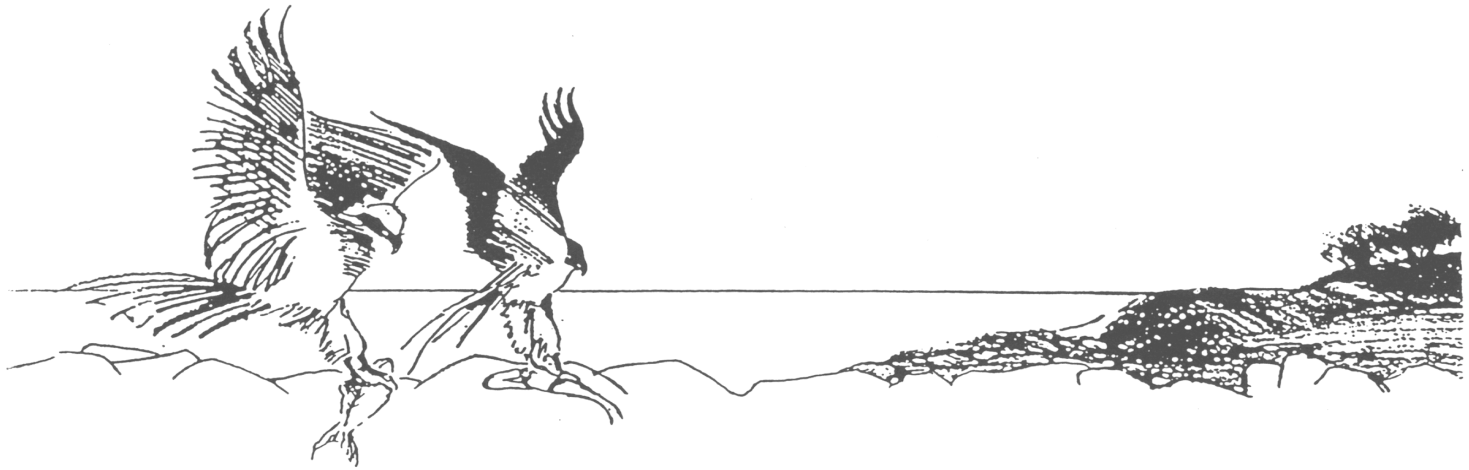
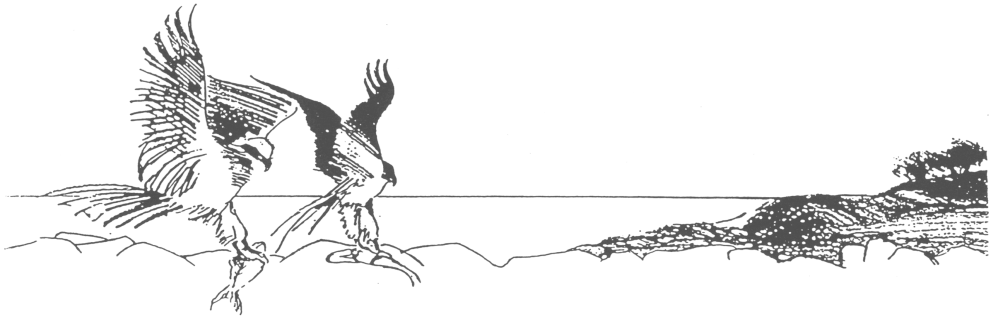


THANK YOU

Thank you for attending this meeting on such an auspicious day and in such uncertain times.

THIS PRESENTATION

The content that this presentation covers relates primarily to the urban and Peri-Urban areas of Eagle Bay and Yallingup, though it is likely to affect all landowners in similar circumstances throughout the whole of the Shire of Busselton.



THE PROPOSAL

The Proposal, currently out for public consultation closing May 10, is to change the fire clearing regulations that apply to all lots within the Shire of Busselton.

The Proposal takes the form of significantly more stringent firebreak regulations as well as the imposition of Asset Protection Zones (APZ) across the whole of the Shire.

