be found here: https://consultation.abcb.gov.au/engagement/ncc-2022-public-comment-draft/supporting_documents/NCC2022VolumeOnePCD.pdf</p>	<p>Noted.</p> <p>Noted.</p>
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		<p><u>Recommendation – Compliance with Acceptable Solutions not demonstrated – modifications required.</u></p> <p>DFES has assessed the BMP and identified issues that need to be addressed prior to providing support for the proposal (refer to the tables above). The submitted documentation requires further detail to ensure that the outputs can be validated. It is important that the decision maker consider the above changes to the NCC that may impact the suitability of the site for the intended use given the likely timing of the final development occurring on the site being after May 2025.</p>	<p>The matters raised in the DFES response are not seen as fatal flaws with any shortcomings in the documentation able to be addressed at the more detailed development application stage.</p> <p>Nothing has been identified that would prevent the proposed rezoning of the land.</p>
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