



Shire of Dardanup

12.2 Development Services  
Directorate

# APPENDICES

## ORDINARY COUNCIL MEETING

To Be Held

29<sup>th</sup> April 2026

Commencing at 5.00pm

At

ADMINISTRATION CENTRE EATON  
1 Council Drive – EATON

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# Shire of Dardanup Local Planning Scheme No.9

## Scheme Amendment No. 1

Rezoning Lot 564 from the "Rural" zone to  
"Rural Residential" zone.



Harley Dykstra<sup>®</sup>

PLANNING & SURVEY SOLUTIONS



## DOCUMENT CONTROL

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***Planning and Development Act 2005***

**RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME**

**Shire of Dardanup  
Local Planning Scheme No. 9**

**Amendment No. 1**

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Amending Lot 564 Garvey Road, Dardanup West from 'Rural' to 'Rural Residential'.
2. Amending the scheme map accordingly.

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

1. an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission.

Dated this 27 day of August, 2025

  
(Chief Executive Officer)



## 1 INTRODUCTION

This Scheme Amendment (Amendment) request has been prepared by Harley Dykstra on behalf of the landowners of Lot 564 Garvey Road, Dardanup West (the 'subject site').

This Amendment requests that the Minister for Planning and Lands; Housing and Works; Health Infrastructure approve an amendment to the Shire of Dardanup's Local Planning Scheme No.9 (LPS 9) to rezone Lot 564 from the "Rural" zone to a "Rural Residential" zone.

Preliminary discussions with officers at the Shire of Dardanup have indicated their support for the proposed amendment to LPS 9 as it is consistent with the Local Planning Strategy and approved Dardanup Small Holdings Structure Plan, is in keeping with the surrounding development and will complete the southeastern rural residential expansion of the Dardanup Small Holdings Structure Plan Area.

The amendment request is further supported by the following consultant reports and a concept plan, demonstrating the capability of the site for development. It also provides for integration with the surrounding road network and infrastructure services.

The following studies have been undertaken as part of this Amendment request:

- Site and Soil Evaluation Assessment
- Geotechnical Investigations
- Local Water Management Strategy
- Feature Survey
- Transport Impact Statement
- Bushfire Management Plan
- Servicing Report

A modification to the zoning table and land use schedule is considered consistent with the objectives of the Local Planning Strategy and existing state and local planning framework. The amendment is considered to fall under the **Standard** Amendment requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and is therefore requested to be considered and assessed under clause 34 as a **Standard** Amendment.

The amendment will provide the opportunity to develop the site for rural residential development consistent with the approved Dardanup Small Holdings Structure Plan, which encompasses land to the north, south and east providing additional land options to assist with the ongoing housing shortage experienced within the Shire of Dardanup and the broader greater Bunbury area.

It is respectfully requested that the Shire of Dardanup favourably consider and support this amendment request to rezone the subject site from the "Rural" zone to the "Rural Residential" zone to enable future subdivision of the site.



## 2 BACKGROUND

### 2.1 Location

The subject site is described as Lot 564 Garvey Road, Dardanup West and has an approximate site area of 40.5ha. The site is located within 2 km of the Dardanup townsite and approximately 13km southeast of the Bunbury City Centre.

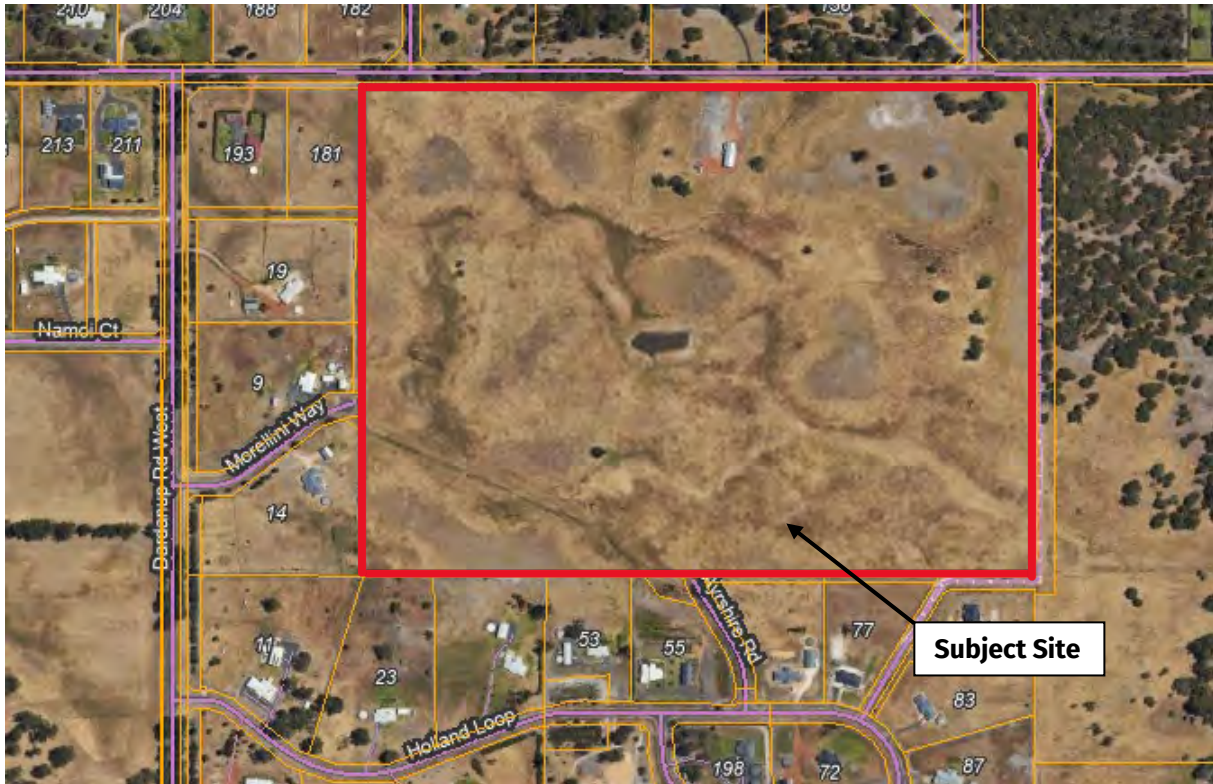


Figure 1 Location Plan

### 2.2 Ownership

The property details for Lot 564 Garvey Road, Dardanup West are as follows:

LOT NUMBER	PLAN	VOLUME/FOLIO	LOTAREA (ha)	REGISTERED PROPRIETORS
564	P250872	462/125A	40.4991	Kathleen Margaret Wright Ross Alexander Wright

Table 1 Land Ownership

### 2.3 Current & Surrounding Land Uses

The property is currently used for passive grazing. The surrounding properties consist of rural residential zoned land to the north, west and south and zoned rural to the east in accordance with LPS 9.

The subject land is identified as part of the Dardanup West/Crooked Brook Rural Living Area within the Land Use Changes Map 2.1 in the Shire’s Local Planning Strategy. The surrounding areas have been well established as rural living lots through the planning process, including the extension of existing servicing infrastructure and road networks. Rezoning and subsequent development of the subject land



will provide the opportunity for the site to integrate itself into the existing character of the area while maintaining a consolidated rural-living estate that is able to appropriately manage its own drainage and servicing requirements.

## 2.4 Physical Characteristics

The property is predominantly pasture cleared with the exception of several trees located within the northeastern corner of the property.

A dam is located in the centre of the property, which is used for farming purposes and an open rural drain cuts between Morellini Way and Ayshire Road in the southwestern portion of the Shire.

The property is also improved by an existing shed, which is used store and support the low scale farming operations of the property.

## 2.5 Infrastructure

Infrastructure including power and telecommunications are available for connection by way of the existing development to the north, south and east.

Reticulated water and sewer are not available for connection within this area, therefore future lots will be required to install individual water tanks and onsite effluent disposal systems for personal use, consistent with the existing rural residential developed areas of Dardanup West.

Installation requirements will be implemented in accordance with the Shire of Dardanup specifications, consistent with the requirements of sections 17 and 18 of LPS 9 and other relevant government agencies.

# 3 PLANNING FRAMEWORK

## 3.1 State & Regional Planning Context

### 3.1.1 Greater Bunbury Region Scheme

The Greater Bunbury Region Scheme (GBRS) is the statutory land use planning scheme for the Greater Bunbury Area. The primary purpose of the GBRS is to reserve and zone land and control development on reserved and zoned land at a regional level. The GBRS reflects the agreed strategic direction for land in the greater Bunbury region and facilitates changes to planning controls at the local level and subsequent local area planning.

The subject site is zoned 'Rural' under the GBRS as shown in **Figure 2**. Land surrounding the subject site is also zoned 'Rural' under the GBRS.

'Rural Residential' development is a permitted use within the 'Rural' zone of the GBRS.



Figure 2 Greater Bunbury Region Scheme

### 3.1.2 State Planning Policy 2.5 Rural Planning

State Planning Policy 2.5 – Rural Planning (SPP2.5) and the associated guidelines outline a number of options that can be utilized by local governments to address the development standards as part of the planning and establishment of ‘Rural Living’ areas. Section 4.2 of the Guidelines indicate the following development standards are to be considered for rural living estates:

- Lot size specific to an estate could be specified through coded zoning, scheme provisions in Part 4, or a schedule.
- Whether the rural living estate requires a structure plan to be prepared to ensure coordination of future subdivision and development.
- Identification of investigations or studies that may be required prior to a scheme amendment being initiated, or at the first stage of subdivision; and amenity impacts of outbuildings, water tanks and ancillary uses.

Part 3 of LPS 9 details the objectives of the ‘Rural Residential’ zone which address the development standards referenced in the Guidelines. These objectives are further detailed in Section 3.2.2 or this report.

Section 4.3 of the Rural Planning Guidelines suggests that a local structure plan may be beneficial for rural living areas to prevent inadequate road planning, a lack of emergency access and egress and shortages of local public open space or community facilities, resulting in rural living estates with limited amenity and access to services.

As previously indicated and detailed further in Section 3.3.3 of this report, the subject land is identified within the approved Dardanup Small Holdings Structure Plan, which shows an indicative framework for future development within this area to support future development proposals, rezoning and subdivision applications.

As the proposed rural residential development is contained within one landholding, has an established road network providing connection to the site; has proposed adequate emergency access and egress from the site and does not require the provision of POS, we do not believe an update or revision of the Structure Plan is required.

### 3.1.3 Government Sewerage Policy

The Government Sewerage Policy (GSP) is a whole of Government policy, intent on establishing the governmental position on the provision of sewer services within Western Australia through the progressive planning and development of land.



The subject site is located within a sewer sensitive area in accordance with DPLH Plan WA mapping. Connection to reticulated sewer is not available for the proposed development, with surrounding development serviced by on-site effluent disposal systems.

Rural Residential lots carry a minimum lot size of 1 hectare within LPS 9, therefore a Site and Soil Evaluation (SSE) is required to be undertaken in support of this report, in accordance with the provisions of the GSP.

The details of the SSE report are discussed in Section 5.5.3 of this report and the full report is included in **Appendix C**.

### 3.2 Local Planning Framework

#### 3.2.1 Shire of Dardanup Local Planning Strategy

The Shire of Dardanup Local Planning Strategy (the Strategy) was endorsed by the Western Australian Planning Commission (WAPC) in May 2015 and aims to set out the long-term planning direction for the Shire over a 15-year timeframe. The Strategy provides the rationale for land use zones and other provisions of the LPS and provides an opportunity for an integrated approach to planning across all areas including consideration of social, environmental, and economic aspects.

The subject site is identified as 'Rural - Residential' of the Dardanup West/Crooked Brook Rural Living settlement within the Strategy (refer **Figure 3** below). The intent of this area is to allow for further subdivision in accordance with SPP 2.5 and identify the land within future Local Planning Scheme reviews as a 'Special Control Area' for Structure Planning with appropriate provisions for area-specific requirements.

The recent gazettal of LPS 9 identifies the surrounding developed land holdings within this area as 'Rural Residential', with associated development provisions included within Section 3 and Schedule 7 of the report, which is consistent with the intent of the Strategy.

The proposed amendment request is consistent with the identification of the subject land within the Strategy and the intent of the rural residential objectives and strategies and completes the southeast portion of identified land within the Dardanup West/Crooked Brook Rural Living settlement of the Strategy.