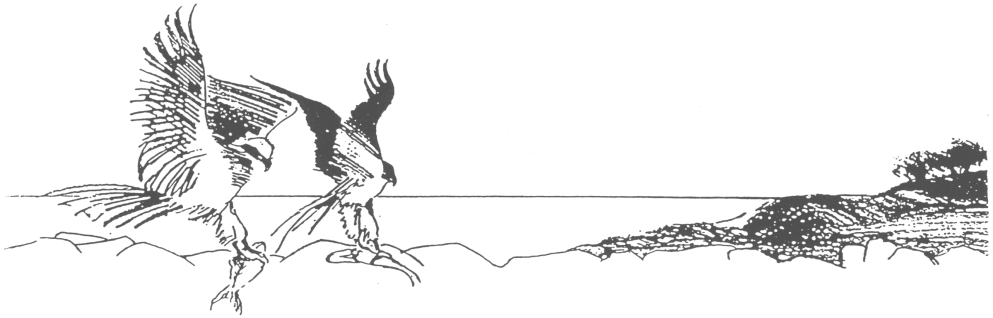
It's also significantly decreases the number of what they call, "Firebreak Categories" from 9 down to 4. This is best seen on the City's Intramaps, site refer to link below.

It should be noted that these Firebreak Categories include new, far more stringent, regulations for clearing within the APZ.

The two main categories that apply to Eagle Bay are:

Cat 2 - Urban Bushfire Prone (the majority of Eagle Bay and Yallingup); and

Cat 3 - Rural Residential (especially those areas that have planning approval based on a strategic fire break).

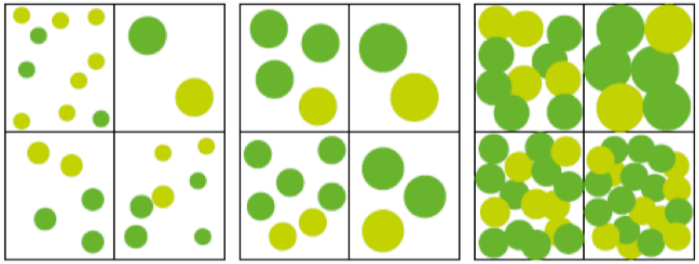


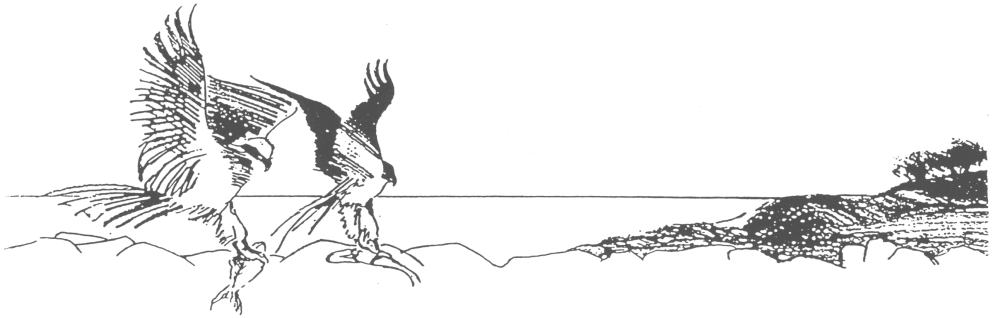
CATEGORY 2

The primary concern here is the new proposed maximum allowable tree canopy coverage which is defined as follows:

- **Trees (> 5 metres in height):** trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

Figure 18: Tree canopy cover – ranging from 15 to 70 per cent at maturity

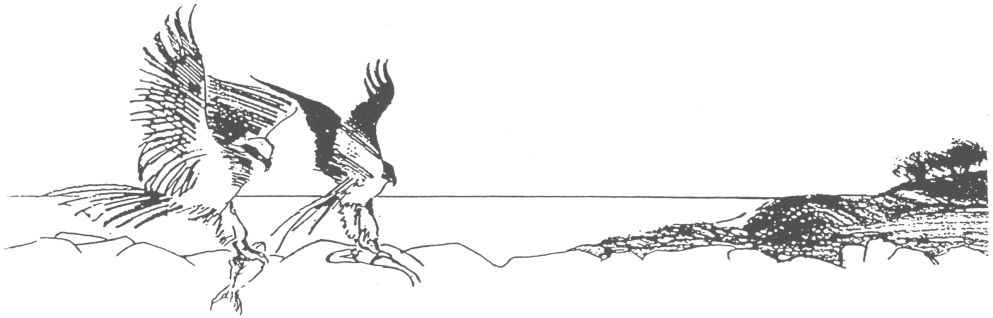




It is also noted that on page 3 of the new draft bushfire policy it states: “Note: Where the APZ cannot be accommodated within the subject lot or in accordance with parts (i) - (iii) above, **a Perpetual Agreement is required to be in place with the owner of the neighbouring property** to allow and require the maintenance of the portion of the APZ that extends beyond the subject property.”

The application of the “APZ Standard” for all Urban Bush Fire Prone landowners will have a massive environmental impact and, than making it administratively more simple to execute, it is likely to be virtually impossible to administer both due to the requirements stated above, as well as the sheer impracticality of trying to place metrics upon living entities, i.e. trees.

There also other prescriptive regulations that apply to shrubs and groundcovers that severely restrict the extent of such planting and the way you can plan and design any garden within this zone.

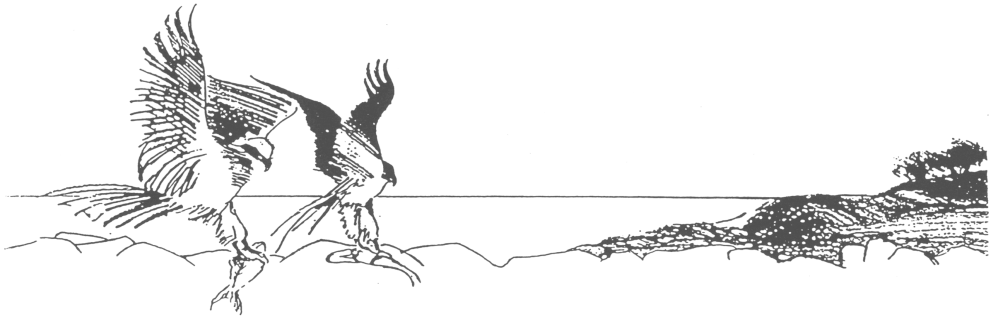


CATEGORY 3

Landowners within The Enclave the (former Lot 50 subdivision) which was planned and approved (by the WAPC) specifically with the inclusion of an overall strategic firebreak so as to avoid the need for individual firebreaks now have to clear individual boundary firebreaks around the whole of their properties, regardless of any existing Strategic Firebreak Network and with no reference to the current Firebreak Variation system.

This will result in significant additional environmental damage due to massive and unnecessary losses in biodiversity and habitat connectivity, increases in weed infestation, the likely spread of dieback and potential drainage and erosion problems as a result of the implementation of this Policy.

The Policy in its current form will require the mass destruction of the vegetation and habitat identified in this Global Biodiversity Hotspot.



REASONS FOR OBJECTING

The proposed changes conflict with long held community values on amenity and maintaining Eagle Bay's *genius loci*, ie its 'sense of place' all of which is well documented in the Special Character Area Policy that applies to Eagle Bay.

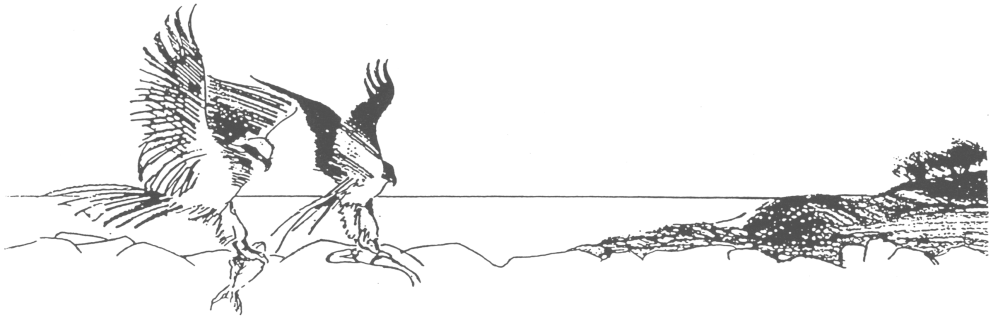
The prescriptive content in the proposed Notice has been extracted directly from WA State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP3.7).