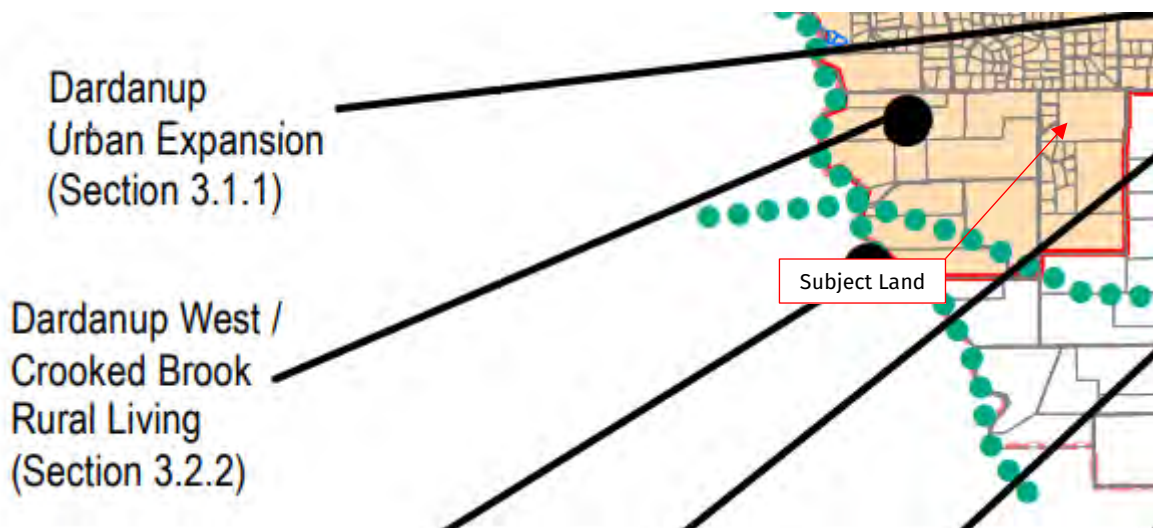


Figure 3 Local Planning Strategy



3.2.2 Shire of Dardanup Local Planning Scheme No.9

The subject site is zoned “Rural” under the LPS 9, which was gazetted in June 2025 by the WAPC - refer **Figure 4**.

Land to the east is zoned “Rural” with land to the north, south and west zoned “Rural Residential”. The surrounding rural residential areas have been developed with lot sizes ranging upwards of 1 hectare, consistent with the concept plan proposed for the subject land.



Figure 4 LPS 9 Zoning Map

The amendment request proposes to rezone the subject site from the “Rural” zone to the “Rural Residential” zone in accordance with LPS 9 and the Strategy. The objectives for Rural Residential are identified in **Table 2** below with the compliance commentary provided in relation to the proposed future development of the site. These development requirements have been taken into consideration and are able to be satisfied as part of future development of the site.

Rural Residential Zone Objectives	Compliance
<ol style="list-style-type: none"> <li>To provide for lots sizes in the range of 1 to 4 ha.</li> <li>To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ol>	<ol style="list-style-type: none"> <li>Proposed Lots are consistent with this objective as all lots are between 1 to 4 hectares</li> <li>Future use of the lots will be consistent with the requirements of LPS 9.</li> <li>The site is mostly void of vegetation. However, it is anticipated that the few trees within the property will be retained within the proposed Lots.</li> </ol>

Table 2 Rural Residential Development Requirement

It is anticipated that the proposed rural residential development subject of this amendment request will be capable of complying with the development objectives and requirements as detailed in **Table 2** above within Schedule 7 of LPS 9 through the subdivision and/or building permit process.



### 3.2.3 Dardanup Small Holdings Structure Plan

The Dardanup Small Holdings Structure Plan (the Structure Plan) was endorsed by the WAPC in August 2007 and has been progressively developed into rural residential style development since. The subject land is located within the southeastern portion of the Structure Plan area (refer **Figure 5** below) and adjoins some recently developed portions, with road linkages proposed as identified on the concept plan.

The proposed development is considered consistent with the intentions of the Structure Plan, whilst taking into account the site constraints and relevant planning policy and framework.



Figure 5 Dardanup Small Rural Holdings Structure Plan

## 4 SITE ANALYSIS

### 4.1 Topography, landform and soil

The subject site is reasonably flat with a gentle rise from 24m AHD to 27m AHD in an easterly direction. The northeast corner of the site reaches a high point of 30m AHD; however, this is localised to this corner of the site only. The property carries a natural depression through the southwestern corner of the site, in conjunction with a drainage channel registered to the Water Corporation, which runs east to west. A feature survey was undertaken as part of the preliminary investigative works on the property, which is included within **Appendix D**.

The site comprises generally silty sand to sandy clay topsoil underlain by sandy clays across the site.

In general, the site presents poor drainage conditions with low permeable to practically impermeable soils encountered within shallow depths.

As detailed further within the SSE and LWMS, the use of roadside swales and drainage basins and the requirement for Secondary Treatment Systems (STS) for individual lots, the proposed development can adequately address the sites drainage constraints.

A copy of the LWMS (**Appendix A**), SSE (**Appendix C**) and Geotechnical Report (**Appendix E**) are included within this report.

### 4.2 Vegetation

The site is predominately covered by pasture grass, with a few trees located in the northeast corner of the site.



### 4.3 Hydrology and Hydrogeology

Groundwater was monitored through June – October 2023 with outcomes included within the report based on observations made on site August - October 2023, readings and measurements throughout winter indicated either shallow water table generally within 0.6m or local inundation across the site. Further details are included within the Geotechnical Report included in **Appendix E** and Local Water Management Strategy included in **Appendix A** of this report.

### 4.4 Acid Sulphate Soils

The Department of Water and Environmental Regulation (DWER) Acid Sulphate Soil Risk Map identifies that the site has ‘Moderate’ to ‘Low’ risk of Acid Sulphate Soils (ASS) occurring within 3m of natural soil surface (refer **Figure 6**). This is further detailed in **Appendix D** – Geotechnical Report which indicates that the site-specific testing of the property resulted in a ‘Low to None’ reaction of ASS throughout the property.

Development of the subject land is expected to have little extraction or dewatering; therefore, should any ASS be detected it can be appropriately managed.

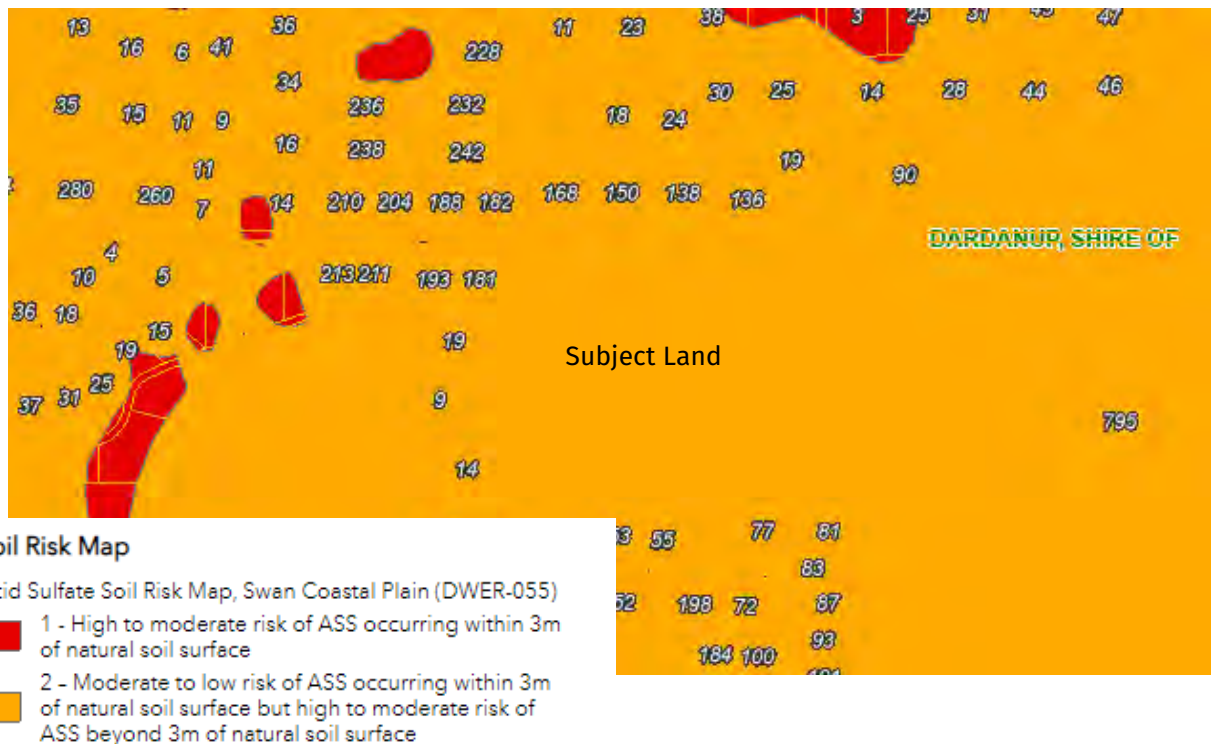


Figure 6 Acid Sulphate Soils Mapping

### 4.5 Aboriginal Heritage

A search of the Aboriginal Cultural Heritage register database through the DPLH’s Plan WA mapping system does not identify the site as having any sites of significance.



## 4.6 Infrastructure

The property is well placed regarding service availability, with power and communication services readily available. No existing sewage or water infrastructure is available for the site; therefore, on-site effluent disposal systems and individual water tanks will need to be provided for the development. The implementation of this infrastructure is consistent with the existing rural residential development within Dardanup West.

## 4.7 Traffic and Access

The subject site currently enjoys access from Garvey Road along its northern boundary, with Ayrshire Road and Morellini Way abutting the south and western boundaries respectively.

Development of the subject site proposes a single connector road extending the existing Ayrshire Road through to Garvey Road in a north-south direction. Proposed Lots will gain access from either Garvey Road, Morellini Way or the extension of Ayrshire Road through the subject site as identified on the Concept Plan (refer **Appendix F**). A Transport Impact Statement has been prepared to support the proposed development, a copy of which is provided in **Appendix E** and is further discussed in Section 5.5.1 of this report.

# 5 DETAILS OF PROPOSAL

## 5.1 Overview of Proposal and Supporting Rationale

The Scheme Amendment proposes to rezone the subject land from the “Rural” zone to the “Rural Residential” zone consistent with the Local Planning Strategy and Dardanup Small Holdings Structure Plan. In support of this request, the following additional studies have been undertaken and are included as Appendices to this report:

- Local Water Management Strategy
- Site and Soil Evaluation Report
- Feature Survey
- Geotechnical Report
- Transport Impact Statement
- Bushfire Management Plan
- Servicing Report

Furthermore, a Concept Plan (refer **Appendix F**) has been prepared to provide an indicative development layout.

## 5.2 Type of Amendment

Pursuant to regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (as amended), the proposed Scheme Amendment represents a ‘standard amendment’. The relevant clauses defining a standard amendment are as follows:

**Standard Amendment** means any of the following amendments to a local planning scheme –

- a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- c) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;
- d) an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;



- e) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment
- f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- g) any other amendment that is not a complex or basic amendment.

The relevant definition of a 'Standard Amendment', considered relevant to the proposal, is:

- "b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*
- c) an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;*
- f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;"*

The requested change of zoning from "Rural" to "Rural Residential" is consistent with the Shire of Dardanup Local Planning Strategy and the *Greater Bunbury Region Scheme* and consequently should be considered as a "Standard" amendment.

### 5.3 Consultation

Preliminary discussions with Officers at the Shire of Dardanup have occurred frequently during the 12 months prior to lodgment this Amendment request. Following an initial meeting with Officers in August 2023, a concept plan was prepared and issued for discussion purposes, including distribution to sub consultants.

Officers indicated their preliminary support for both the Scheme Amendment request and associated concept plan, noting timing for gazettal of Local Planning Scheme No.9 would need to occur prior to lodgment, in addition to onsite drainage and effluent disposal being their main points for consideration.

### 5.4 Concept Plan

A concept plan has been prepared for the subject site which identifies an indicative lot yield of 20 lots between 1 – 4 hectares, consistent with the 'Rural Residential' requirements of LPS 9.

The concept plan proposes connection and access with existing road reserves of Garvey and Ayrshire Roads and Morellini Way, and the extension of Ayrshire Road through the centre of the subject site connecting to Garvey Road. Which includes a strip of road widening along the northern boundary to accommodate servicing and drainage requirements.

Lots have been designed to incorporate the required setbacks of Schedule 7 of LPS 9 for "Rural Residential" zoned land, with all lots generally considered to be uniform in shape. The size of the lots will ensure that the majority of the vegetation on site will be able to be retained and enjoyed by future purchasers.

Due to the low-lying nature of the central portion of the land, as a result of the drainage investigations it was suggested that larger lots would be more suitable for management of the site and to reduce the amount of infill earthworks required, as it reflected on the concept plan.

Direct frontage will be provided to all proposed lots by way of an existing or proposed constructed road, as identified on the Concept Plan, with no roads proposed to be accessed by a battle-axe or other form of access.



Lots along the eastern portion of the site located within the bushfire prone area also have the benefit of an existing Emergency Access Way (EAW) which links between Garvey Road and Holland Loop. This EAW was established as part of a previous development and was ceded as Crown Land for the purposes of an EAW.

The proposed concept plan is included within **Appendix F** of this report.

## 5.5 Site Investigations

### 5.5.1 Traffic and Access

A Transport Impact Statement (TIS) has been prepared to support the Amendment request. The TIS has been prepared in accordance with the *WAPC Transport Impact Assessment Guidelines Volume 3 – Subdivision (2016)*.

The TIS provides a high-level impact assessment based on the concept plans potential land uses. The proposed concept plan comprises three vehicle access locations being:

- Garvey Road – it is proposed that approximately 10 lots will gain direct access to Garvey Road with the majority of the frontages proposed between 60m – 62m in length.
- Morellini Way – it is proposed that 2 lots will be accessed from the existing Morellini Way cul-de-sac head.
- Ayrshire Road – it is proposed that 8 lots will be accessed by way of the proposed extension of Ayshire Road through to Garvey Road.

Garvey Road is classified as a Local Distributor Road with Morellini Way and Ayshire Road classified as Access Roads, all roads are under the control of the Shire of Dardanup.

The proposed subdivision road (extension of Ayshire Road) will have a 25m road reserve width, consistent with the existing road reserves and provide sufficient space for appropriate batters, roadside swales, relevant infrastructure and setback to pavement.

The TIS concludes that the proposed subdivision is not anticipated to have a significant impact on the transport operations and safety in the surrounding road network and except for the construction of the proposed subdivisional road (extension of Ayshire Road) no road or intersection upgrades are required.

A full copy of the Transport Impact Statement is included at **Appendix E** of this report.

### 5.5.2 Bushfire Risk

A Bushfire Management Plan (BMP) has been prepared in support of this Amendment request as the north and west perimeters of the property are designated as being bushfire prone land (refer **Figure 7** below).

Once the subdivisional works are completed, with the grassland within the subject site being maintained as low threat vegetation, all building envelopes/development sites will have a rating of BAL-29 or less.

A copy of the Bushfire Management Plan is included in **Appendix G** of this report.



Figure 7 Bushfire Prone Mapping

### 5.5.3 Site and Soil Evaluation Assessment

A Site and Soil Evaluation (SSE) of the subject site was undertaken in support of the proposed rural residential zoning and future development and to confirm the suitability of the site and in-situ soils for on-site effluent disposal. The site investigation was completed in November 2023, which provides for consideration of the 'seasonal wet period' in accordance with the GSP requirements.

The report indicates that generally the site in its current condition is unsuitable for on-site effluent disposal and will require significant site improvements to ensure that the risk of environmental contamination is reduced as far as practicable.

Based on the assessment within the SSE report, it is recommended that the following is implemented to support on-site treatment and disposal of effluent in accordance with GSP 2019 and AS.NZS 1547:2014:

1. Ensure proposed Lots have a minimum size of 1 ha.
2. Elevate the Land Application Area (LAA) using imported sandy loam, or site-worn sand, to provide minimum 1.5m vertical separation between the peak groundwater level and the invert level of the application system.
3. Treat wastewater to a secondary level using a Secondary Treatment System (STS) with nutrient removal utilizing a subsurface application system.
4. Position on-site effluent disposal as far as practicable from inundation areas and drainage channels, along with the above measures, to minimise the environmental impact.

The SSE identifies preferred LAA's for each of the proposed Lots based on the subsurface profile (refer **Figure 8** below), restrictions due to setbacks and the presence of waterlogged areas. The site and position of LAA's have been recommended assuming site and soil recommendations within the SSE document are adhered to, it is also noted that alternative LAA's are appropriate, however site-specific assessments may be required for the nominated areas.



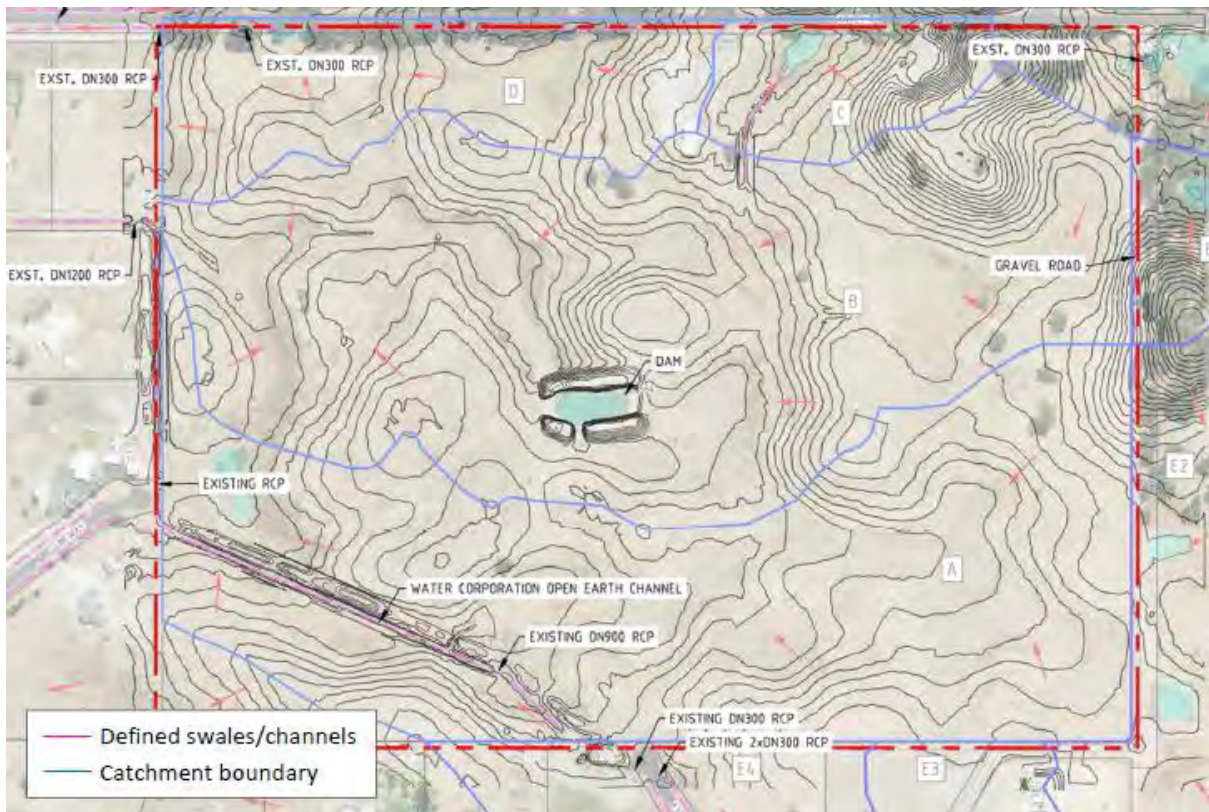


Figure 9 Catchments

Post Development runoff from the road will be managed using vegetated roadside swales, will also provide attenuation. The proposed swales have a combined storage volume of 1570m<sup>3</sup> and are designed in accordance with the Shire's requirement of 2m<sup>3</sup> storage per 65m<sup>2</sup> of impermeable area. The proposed swales will be discharged at two low points and connect with the downstream swale system as shown in **Figure 10** and within the LWMS report included as **Appendix A** of this report.

On-lot storage will be managed via conventional soak wells in accordance with the Shire of Dardanup's requirements of 2m<sup>3</sup> per 65m<sup>2</sup> of impervious areas exceeding 250m<sup>2</sup>. Additionally, an extra 1m<sup>3</sup> per 65m<sup>2</sup> of impermeable area will be required in areas with high groundwater levels, applicable to this site.

At the completion of construction, the attenuation/treatment basins will be monitored for up to two years in accordance with the implementation plan, included in *Section 7.3* of the LWMS.

A copy of the LWMS is available in **Appendix A** of this report.

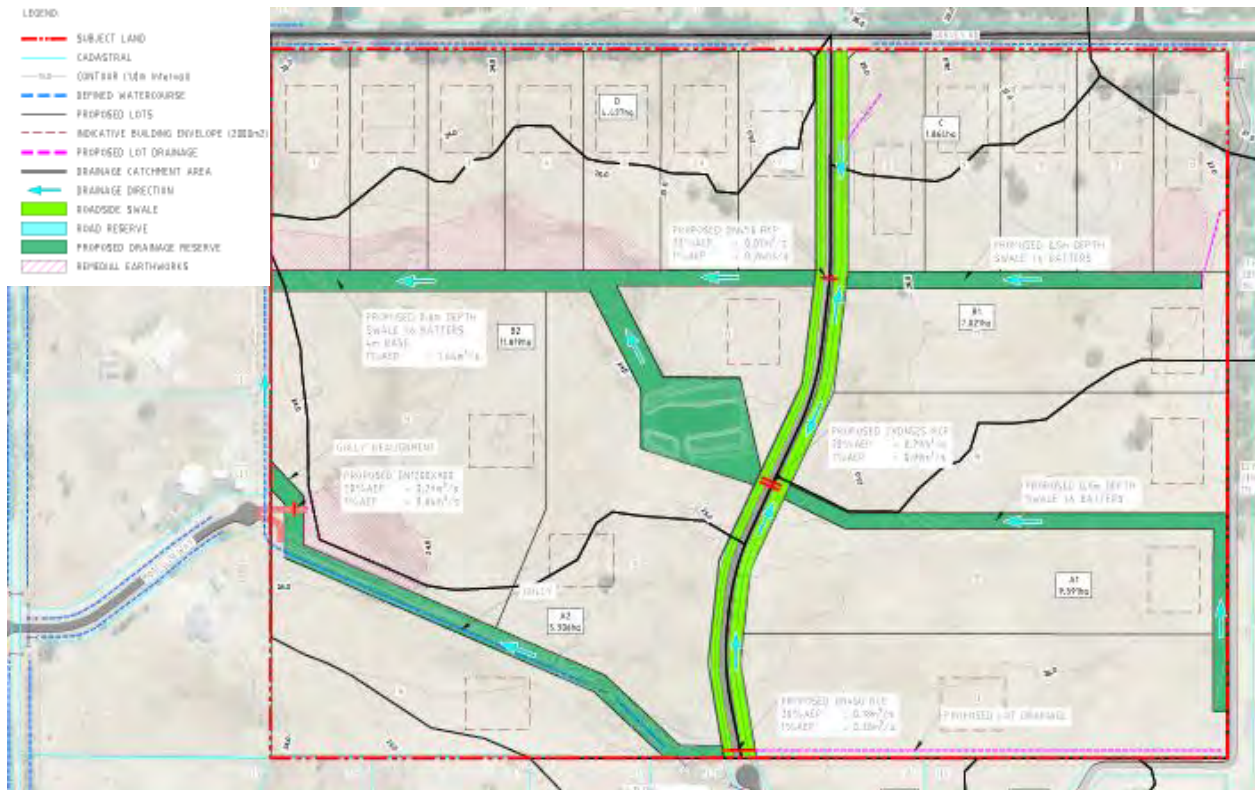


Figure 10 Post Development Plan

### 5.5.6 Servicing

The site is well placed in regard to service availability with power and telecommunication services readily available in road reserves that abut the development.

No existing reticulated water or sewer infrastructure is available for this site; therefore, effluent disposal systems with associated land application areas will be required in lieu of sewerage reticulation. The installation of rainwater tanks for the provision of water will be necessary, consistent with the existing rural residential development of Dardanup West.

A copy of the Servicing Report is available in **Appendix H** of this report.

## 6 CONCLUSION

In conclusion, this Amendment request seeks support to progress the rezoning of Lot 564 Garvey Road, Dardanup West to the “Rural Residential” zone. The request is consistent with the objectives of the Shire of Dardanup Local Planning Strategy, the intent for the “Rural Residential” zone under the Shire of Dardanup Local Planning Scheme No.9 and other relevant state and local planning framework.

The proposal seeks to locate rural residential development in accordance with the recently gazetted LPS 9, the Local Planning Strategy and the approved Dardanup West Small Rural Holdings Structure Plan which advocates for the appropriate location of this style of development to act as a buffer between urban development and rural land.

It is therefore respectfully requested on the basis of the above justified rationale, that Minister for Planning and Lands; Housing and Works; Health Infrastructure approve the amendment to the Shire of Dardanup’s Local Planning Scheme No.9 to rezone Lot 564 Garvey Road, Dardanup West from the “Rural” zone to the “Rural Residential” zone as identified within the Scheme Map.