The Guidelines1 that accompany this Policy specifically state: "The policy measures of SPP 3.7 and these Guidelines are not to be applied retrospectively." AND "Existing approvals will not be subject to further bushfire planning requirements;"

It is also pertinent that one of the four key objectives of the policy is to:

"5.4 Achieve an appropriate balance between bushfire risk management measures and, biodiversity conservation values,

[1] SPP 3.7 Bushfire Guidelines Version 1.3 Dec 2017



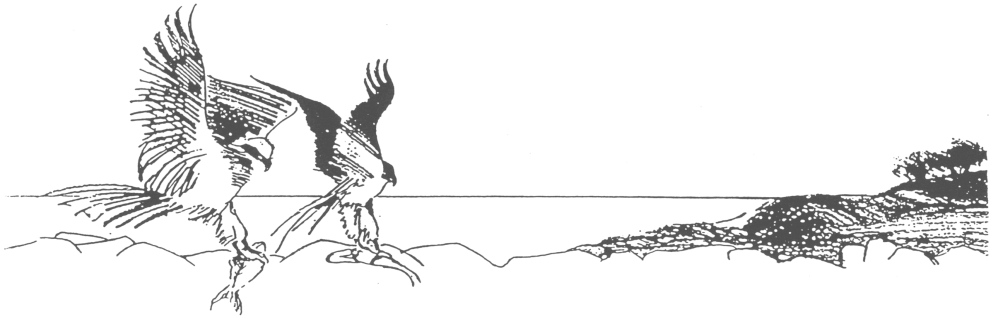
environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change."

The intent of this objective seems to have been completely disregarded by the Council when considering the application of this new local planning policy.

SPP3.7 states that "the width of the APZ varies with slope and vegetation. It should be lot specific".

However, the proposed Notice simply provides for "one size fits all" with no allowance for lot specific factors to be taken into account.

No account is taken with regard to variations in house design, building materials, installed fire protection systems, the slope of the land, or other variables such as the presence of substantial firebreaks on adjoining properties where rural land or public reserves abut the town site, all of which have varying, often significant, degrees of influence on fire risk



QUESTIONS TO THE CITY

Considering the sheer magnitude and degree of destruction that would result from the application of this Policy in the City please advise why all landowners have not been informed about this proposal or of the public consultation associated with it?

Has the City calculated the extent of tree and loss of habitat that the implementation of this Policy would result in?

Has the City considered the destruction of Carnaby's Black Cockatoo habitat[2] and the State based regulations that apply to the clearing of native vegetation[3].

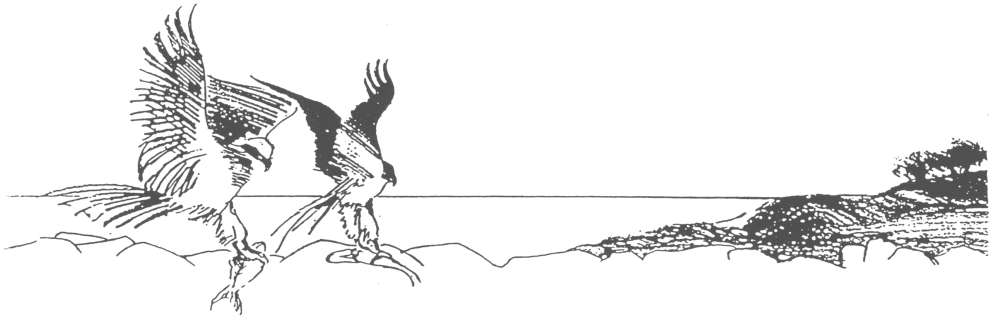
How are individual landowners expected to be able to measure things such as 15% canopy coverage in order to comply with these new regulations?