***Planning and Development Act 2005***

**RESOLUTION TO AMEND LOCAL PLANNING SCHEME**

**Shire of Dardanup  
Local Planning Scheme No. 9**

**Amendment No. 1**

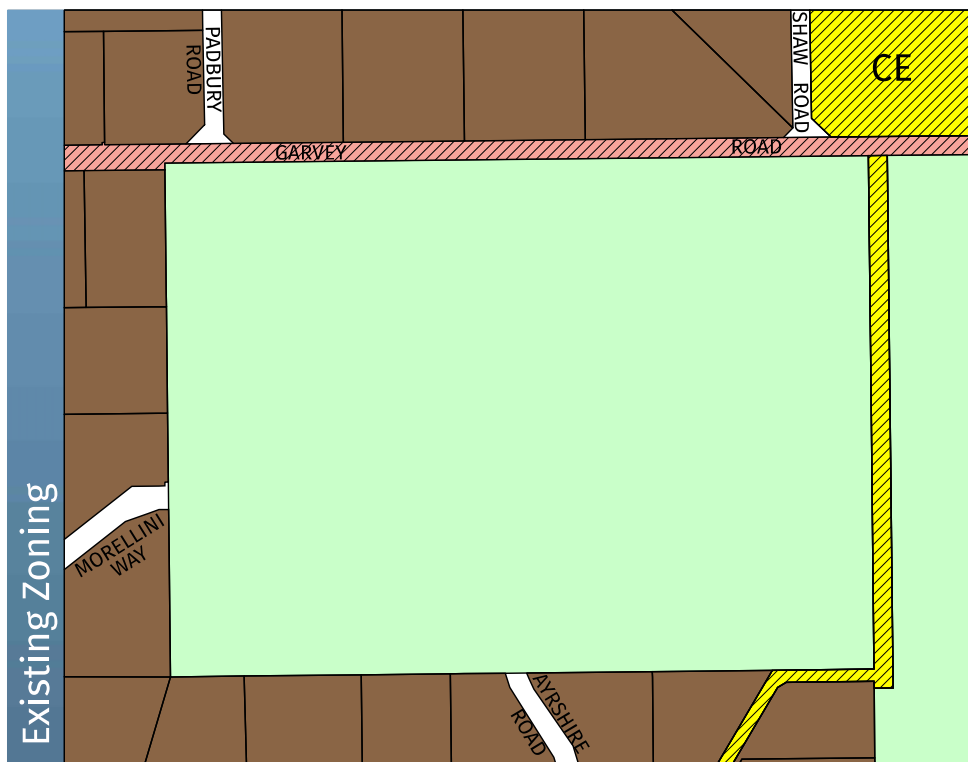
RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Amending Lot 564 Garvey Road, Dardanup West from 'Rural' to 'Rural Residential'.
2. Amending the scheme map accordingly.





# SHIRE OF DARDANUP

## Local Planning Scheme No. 9

### Amendment No. 1



#### LOCAL SCHEME RESERVES

-  Local Distributor Road
-  Local Road
-  Public Purposes
-  Cemetery


#### LOCAL SCHEME ZONES

-  Rural
-  Rural Residential



**COUNCIL ADOPTION**

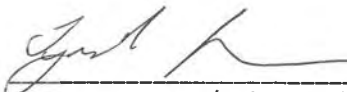
This **Standard** Amendment was adopted by resolution of the Council of the Shire of Dardanup at the Ordinary/Special Meeting of the Council held on the 27 day of August, 2025

  
\_\_\_\_\_  
(Shire President)

  
\_\_\_\_\_  
(Chief Executive Officer)

**COUNCIL RESOLUTION TO ADVERTISE**

by resolution of the Council of the Shire of Dardanup at the Ordinary/Special Meeting of the Council held on the 27 day of August, 2025, proceed to advertise this Amendment.

  
\_\_\_\_\_  
(Shire President)

  
\_\_\_\_\_  
(Chief Executive Officer)

**COUNCIL RECOMMENDATION**

This Amendment is recommended for **support/ not to be supported** by resolution of the Shire of Dardanup at the Ordinary/Special Meeting of the Council held on the \_\_ day of \_\_\_\_\_, 20\_\_ and the Common Seal of the Shire of Dardanup was hereunto affixed by the authority of a resolution of the Council in the presence of:



\_\_\_\_\_  
(Shire President)

\_\_\_\_\_  
(Chief Executive Officer)

**WAPC ENDORSEMENT (r.63)**

\_\_\_\_\_  
DELEGATED UNDER S.16  
OF THE P&D ACT 2005

\_\_\_\_\_  
DATE

**APPROVAL GRANTED**

\_\_\_\_\_  
MINISTER FOR PLANNING

\_\_\_\_\_  
DATE



27 January 2026

CEO Shire of Dardanup

[Submissions@dardanup.wa.gov.au](mailto:Submissions@dardanup.wa.gov.au)

**Shire of Dardanup Local Planning Scheme No 9: Scheme Amendment Report No 1.**  
‘Amending Lot 564 Garvey Road, Dardanup West from ‘Rural’ to ‘Rural Residential.’”

Thank you for the opportunity to comment on this Scheme Amendment.

The Urban Bushland Council WA Inc is the peak community organisation for urban bushland recognition and protection and is an association of more than 100 community conservation groups and more than 100 individual supporters.

The Urban Bushland Council’s concern with this Scheme Amendment is the potential loss of mature Marri trees along Garvey Road. Carnaby’s Cockatoo Recovery Plan states that decision makers should ‘seek to fully protect Carnaby’s Cockatoo habitat’. (5 Guide for Decision Makers)

**Carnaby’s Black Cockatoo** is listed as a Threatened Species at the level of ‘endangered’.

Of the 2025 Great Cocky Count (6 April 2025), the figure of 15,786 White-tailed Black-Cockatoos recorded (with 6, 298 individual recorded on the Swan Coastal plain), ‘was the lowest recorded total number of white tails since 2015, as well as the lowest recorded count for the Perth-Peel Coastal Plain....since 2015. (Birdlife WA Cocky Notes Issue 38: Spring 2025.)

*‘...the low numbers recorded this year, [2025] particularly for the White-tailed Black-cockatoos, is concerning.’*

*‘The lower numbers are likely in part a direct measure of real population decline, following both a widely acknowledged poor breeding season (so fewer birds joining the population) and an unknown amount of adult mortality due to starvation, as evidenced by Carnaby’s admitted to Perth Zoo in poor bod condition between July and October.’ (p2 ibid)*

This analysis has also been reported by Professor Kris Warren and team, School of Veterinary Medicine, Murdoch University:

*‘The lower numbers are likely in part a direct measure of real population decline, following both a widely acknowledged poor breeding season, and an unknown amount of adult mortality due to starvation, as evidenced by Carnaby’s admitted to Perth Zoo in poor body condition between July and October.’*

Professor Warren’s Research on Carnaby’s Cockatoo shows ‘a marked decline in population numbers. The result corresponds with the decline in foraging food, water, and roosting sources, as well as the increase in urbanisation’. (Long May They Grace Our Skies: Black Cockatoo Research and Conservation. Talk at Naturalists Club 30 September 2025.)

**Forest Red-tailed Black Cockatoo** is listed as a Threatened Species at the level of ‘Vulnerable’.

FRTBCs have declined in range by 30% as a result of habitat loss, and have suffered a marked decline in population numbers since the 1950s; (Johnstone et al. 2013).

Well known threatening process ‘are exacerbated by the rapidly increasing urban and industrial development in the Perth and Peel regions and the south-west of Western Australia’. (DEC 2012).

The Australian 'Department of Climate Change, Energy, Environment and Water's' 'Forest Red-tailed Black Cockatoo Recovery Plan' (2008) describes 'Habitat critical to survival' and states that 'Important populations of FRTBC comprises areas currently occupied by the cockatoos; of natural vegetation in which the cockatoos nest, feed and roost; and of natural vegetation through which the cockatoos can move from one occupied area to another.

Both Carnaby's and Forest Red-tailed Black Cockatoo feed on Marri seed and Marri pollen is reported to be highly nutritious. And of course, the line of Marri trees is a significant avenue enabling movement through the landscape for birds and other fauna.

**UBC supports residents of Garvey Road**

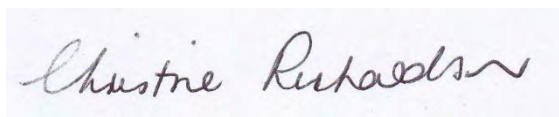
The eight residents of Garvey Road who signed the petition (20 December 2025) have suggested an alternative to the current proposed Amendment such that development could proceed differently and where the Garvey Road Marri trees (as well as a significant Christmas tree), could be protected. [The UBC can see that that proposal would have an impact on the wetland traversing the south-west corner.] We encourage the Shire to reconsider the Amendment to the Local Planning Scheme. Trees along Garvey Road are an invaluable asset to the Shire as habitat and for the health of the community.

**UBC concern about the water table**

The UBC also has concerns about wetlands on lot 564 and the issues of drainage.

Again, thank you for the opportunity to comment.

Yours sincerely



Christine Richardson  
Chairperson  
0427 777 135  
[christine.richardson@bushlandperth.org.au](mailto:christine.richardson@bushlandperth.org.au)

**Urban Bushland Council WA Inc**  
City West Lotteries House  
2 Delhi Street  
West Perth WA 6005  
[ubc@bushlandperth.org.au](mailto:ubc@bushlandperth.org.au)  
[www.bushlandperth.org.au](http://www.bushlandperth.org.au)

20<sup>th</sup> December 2025

Chief Executive Officer

Shire of Dardanup

PO Box 7016

Eaton WA 6232

[submissions@dardanup.wa.gov.au](mailto:submissions@dardanup.wa.gov.au)

Dear Sir/Madam

**RE: REZONING OF LOT 564 GARVEY ROAD, DARDANUP WEST**

**AMENDMENT No. 1 PLANNING AND DEVELOPMENT ACT 2005**

We are the Neighbouring Residents of Peppermint Ridge Estate and have very serious concerns in regards to the details of the above properties Redevelopment Plan. In particular to the 23858 Scheme Amendment (Rev D) Appendix F Concept Plan. This particular plan shows 12 x 1 hectare lots fronting onto Garvey Road with a new road construct proposed to be established North/South thru this entire Estate and ending in the driveways of two of our properties.

Whilst we understand and appreciate that progress and development is inevitable – it MUST be something that is undertaken in a safe, well planned and environmentally friendly manner.

Garvey Road is already a high traffic and extremely dangerous road. Many large haulage trucks (Depiazzi, K-Trans, Carbone, Catalano and Dardanup Removals to name just a few), utilise this road and often run over the verge when two trucks are passing one another due to limited road space and overhanging trees. The speed limit is currently 80km and this is quite often exceeded by a large majority of drivers. The established 5 acre properties that have driveway access on the North side of Garvey Road have all experienced numerous Rubbish Bin runovers and near misses coming out of our driveways. Despite some of us creating “funnel” type driveway entrances for safety – we all still have to inch out very carefully to gain vision past the tree trunks. The proposal to place 12 ADDITIONAL driveways onto this dangerous stretch of road is unfathomable and a severe accident waiting to happen. Additionally having Rubbish Bins on both sides of Garvey Road would make it almost impossible for two trucks to pass through at the same time and the School Buses would literally not be able to pull in anywhere to pickup children safely.

On the Subject of traffic – we note that it is proposed to adopt the 2023 Traffic Volume Data. This is approaching almost 3 years old. Since the construction began on the Wilman Wadandi Hwy, BORR construction and years of road detours – we have been faced with a significant increase in traffic on Garvey Rd. Trucks started using Garvey Rd as a cut through road to the Sth West Hwy. Tourists and Locals use it to get to Dardanup & Ferguson Valley as we literally do not have an on/off ramp to the WW Hwy in Dardanup and therefore Timber Rd is the nearest access. Despite the opening of the new Highway, traffic has continued to utilise Garvey Rd as a preferred route. So, with all due respect, the 2023 Traffic Volume Data would have no relevance to what the traffic volume is today. Ultimately we are still a Rural farming community with numerous Tractors, Shredders, Harvesters, Ploughs, Cattle Trucks and Horse Floats/Trucks on the road – particularly with the Equestrian Centre being located at the East end of Garvey Rd.

Every one of these new properties will require firebreaks and therefore Tractor and Plough access via their driveways. The new owners will obviously be building homes and potentially erecting Workshops or sinking pools requiring large trucks or cranes onto their properties, again, an impossibility with any Garvey Rd access.

We have attached photos of the stretch of Garvey Rd where these 12 lots are proposed to be. Firstly there is almost NO space to even construct a safe driveway to any of these Lots without the removal of established Red Gum Trees (Marri) and Native Nuytsia Floribunda (West Australian Christmas Tree). Secondly, on the off chance that a narrow driveway does manage to somehow get constructed – the property owner would never be able to see around the trunks of these trees to safely exit onto Garvey Rd. It would also be impossible to even have trucks entering the Lots for the actual construction of their homes! Some of these massive Red Gum Trees have circumferences of over 5 metres which estimates them to be over 400 years old! These particular majestic Red Gum Trees are also home to the endangered Red Tailed Black Cockatoo where they both nest and feed and are listed under the Environment Protection and Biodiversity Conservation Act 1999. The Native Christmas Tree (Nuytsia Floribunda) also located on Garvey Rd is a tree of deep cultural significance to the local Noongar people as it is considered a Spiritual Resting Place.

The next issue to be seriously considered is the local Bus Stop which is located in front of proposed Lots 1, 2 & 3. Bus No 34 to Bunbury Senior High School arrives at 7.20am and remains parked until 7.40am. Bus No 33 then comes along at 7.30am and results in 2 buses being parked near one another on the South side of Garvey Rd and children having to dangerously cross from the North side of Garvey Rd in between these two buses whilst precariously having to dodge the trucks that still race past at over 80km! A perilous situation at the best of times without adding three more driveways abutting into the bus stop waiting area. This area is in fact so dangerous that most parents actually drive their local children to the bus stop rather than have them navigating their way down Garvey Rd with no regard for their safety without so much as a footpath or any verge clearing. Further to this dangerous Bus Route situation, any resident living on this stretch of Garvey Road is actually INELIGIBLE to even catch a bus to the local feeder Primary Schools of Dardanup Primary or Our Lady of Lourdes. The Public Transport Student Assistance Policy has a strict ruling that to be eligible for Student Transport the student MUST reside more than 4.5km from their local school. Any families who have driveways onto Garvey Road would be unable to catch the bus as we are located only 3.4km from the schools. ALL the residents of Peppermint Ridge have experienced this particular ineligibility and have had our children have the perilous prospect of riding down Garvey Rd and onto the Boyanup Picton Hwy to school. If the road into this proposed new estate came from Holland Loop or Morellini Way it would actually increase the travel distance to 5.5km which would therefore allow all of the new families to have access to the local school bus service for their children. A copy of Page 19 of the Public Transport Authority – Student Transport Assistance Policy and Operational Guidelines is attached.

The Proposed Development of Lot 564 Garvey Road adjoins Holland Loop Estate to the South side and Peppermint Ridge Estate to the North side. Holland Loop Estate currently comprises of mainly 1.5ha lots whilst the larger Peppermint Ridge Estate comprises of mainly 2.5ha lots. Obviously it would be preferable to have NO redevelopment at all – but we acknowledge that progress is always evolving. Most people in Peppermint Ridge Estate have resided here since its concept over 30 years ago and purchased this land specifically for the peace, solitude and lack of development. We certainly did not sign up for a new road to ultimately end up in our

driveways with the looming prospect of car head lights constantly shining into our Bedrooms and Living space. Holland Loop Estate, on the other hand, is only a few years old and residents purchased knowing full well the Estate was predominantly the smaller 1ha lots. It would make so much more sense in regards to road safety, Lot size Aesthetics, Bus Route Eligibility and Environmental Protection to flip the proposed plan so that the 12 x 1ha lots were adjoining similar sized lots within the Holland Loop Estate on the South Side. This would then immediately eradicate any road safety concerns, bus route issues or tree removals along Garvey Rd. These 12 x 1ha lots could then easily be serviced by an East/West running road extending from the already existing Morellini Way located on the West Side of Lot 564 Garvey Rd and would also eliminate any EPA or Road Safety concerns as there are no established trees or Main Roads to navigate. Consideration could also easily be given to a road running North/South alongside the fire escape road on the East side of the property and the road coming out near Shaw Rd where it would disrupt no long term established private properties whatsoever.

Lack of Drainage is also another issue to seriously consider and address. Located between the West boundary of 138 Garvey Rd and the east boundary of 150 Garvey Rd is a persistent drainage issue. Unfortunately this results in yearly winter flooding of the driveway of 150 Garvey Rd. To add further small lots in this vicinity would impact even further on this already dangerous road flooding situation.

From our combined perspective it is clear that this Proposed Development Plan of Lot 564 Garvey Rd is severely lacking in foresight, safety issues, EPA concerns and block privacy issues. This Proposed Subdivision appears to be the “easiest” option for the least cost to the Developer with no real concern or thought given to the implications to the existing residents, nor in fact the proposed new residents either. There are clearly more effective and pleasing alternatives to managing this redevelopment plan that don’t involve a production line of small blocks onto a main road nor a new road teeing into the driveways of established homes faced with the prospect of vehicle lights shining right into their private homes.

Thankyou for taking the time to hear our concerns and read our submission and we look forward to your positive feedback.

Your sincerely

The Residents of Peppermint Ridge Estate

Amanda Thrasher – 138 Garvey Rd \_\_\_\_\_ 20/12/2025

Jacob Thrasher – 138 Garvey Rd \_\_\_\_\_ 20/12/2025

Franco Angeloni – 136 Garvey Rd \_\_\_\_\_ 20/12/2025

Tracy Angeloni – 136 Garvey Rd \_\_\_\_\_ 20/12/2025

Marty White – 150 Garvey Rd \_\_\_\_\_ 20/12/2025

Karen White – 150 Garvey Rd \_\_\_\_\_ 20/12/2025

Cameron White – 150 Garvey Rd \_\_\_\_\_ 20/12/2025

Peter Cowley – 160 Garvey Rd \_\_\_\_\_ 20/12/2025

Copies of this letter to:

Conservation Council of WA – PO Box 883, West Perth, WA 6872

[conswa@ccwa.org.au](mailto:conswa@ccwa.org.au), [media@ccwa.org.au](mailto:media@ccwa.org.au)

Birdlife WA – Peregrine House, 167 Perry Lakes Drive, Floreat WA 6014

[wa@birdlife.org.au](mailto:wa@birdlife.org.au)

Urban Bushland Council of WA – 2 Delhi St, West Perth WA 6005

Jess Beckerling – The Australian Greens

4 Harvest Terrace, West Perth WA 6005

[Jess.beckerling@mp.wa.gov.au](mailto:Jess.beckerling@mp.wa.gov.au)

19/12/2025 A clear view of the intensity of the established Tree Line along Garvey Rd



19/12/2025 Actual Marri Trees on Garvey Rd North Side Boundary



19/12/2025 One of the Marri Trees that is home to the endangered Red Tail Black Cockatoo



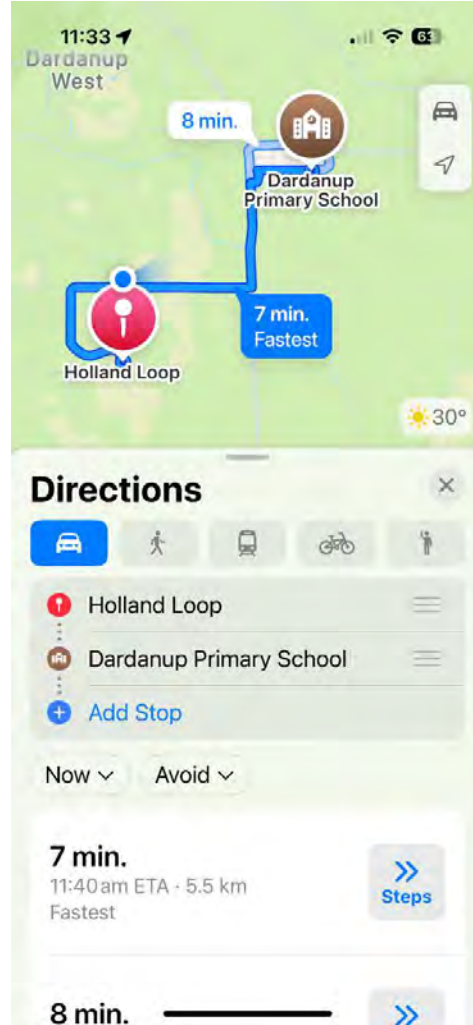
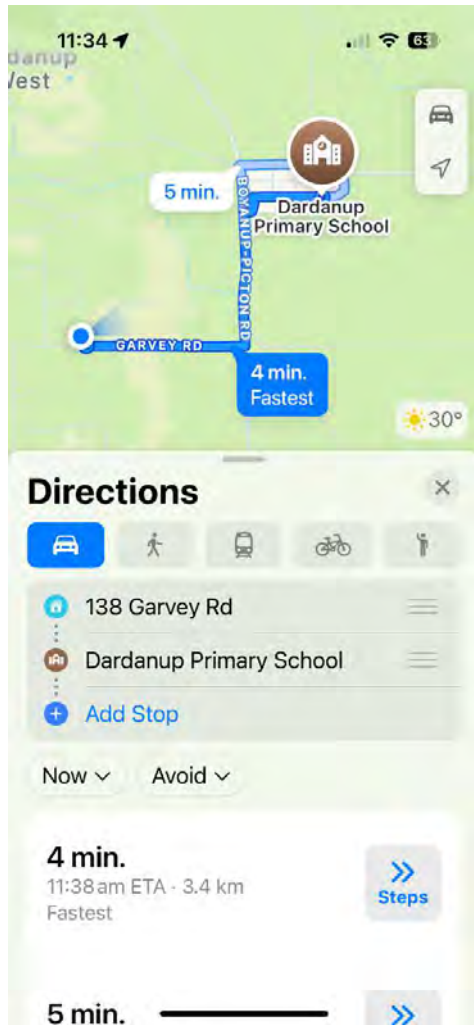
19/12/2025 – West Australian Christmas Tree (Nuytsia Floribunda) a tree of deep cultural significance to the local Noongar people and located on Northern boundary of Garvey Road



18/12/2025 Road crossing dangers of Bus Stop located in front of proposed Lots 1, 2 & 3



23/12/25 Bus Route Eligibility – residents MUST reside more than 4.5km from their local school. Residents with driveways on Garvey Rd are only 3.4km from local school and are therefore INELEGIBLE to catch the bus. Residents, however, coming out from Holland Loop or Moreellini Way increases the distance to 5.5km allowing eligibility for bus transport.



Assorted Photos of the Endangered Red Tail Black Cockatoos at the Bus Stop on Garvey Road from the past 5 years



19/12/2025 – Proposed Development of Lot 564 Garvey Rd, Dardanup West



19/12/2025 – Please note the Shire of Dardanup sign states “Lot 564 Garvey Rd” but the Harley Dykstra Plan shows “Lot 546 Garvey Rd” so this is a matter that needs clarification!!



driveways with the looming prospect of car head lights constantly shining into our Bedrooms and Living space. Holland Loop Estate, on the other hand, is only a few years old and residents purchased knowing full well the Estate was predominantly the smaller 1ha lots. It would make so much more sense in regards to road safety, Lot size Aesthetics, Bus Route Eligibility and Environmental Protection to flip the proposed plan so that the 12 x 1ha lots were adjoining similar sized lots within the Holland Loop Estate on the South Side. This would then immediately eradicate any road safety concerns, bus route issues or tree removals along Garvey Rd. These 12 x 1ha lots could then easily be serviced by an East/West running road extending from the already existing Morellini Way located on the West Side of Lot 564 Garvey Rd and would also eliminate any EPA or Road Safety concerns as there are no established trees or Main Roads to navigate. Consideration could also easily be given to a road running North/South alongside the fire escape road on the East side of the property and the road coming out near Shaw Rd where it would disrupt no long term established private properties whatsoever.