How are individual landowners expected to be able to force neighbours to agree to a Perpetual Agreement to clear their land to

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[2] Environmental Protection and Biodiversity Conservation (EPBC) Act 1999

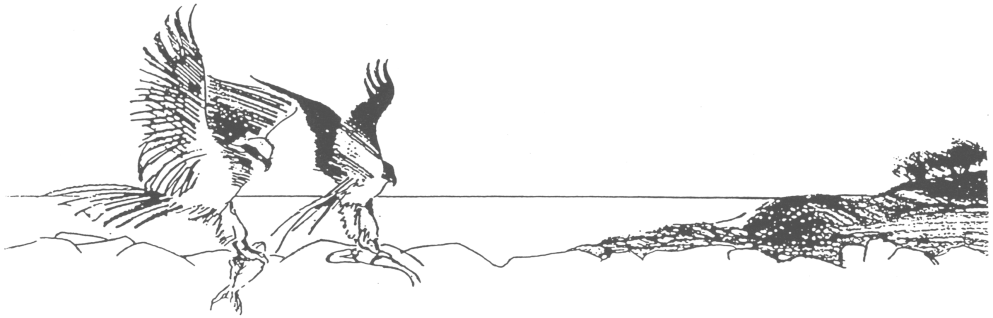
[3] Environmental Protection (Clearing of Native Vegetation) Regulations 2004



meet this APZ requirement as indicated in the draft Bushfire Policy (4.2b)?

Does the City have any idea as to what percentage of lots, the application of the APZ would be rendered ineffective due the fact that houses are not set back required distance, ie 20m, from property boundaries?

Will the introduction of this Policy affect insurance premiums, or in fact the ability to insure houses in these Categories against fire at all?



PROPOSED RESOLUTION

For the reasons outlined above REBA requests that the proposed Notice should not be applied as a mandatory requirement for any properties developed prior to 2015.

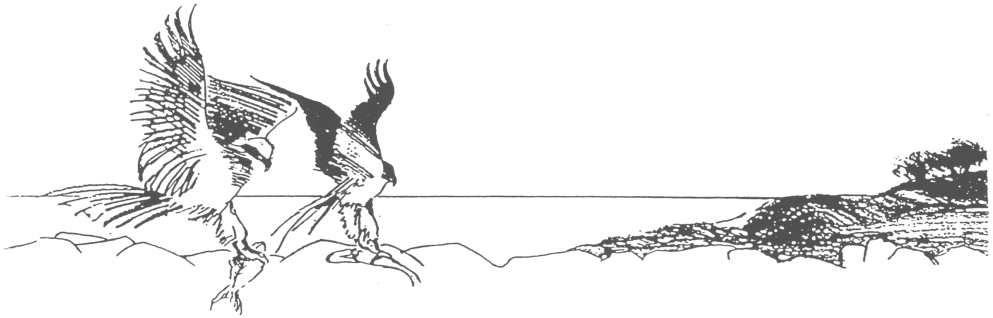
And we believe that the City can find an administratively efficient way forward by introducing a two-tier approach broadly as follows:

1 Apply the proposed Notice to Urban properties and to properties in other Zones developed or substantially altered after 2015;

2 Apply the current Notice to properties developed before 2015

3 Retain the current provisions related to strategic firebreaks

4 Continue the current approach allowing for a Variation to the Notice ie A property-specific fire management plan



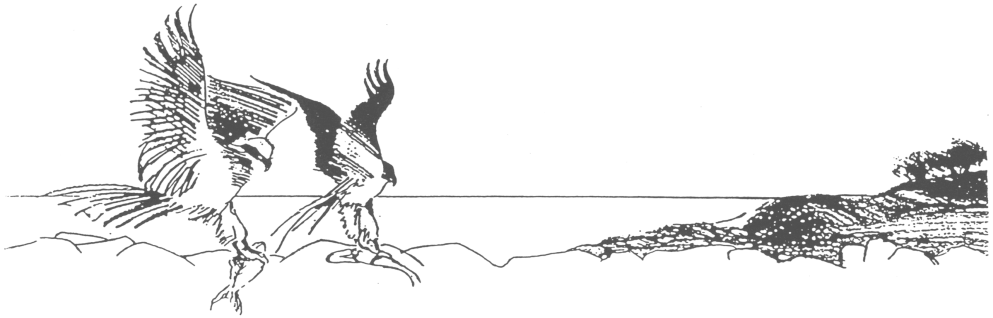
RECOMMENDED ACTIONS

To maximise the likelihood of your views being heard we recommend that you:

Email a detailed submission to Paul Needham, Director of Planning and Development at paul.needham@busselton.wa.gov.au

Complete the City's on-line survey to register your opposition (you can cut and paste your submission into the comments section of the survey)

Personally address your submission to each of the City's Councillor's as per the email addresses below:

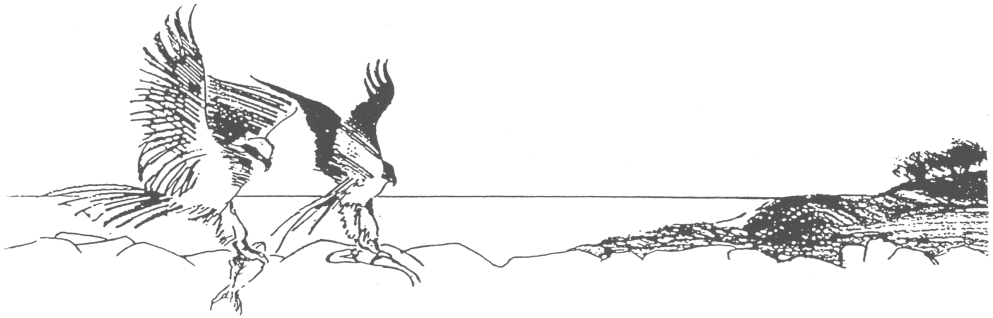


Councillors contact details as follows[4]:

grant.henley@busselton.wa.gov.au
kelly.hick@busselton.ea.gov.au
jo.barrett-lennard@busselton.wa.gov.au
sue.riccelli@busselton.wa.gov.au
ross.paine@busselton.wa.gov.au
paul.carter@busselton.wa.gov.au
kate.cox@busselton.wa.gov.au
phill.cronin@busselton.wa.gov.au
lyndon.miles@busselton.wa.gov.au

[4] Grant Henley is the Mayor and Kelly Hick is the Deputy Mayor

Kelly Hick and Jo Barrett-Lennard live in Dunsborough



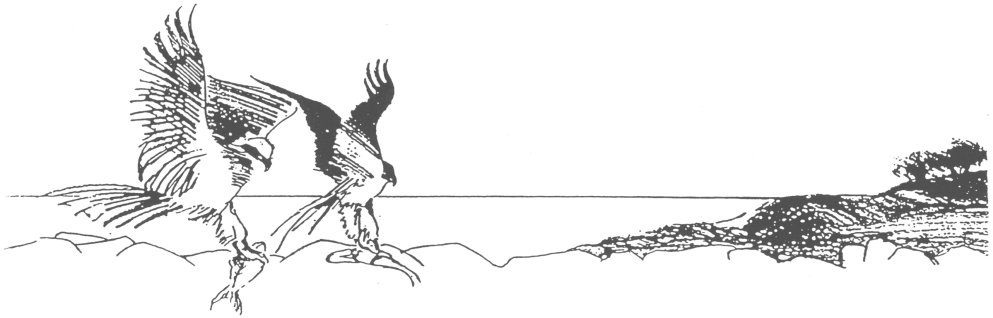
Personally call and/or address a submission to Libby Mettam the Member for Vasse as per the link below:

Ph: 9752 1949
https://www.waliberal.org.au/state-member/libby-mettam/

FURTHER INFORMATION

Busselton Intramaps Link:

https://maps.busselton.wa.gov.au/intramaps90_public/default.htm?project=Public&module=Firebreak%20Category



FINAL IRONY

In the City of Busselton - Public Notices, published in the Busselton Times [Friday 23 April] is a section titled: Street trees for residential areas. The City is promoting more trees in residential streets. You can phone in or go online to request free trees for planting out.

https://www.busselton.wa.gov.au/forms/street-tree-application/37

Which includes the following:

"Increased tree canopy has direct benefits on human health including clean air, clean water, protection from harmful UV rays and the positive psychological effects ... Trees also bring life to an area by attracting insects, birds.... and can even improve property values."