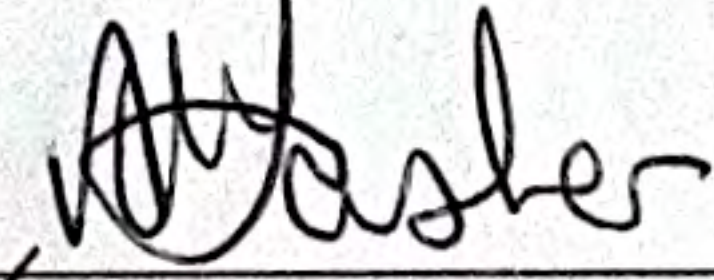
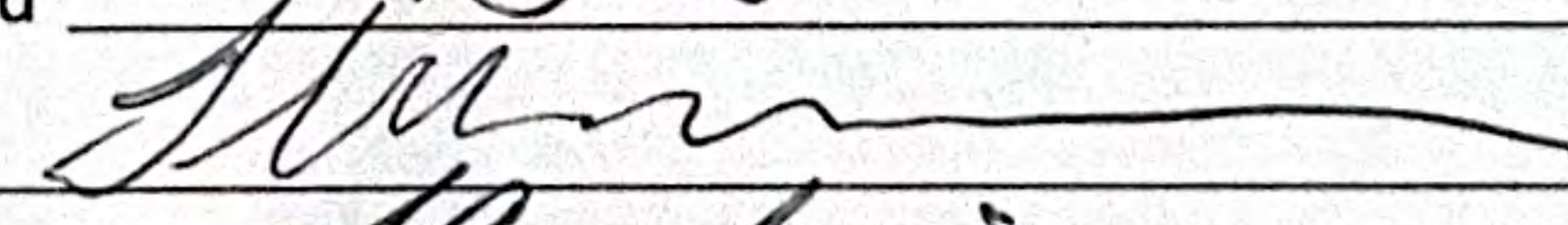
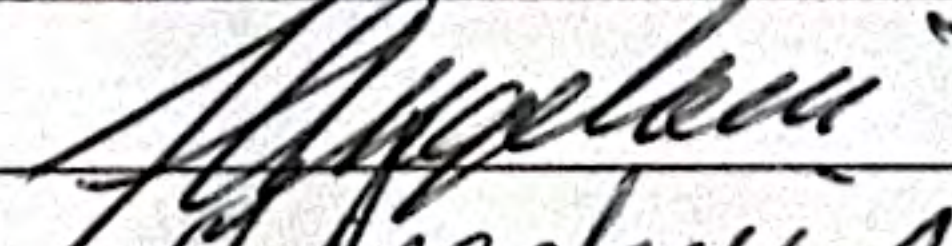
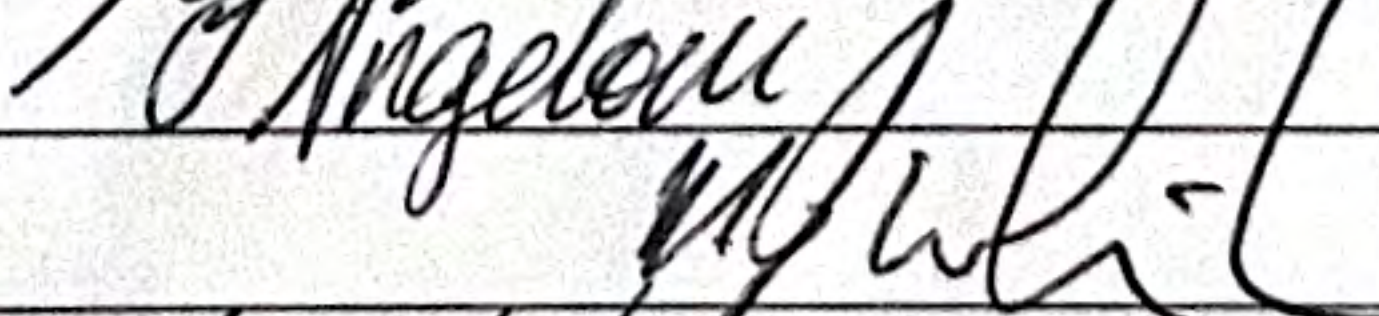
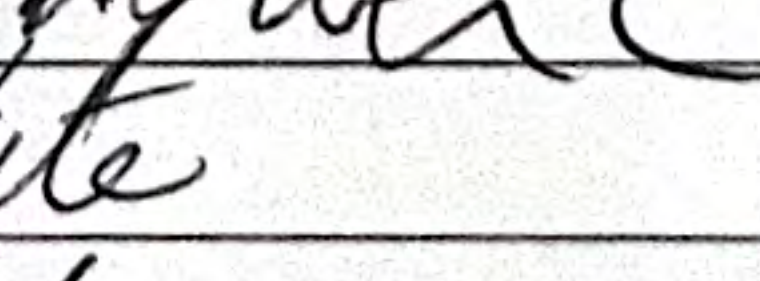
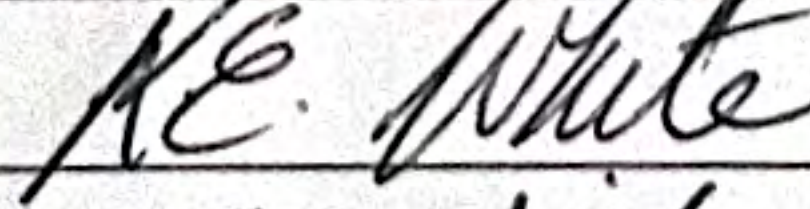
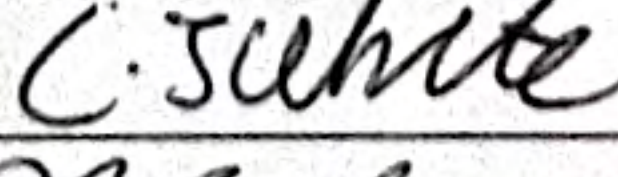
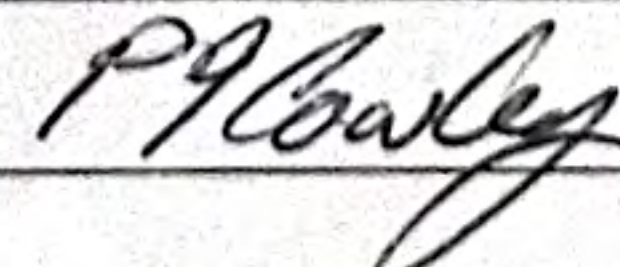
Lack of Drainage is also another issue to seriously consider and address. Located between the West boundary of 138 Garvey Rd and the east boundary of 150 Garvey Rd is a persistent drainage issue. Unfortunately this results in yearly winter flooding of the driveway of 150 Garvey Rd. To add further small lots in this vicinity would impact even further on this already dangerous road flooding situation.

From our combined perspective it is clear that this Proposed Development Plan of Lot 564 Garvey Rd is severely lacking in foresight, safety issues, EPA concerns and block privacy issues. This Proposed Subdivision appears to be the "easiest" option for the least cost to the Developer with no real concern or thought given to the implications to the existing residents, nor in fact the proposed new residents either. There are clearly more effective and pleasing alternatives to managing this redevelopment plan that don't involve a production line of small blocks onto a main road nor a new road teeing into the driveways of established homes faced with the prospect of vehicle lights shining right into their private homes.

Thankyou for taking the time to hear our concerns and read our submission and we look forward to your positive feedback.

Your sincerely

The Residents of Peppermint Ridge Estate

Amanda Thrasher – 138 Garvey Rd		20/12/2025
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Cameron White – 150 Garvey Rd		20/12/2025
Peter Cowley – 160 Garvey Rd		20/12/2025

## Schedule of Public Submissions

## Local Planning Scheme Amendment 1 – Lot 564 Garvey Road, Dardanup

Issue No.	Issue Raised	Officer Response	Recommended Action / Modification	Applicant Comments
1	Road safety concerns relating to 12 proposed driveways onto Garvey Road, including heavy-vehicle traffic, limited sightlines, verge constraints and reported near-miss incidents.	Garvey Road functions as a rural distributor with significant heavy-vehicle and agricultural movements. Additional crossovers may increase conflict points and reduce safety. A detailed access design and sight-distance assessment is provided in Appendix E of the amendment documents.	No modification required. Crossover locations to be finalised at subdivision stage and addressed through a Local Development Plan (LDP).	This is a matter to be further considered as part of the subdivision process, not at the Scheme Amendment stage.  An LDP is not considered necessary to address crossover locations onto Garvey Road. Crossover locations can be shown (and approved) on the subdivision plan (if required) and approved by the Shire through the detailed design phase as part of the subdivisional stage.
2	Traffic data (2023) is outdated and does not reflect post-BORR traffic patterns.	Noted. Traffic volumes have changed following the BORR and Wilman–Wadandi Highway construction. Updated traffic counts may be required to reflect current conditions and future demand. The addition of 16 new lots does not have a large impact at the macro level.	No modification required. Updated traffic counts scheduled as part of Council’s long-term capital projects plan.	Noted.
3	Environmental concerns regarding removal of mature Marri trees and <i>Nuytsia floribunda</i> , including potential habitat for Red-tailed Black Cockatoos.	The site contains mature native vegetation, including potential habitat trees. The amendment report states that the low-density development will not require removal of native vegetation.	No modification required. Apply a subdivision condition requiring that no native vegetation be removed, consistent with the amendment report.	This is a matter to be further considered as part of the subdivision process, not at the Scheme Amendment stage.  As indicated within the report, due to the size of the lots, it is not anticipated that clearing will be required to create the individual lots. There may be some

**(Appendix ORD: 12.2.1C)**

				vegetation impacted because of the infrastructure establishment, including crossovers, which will be addressed through the subdivision process and avoided where practically possible.
<b>4</b>	Safety concerns relating to the existing school bus stop near proposed Lots 1–3, including bus queuing, children crossing between buses and high-speed traffic.	The existing bus-stop location and operational issues are acknowledged. Additional driveways in this area may increase conflict points. Consultation with the Public Transport Authority (PTA) will be required to determine appropriate arrangements.	No modification required. Require review of bus-stop location and design in consultation with PTA at subdivision stage.	This is a matter to be further considered as part of the subdivision process, not at the Scheme Amendment stage.  The subdivision application will be referred to relevant state & local government agencies as part of the future Subdivision process. Comments can be provided by these agencies (incl PTA) at this time with regards to the proposed development.
<b>5</b>	Ineligibility for primary school bus services due to PTA distance rules.	Eligibility for school-bus services is determined by PTA and is not a statutory planning consideration. Subdivision design can, however, influence safe access to bus services.	No modification required. The Shire may advocate for service provision if appropriate.	Noted.
<b>6</b>	Subdivision layout incompatible with surrounding estates (Peppermint Ridge 2.5 ha; Holland Loop 1–1.5 ha).	Transition between lot sizes is a relevant planning consideration. The conceptual design provides a range of lot sizes (1 ha to 3.5 ha), consistent with the landform and achieving an average of 2 ha. The 1 ha lots on Garvey Road are consistent with existing development further west and do not set a new precedent.	No modification required.	Noted.
<b>7</b>	Proposed north–south internal road terminating at existing private driveways, causing privacy and amenity impacts.	Road design should minimise amenity impacts on existing dwellings. The current alignment may require reconsideration to avoid directing headlights toward established homes.	No modification required. Require redesign of the internal road alignment at subdivision stage to mitigate amenity impacts.	This is a matter to be further considered as part of the subdivision process, not at the Scheme Amendment stage.  The connection of the proposed north-south road at Garvey Road

**(Appendix ORD: 12.2.1C)**

				is not aligned with any existing dwelling. The dwellings located along Garvey Road, in proximity of the proposed road are setback approximately 50m from the road and buffered by vegetation and will therefore not impact established homes. The southern connected adjoins an existing road reserve, therefore not directly impacting any dwellings.
<b>8</b>	Existing drainage issues between 138 and 150 Garvey Road; concern that additional lots will exacerbate flooding.	Localised drainage constraints are acknowledged. A Local Water Management Strategy (LWMS) has been provided at Appendix A and demonstrates that adequate design measures can address these issues.	No modification required. Detailed drainage design to be addressed through subdivision conditions.	Noted.
<b>9</b>	Concern that the proposal prioritises developer convenience over orderly and proper planning.	The planning framework requires subdivision design to demonstrate orderly and proper planning, environmental protection and safe access. These matters have been addressed in the technical documents supporting the amendment and reflected in a conceptual lot layout responsive to the landform.	No modification required. Matters will be further addressed through the subdivision approval process.	Noted.



Your Ref: LPS9 Amend No 1  
Our Ref: 203180525 - TPS428001  
Enquiries: Luke Gabriel  
Direct Tel: 9420 2099  
Email: land.planning@watercorporation.com.au

30 January 2026

Manager Planning, Building and Health  
Shire Of Dardanup  
1 Council Dr  
EATON WA 6232

Attention of: Alan Longbon

**Re: Amendment 1 - 564 Garvey Rd West Dardanup**

Thank you for your letter dated 12 December 2025. We offer the following comments regarding this proposal.

**Water**

The development area is outside the existing water scheme, connection into the existing scheme is not feasible due to the distance to the existing water network. Should the proponent wish to have potable water for this proposal, the Corporation recommends alternative solutions should be looked at if connection to water is required as there is also no long-term plan to serve this area.

**Wastewater**

The development area is outside the existing sewer district, connection into the existing scheme is not feasible due to the distance to the existing wastewater network. Should the proponent wish to have wastewater services for this proposal, the Corporation recommends alternative solutions for wastewater treatment and disposal as there is also no long-term plan to serve this area.

**Drainage**

The subject area falls within the Collie River Drainage Catchment. Developments within this catchment are required to contain the flows from a one in one-hundred-year storm event on site. Discharge to Water Corporation drains must be compensated to pre-development levels.

Major drainage infrastructure is located within or adjacent to the subject area. The developer is required to fund the full cost of protecting or modifying any existing Water Corporation drainage facilities or infrastructure which may be affected by the development.

Our Asset Investment Planning (AIP) team are currently reviewing the Local Water Management Strategy (LWMS) document provided and we hope to provide comments as soon as possible once they have finished reviewing the document.

**General Comments**

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 12 months, please contact us to confirm that this information is still valid.

Please provide the above comments to the landowner, developer and/or their representative.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

Luke Gabriel  
Senior Planner  
Development Services



Department of  
**Primary Industries and  
Regional Development**

GOVERNMENT OF  
WESTERN AUSTRALIA

Your reference: LPS9 Amend No 1  
Our reference: LUP 2336  
Enquiries: Leon van Wyk

Alan Longbon  
Manager Planning Building and Health  
Shire of Dardanup  
PO Box 7016  
EATON WA, 6232  
[submissions@dardanup.wa.gov.au](mailto:submissions@dardanup.wa.gov.au)

30 January 2026

Dear Alan

**COMMENT: Shire Of Dardanup Local Planning Scheme No. 9 Amendment No. 1**

Thank you for the opportunity to comment on proposed Amendment No. 1 to Local Planning Scheme No. 9 to rezone Lot 564 Garvey Road, Dardanup West from 'Rural' to the 'Rural Residential'.

The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed amendment, as the rezoning of the abovementioned lot from 'Rural' to 'Rural Residential' is consistent with the WAPC endorsed Shire of Dardanup Local Planning Strategy.

If you have any queries regarding the comments, please contact Leon van Wyk at (08) 9780 6171 or [leon.vanwyk@dpird.wa.gov.au](mailto:leon.vanwyk@dpird.wa.gov.au).

Yours sincerely

Anya Lam  
**Director Agriculture Resource Management and Assessment  
Fisheries and Sustainability**



27 January 2026

CEO Shire of Dardanup

[Submissions@dardanup.wa.gov.au](mailto:Submissions@dardanup.wa.gov.au)

**Shire of Dardanup Local Planning Scheme No 9: Scheme Amendment Report No 1.**  
‘Amending Lot 564 Garvey Road, Dardanup West from ‘Rural’ to ‘Rural Residential.’”

Thank you for the opportunity to comment on this Scheme Amendment.

The Urban Bushland Council WA Inc is the peak community organisation for urban bushland recognition and protection and is an association of more than 100 community conservation groups and more than 100 individual supporters.

The Urban Bushland Council’s concern with this Scheme Amendment is the potential loss of mature Marri trees along Garvey Road. Carnaby’s Cockatoo Recovery Plan states that decision makers should ‘seek to fully protect Carnaby’s Cockatoo habitat’. (5 Guide for Decision Makers)

**Carnaby’s Black Cockatoo** is listed as a Threatened Species at the level of ‘endangered’.

Of the 2025 Great Cocky Count (6 April 2025), the figure of 15,786 White-tailed Black-Cockatoos recorded (with 6, 298 individual recorded on the Swan Coastal plain), ‘was the lowest recorded total number of white tails since 2015, as well as the lowest recorded count for the Perth-Peel Coastal Plain....since 2015. (Birdlife WA Cocky Notes Issue 38: Spring 2025.)

*‘...the low numbers recorded this year, [2025] particularly for the White-tailed Black-cockatoos, is concerning.’*

*‘The lower numbers are likely in part a direct measure of real population decline, following both a widely acknowledged poor breeding season (so fewer birds joining the population) and an unknown amount of adult mortality due to starvation, as evidenced by Carnaby’s admitted to Perth Zoo in poor bod condition between July and October.’ (p2 ibid)*

This analysis has also been reported by Professor Kris Warren and team, School of Veterinary Medicine, Murdoch University:

*‘The lower numbers are likely in part a direct measure of real population decline, following both a widely acknowledged poor breeding season, and an unknown amount of adult mortality due to starvation, as evidenced by Carnaby’s admitted to Perth Zoo in poor body condition between July and October.’*

Professor Warren’s Research on Carnaby’s Cockatoo shows ‘a marked decline in population numbers. The result corresponds with the decline in foraging food, water, and roosting sources, as well as the increase in urbanisation’. (Long May They Grace Our Skies: Black Cockatoo Research and Conservation. Talk at Naturalists Club 30 September 2025.)

**Forest Red-tailed Black Cockatoo** is listed as a Threatened Species at the level of ‘Vulnerable’.

FRTBCs have declined in range by 30% as a result of habitat loss, and have suffered a marked decline in population numbers since the 1950s; (Johnstone et al. 2013).

Well known threatening process ‘are exacerbated by the rapidly increasing urban and industrial development in the Perth and Peel regions and the south-west of Western Australia’. (DEC 2012).

The Australian 'Department of Climate Change, Energy, Environment and Water's' 'Forest Red-tailed Black Cockatoo Recovery Plan' (2008) describes 'Habitat critical to survival' and states that 'Important populations of FRTBC comprises areas currently occupied by the cockatoos; of natural vegetation in which the cockatoos nest, feed and roost; and of natural vegetation through which the cockatoos can move from one occupied area to another.

Both Carnaby's and Forest Red-tailed Black Cockatoo feed on Marri seed and Marri pollen is reported to be highly nutritious. And of course, the line of Marri trees is a significant avenue enabling movement through the landscape for birds and other fauna.

**UBC supports residents of Garvey Road**

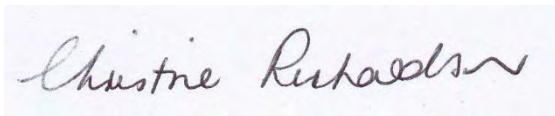
The eight residents of Garvey Road who signed the petition (20 December 2025) have suggested an alternative to the current proposed Amendment such that development could proceed differently and where the Garvey Road Marri trees (as well as a significant Christmas tree), could be protected. [The UBC can see that that proposal would have an impact on the wetland traversing the south-west corner.] We encourage the Shire to reconsider the Amendment to the Local Planning Scheme. Trees along Garvey Road are an invaluable asset to the Shire as habitat and for the health of the community.

**UBC concern about the water table**

The UBC also has concerns about wetlands on lot 564 and the issues of drainage.

Again, thank you for the opportunity to comment.

Yours sincerely



Christine Richardson  
Chairperson  
0427 777 135  
[christine.richardson@bushlandperth.org.au](mailto:christine.richardson@bushlandperth.org.au)

**Urban Bushland Council WA Inc**  
City West Lotteries House  
2 Delhi Street  
West Perth WA 6005  
[ubc@bushlandperth.org.au](mailto:ubc@bushlandperth.org.au)  
[www.bushlandperth.org.au](http://www.bushlandperth.org.au)

**Alan Longbon**

---

**From:** South West Region Planning Services <swrplanning@mainroads.wa.gov.au>  
**Sent:** Thursday, 5 February 2026 10:13 AM  
**To:** Alan Longbon  
**Subject:** Reply [PLR#0225-0266] Local Planning Scheme 9 - 23858 - Amendment 1 - Zoning Change (Rural to Rural Residential) - Lot 564 Garvey Road, Dardanup West

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OFFICIAL

Hi Alan,

I refer to your email of 12 December 2025 and advise that Main Roads has no objections in principle to the proposed zoning change, subject to the below comments.

It was noted that the TIS does not consider the impacts to the existing Garvey Road/Boyanup Picton Road intersection. This should be addressed as a part of the subdivision application process, as it is the closest link to the state road network and leads to the Dardanup townsite.

If you have any queries, please contact Daniel Naude on 9724 5724.

Regards,

**South West Region Planning Services**

Tel: +97245600



Main Roads acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.

---

**From:** WEB South West Region <swreg@mainroads.wa.gov.au>  
**Sent:** Monday, 15 December 2025 12:15 PM  
**To:** South West Region Planning Services <swrplanning@mainroads.wa.gov.au>  
**Subject:** [PLR#0225-0266] Local Planning Scheme 9 - 23858 - Amendment 1 - Zoning Change (Rural to Rural Residential) - Lot 564 Garvey Road, Dardanup West - Due 30.01.2026

OFFICIAL

Refer TRIM document D25#1386307

Regards  
Patricia

----- Original Message -----

**From:** Alan Longbon <[Alan.Longbon@dardanup.wa.gov.au](mailto:Alan.Longbon@dardanup.wa.gov.au)>;  
**Received:** Fri Dec 12 2025 14:39:45 GMT+0800 (Australian Western Standard Time)  
**To:** Main Roads Western Australia <[enquiries@mainroads.wa.gov.au](mailto:enquiries@mainroads.wa.gov.au)>; Main Roads Western Australia <[enquiries@mainroads.wa.gov.au](mailto:enquiries@mainroads.wa.gov.au)>; Enquiries CallCentre <[enquiries@mainroads.wa.gov.au](mailto:enquiries@mainroads.wa.gov.au)>; CIC <[enquiries@mainroads.wa.gov.au](mailto:enquiries@mainroads.wa.gov.au)>;  
**Subject:** Dardanup Local Planning Scheme 9 Amendment 1 referral

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Dear Sir or Madam,

Please find attached an application referral for your comment.

Thank you.

**Alan Longbon**

Manager Planning, Building & Health



**A:** 1 Council Drive | PO Box 7016 | Eaton WA 6232  
**T:** (08) 9724 0000 | **E:** [Alan.Longbon@dardanup.wa.gov.au](mailto:Alan.Longbon@dardanup.wa.gov.au)  
**W:** [www.dardanup.wa.gov.au](http://www.dardanup.wa.gov.au)



*The Shire of Dardanup wishes everyone a Merry Christmas and a safe and happy New Year.*

**Eaton and Dardanup administration/library centres:**

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**Eaton Recreation Centre and reception:**

*Closed from 11am Saturday, 20 December – Monday, 5 January.*

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**Alan Longbon**

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**From:** Matthew Wansborough <matthew.wansborough@dbca.wa.gov.au>  
**Sent:** Thursday, 29 January 2026 3:37 PM  
**To:** Submissions Planning  
**Cc:** Alan Longbon  
**Subject:** SHIRE OF DARDANUP LOCAL PLANNING SCHEME NO. 9 - AMENDMENT NO. 1 - Lot 564 Garvey Road, Dardanup West 2023-003135

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OFFICIAL

Chief Executive Officer  
Shire of Dardanup  
PO Box 7016  
1 Council Drive  
Eaton WA 6232

Attention: Alan Longbon

Dear Alan,

Thank you for your letter dated 12 December 2025, seeking DBCA advice on the proposed scheme amendment.

Based on the information provided, the Department of Biodiversity Conservation and Attractions' Parks and Wildlife Service South West Region has no comments on the proposed scheme amendment.

It is considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework.

If you have any further queries, please feel free to get in touch.

Kind Regards, Matthew

**Matthew Wansborough** | Regional Coordinator – Land Planning Program | South West Region | Parks and Wildlife Service | Department of Biodiversity, Conservation and Attractions | PO Box 1693 BUNBURY WA 6230 | Phone: 08 9725 4300 | Email: [Bunbury@dbca.wa.gov.au](mailto:Bunbury@dbca.wa.gov.au)

**Alan Longbon**

**From:** Lacey Brown <lacey.brown@dplh.wa.gov.au>  
**Sent:** Thursday, 15 January 2026 12:39 PM  
**To:** Records  
**Cc:** Alan Longbon  
**Subject:** PR79 PLH00120 - Local Planning Scheme No.9 - Amendment No.1 - Shire of Dardanup (TPS-R1819890)

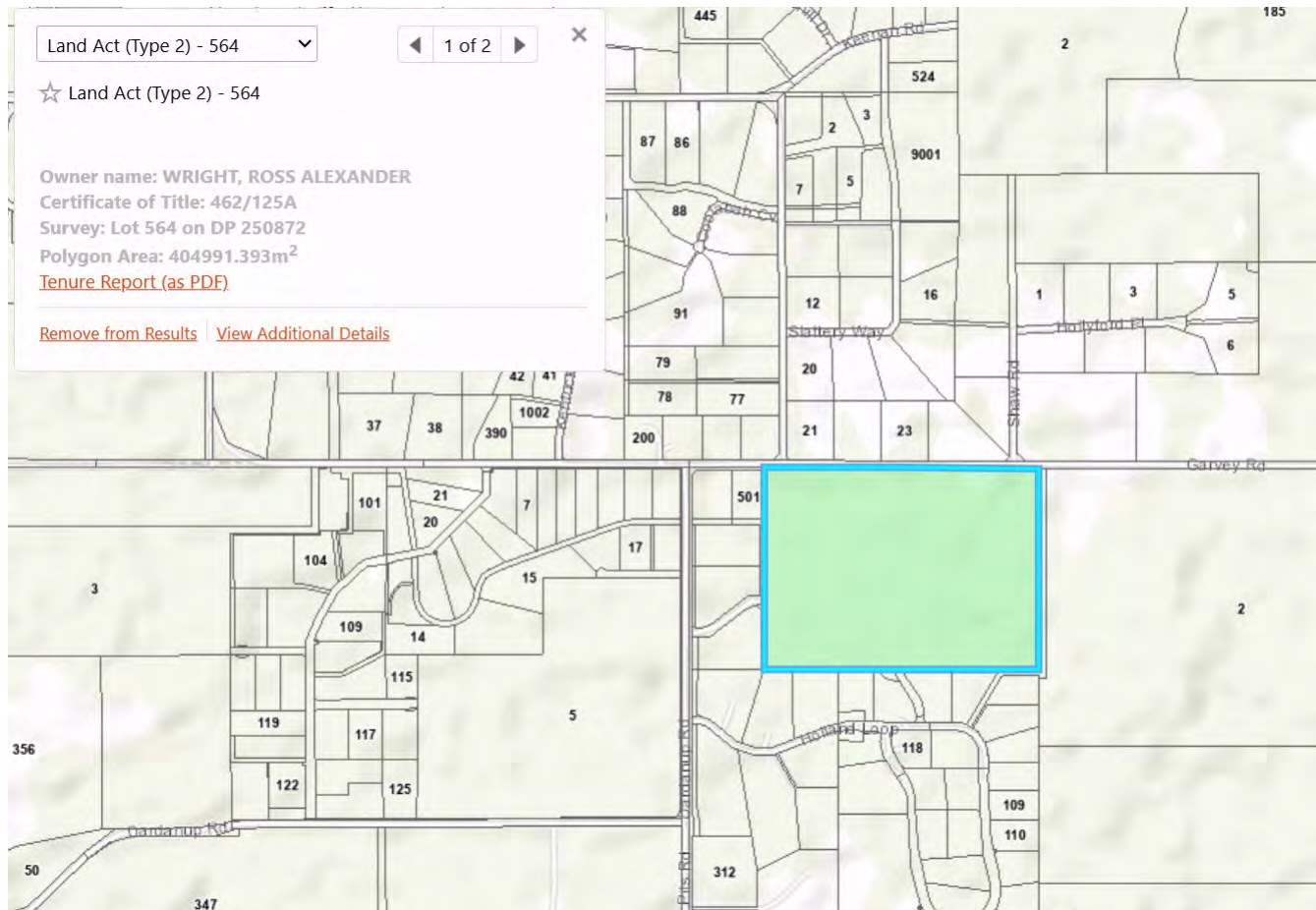
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OFFICIAL

Dear Alan,

Thank you for your referral of 12 December 2025 on the Shire of Dardanup Local Planning Scheme No.9, proposed Amendment No.1 (Your ref: TPS-R1819890). As there are no heritage-protected places within or around the amendment area, there is no objection to the proposal from a historic heritage perspective.



Kind regards, Lacey

**Lacey Brown**

Senior Heritage Officer | Heritage and Property Services  
**Department of Planning, Lands and Heritage**  
Bunbury Tower, Level 6, 61 Victoria Street, Bunbury WA 6230  
W: [dplh.wa.gov.au](http://dplh.wa.gov.au) | P: 6551 7976



The Department of Planning, Lands and Heritage acknowledges Aboriginal people as the traditional custodians of Western Australia. We pay our respects to the Ancestors and Elders, both past and present, and the ongoing connection between people, land, waters and community. We acknowledge those who continue to share knowledge, their traditions and culture to support our journey for reconciliation. In particular, we recognise land and cultural heritage as places that hold great significance for Aboriginal people. Learn more about our [Stretch Reconciliation Action Plan](#).

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***The Shire of Dardanup wishes everyone a Merry Christmas and a safe and happy New Year.***

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*Closed from 11am Saturday, 20 December – Monday, 5 January.*

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**Alan Longbon**

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**From:** Krish Seewraj <krish.seewraj@dwer.wa.gov.au>  
**Sent:** Tuesday, 13 January 2026 2:24 PM  
**To:** Submissions Planning  
**Cc:** Alan Longbon; Andrew Coulson  
**Subject:** RE: Dardanup Local Planning Scheme 9 Amendment 1 referral  
**Attachments:** RE: HD 23858 FW: Your planning advice request response REQ-0001439.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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OFFICIAL

13 January 2026  
Our Reference: REQ-0002249  
Your reference: LPS9 Amend No 1  
To: Department of Planning, Lands and Heritage  
From: Department of Water and Environmental Regulation

**RE: Shire of Dardanup Local Planning Scheme No. 9: Amendment No. 1 (Lot 564 Garvey Road, Dardanup West)**

Thank you for providing the above referenced scheme amendment for the Department of Water and Environmental Regulation (Department) to consider.

The Department has identified that the proposal has the potential for impact on environment and/or water resource values and/or management. Key issues and recommendations are provided below, and these matters should be addressed:

1. Issue: Scheme Amendment report  
Advice: The Scheme Amendment report is to be updated prior to being endorsed

- 2. Issue: LWMS  
Advice: A modification is recommended that requires the LWMS to be finalised to the satisfaction of the Department, Water Corporation, and Shire prior to any subdivision applications being submitted
  
- 3. Issue: S&SE  
Advice: The S&SE is to be updated prior to the amendment being endorsed

More detail pertaining to the above issues are provided in the table below.

Item No.	Reviewer comment/advice
1	<p><b>Issue:</b> Scheme Amendment report</p> <p><b>Advice:</b> The report should be updated to avoid use of old concept plans</p> <p><b>Discussion:</b></p> <p>As per the discussion related to the S&amp;SE under item 3, it has been identified that the S&amp;SE is based on an old concept plan, which has since been updated with a new lot configuration and drainage alignment.</p> <p>The S&amp;SE should be updated prior to the amendment being endorsed, and the updated plan should be referenced in Scheme Amendment report.</p>
2	<p><b>Issue:</b> LWMS</p> <p><b>Advice:</b> A modification is recommended that requires the LWMS to be finalised to the satisfaction of the Department, Water Corporation, and Shire prior to any subdivision applications being submitted</p> <p><b>Discussion:</b></p> <p>The scheme amendment is supported by the <i>Lot 564 Garvey Road West Dardanup LWMS (WML, revision B, dated 15/10/25)</i>, which the Department, Water Corporation, and Shire assessed and provided the attached comments for on 06/11/25.</p> <p>The outstanding comments are not likely to impact the proposed concept plan or viability of the proposal. They are however required to be resolved prior to the next planning stage.</p>

	<p>Therefore, a modification could be applied if the amendment is endorsed, to have the LWMS finalised to the satisfaction of the Department, Water Corporation, and Shire prior to any subdivision applications being submitted.</p>
3	<p><b>Issue:</b> S&amp;SE</p> <p><b>Advice:</b> The S&amp;SE is to be updated prior to the amendment being endorsed</p> <p><b>Discussion:</b></p> <p>The scheme amendment is supported by the <i>Lot 564 Garvey Road Subdivision Site-And-Soil Evaluation (WML, revision 1, dated 19/06/24)</i>.</p> <p>The Department supports that the S&amp;SE has concluded that lots are to be serviced by Secondary Treatment System with nutrient removal, in accordance with the recommendations of ‘Clause 8.7.11: Type of on-site treatment system required’ in <i>State Planning Policy 2.9 - Water Guidelines (WAPC 2025)</i>.</p> <p>The S&amp;SE has however been developed based on an old concept plan, which has since been updated with a new lot configuration and drainage alignment. It is therefore unclear as to how many of the proposed land application areas will comply with ‘Clause 8.7.8: Site requirement - setbacks from water resources’ in <i>State Planning Policy 2.9 - Water Guidelines (WAPC 2025) (SPP2.9)</i>, i.e.:</p> <p>‘An on-site wastewater system should not be located:</p> <ul style="list-style-type: none"><li>100m of a drainage system that</li><li>a) is located down-groundwater-gradient;</li><li>b) discharges directly into a waterway or significant wetland without treatment; and</li><li>c) intersects groundwater’</li></ul> <p>It is also noted that the definition of a building envelope in the <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015</a> is: <b>building envelope</b> means the area of land within which all buildings and effluent disposal facilities on a lot must be contained. As such the concept plan should not have separate building envelopes and land application areas, such that Model Subdivision condition EN11 can be applied at subdivision.</p> <p>It is therefore recommended that the S&amp;SE is updated prior to the amendment being endorsed, to ensure the same concept plan, including any amendments required because of the above comments, is being used in the S&amp;SE, LWMS, and Scheme Amendment report.</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.

Should you require any further information on the comments please contact the undersigned.

Yours sincerely,

---

Krish Seewraj

Planning Advice Program Manager  
South West Region  
Approvals – Statewide Delivery

Department of Water and Environmental Regulation

71 McCombe Road, BUNBURY, WA 6230

PO Box 261, BUNBURY, WA 6231

T: (08) 9726 4137 | F: (08) 9726 4100 | E: [krish.seewraj@dwer.wa.gov.au](mailto:krish.seewraj@dwer.wa.gov.au)

[www.dwer.wa.gov.au](http://www.dwer.wa.gov.au) | Twitter: [@DWER\\_WA](https://twitter.com/DWER_WA)

---

**From:** Alan Longbon

**Sent:** Friday, 12 December 2025 2:41 PM

**To:** Bunbury Admin

**Subject:** Dardanup Local Planning Scheme 9 Amendment 1 referral

Dear Sir or Madam,

Please find attached an application referral for your comment.

Thank you.

**Alan Longbon**

Manager Planning, Building & Health



**A:** 1 Council Drive | PO Box 7016 | Eaton WA 6232

**T:** (08) 9724 0000 | **E:** [Alan.Longbon@dardanup.wa.gov.au](mailto:Alan.Longbon@dardanup.wa.gov.au)

## Schedule of Referral Agency Submissions

## Local Planning Scheme Amendment 1 – Lot 564 Garvey Road, Dardanup

No.	Submitter	Position	Summary of Issues Raised	Officer Response	Recommended Action	Applicant Response
1	Water Corporation	No objection; servicing advice	<ul style="list-style-type: none"> <li>• Site is outside the existing water and wastewater schemes and cannot be serviced by reticulated infrastructure.</li> <li>• Stormwater must be contained on-site and any impacts on Water Corporation drainage assets must be managed by the developer.</li> <li>• LWMS is still under review.</li> </ul>	The matters raised are noted. The amendment does not require scheme water or sewer connection. Drainage requirements will be addressed through the LWMS and at subdivision stage.	No modification required.	Noted
2	Department of Primary Industries and Regional Development (DPIRD)	Supports / No objection	<ul style="list-style-type: none"> <li>• Confirms the amendment is consistent with the Shire's Local Planning Strategy.</li> </ul>	Support noted.	No modification required.	Noted
3	Urban Bushland Council WA Inc	Objection / Environmental concerns	<ul style="list-style-type: none"> <li>• Concern regarding potential loss of mature Marri trees along Garvey Road and associated impacts on threatened cockatoo species.</li> <li>• Supports an alternative development layout proposed by residents.</li> <li>• Raises concerns regarding wetlands and drainage.</li> </ul>	Environmental concerns are acknowledged. The amendment does not approve subdivision or development. Tree retention, fauna habitat considerations and wetland/drainage management will be addressed at later planning stages through the LWMS, S&SE and subdivision processes.	No modification required. Habitat retention can be made a condition of subdivision approval.	Noted.

**(Appendix ORD: 12.2.1E)**

4	Main Roads Western Australia	No objection; traffic advice	<ul style="list-style-type: none"> <li>Notes that the Traffic Impact Statement does not address the Garvey Road / Boyanup–Picton Road intersection.</li> <li>Advises this matter must be addressed at subdivision stage.</li> </ul>	Comment noted. Traffic impacts will be addressed through a revised TIS at subdivision stage.	No modification required.	Noted.
5	Department of Biodiversity, Conservation and Attractions (DBCAs)	No objection	<ul style="list-style-type: none"> <li>Advises that environmental matters can be addressed through the existing planning framework.</li> </ul>	Support noted.	No modification required.	Noted.
6	Department of Planning, Lands and Heritage – Heritage Services	No objection	<ul style="list-style-type: none"> <li>Advises that there are no heritage-protected places within or adjacent to the amendment area.</li> </ul>	Noted.	No modification required.	Noted.
7	Department of Water and Environmental Regulation (DWER)	Conditional support: modifications required	<ul style="list-style-type: none"> <li>Requests updates to the Scheme Amendment Report to remove outdated concept plans.</li> <li>Requires the LWMS to be finalised to the satisfaction of DWER, Water Corporation and the Shire prior to subdivision.</li> <li>Requests the S&amp;SE be updated to reflect the current concept plan and confirm compliance with relevant water management policies.</li> <li>Advises that building</li> </ul>	Supported. The LWMS and S&SE to be finalised prior to subdivision approval. Updated concept plans to be provided.	<b>Modification required.</b> Updated concept plan to be provided. LWMS and S&SE can be provided at the subdivision application stage.	<p>Noted.</p> <p>Updated concept plans can be provided as requested.</p> <p>The LWMS and S&amp;SE were lodged prior to the finalisation of SPP 2.9. It is considered unreasonable</p>

**(Appendix ORD: 12.2.1E)**

			envelopes and effluent disposal areas should not be separated.			for these documents to be updated to comply at this stage. Further consideration of SPP 2.9 can occur in support of future subdivision applications.
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## RISK ASSESSMENT TOOL

**OVERALL RISK EVENT:**

Scheme Amendment 1

**RISK THEME PROFILE:**

3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)

**RISK ASSESSMENT CONTEXT:** Operational

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
<b>HEALTH</b>	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
<b>FINANCIAL IMPACT</b>	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
<b>SERVICE INTERRUPTION</b>	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
<b>LEGAL AND COMPLIANCE</b>	Council supports the amendment in circumstances where material planning, environmental or technical objections have not been adequately addressed, resulting in a flawed planning outcome or DPLH/Minister rejection of the amendment	Insignificant (1)	Unlikely (2)	Low (1 - 4)	Not required	Not required.	Not required.	Not required.
<b>REPUTATIONAL</b>	Council declines to adopt the amendment, with subsequent refusal from the Minister for Planning, resulting in	Minor (2)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
	loss of rural residential supply in an established planning corridor, delay to the applicant, and inconsistency with the Shire's Local Planning Strategy.							
<b>ENVIRONMENT</b>	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
<b>PROPERTY</b>	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.



POLICY NO:
<b>SDev CP505 – PUBLIC CONSULTATION – PLANNING MATTERS</b>

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION							
<b>Version:</b>	1	New	OCM	30/09/20	Res: 269-20	<b>Synopsis:</b>	Policy created and endorsed by Council
<b>Version:</b>	2	SDev CP505	OCM	31/03/21	Res: 61-21	<b>Synopsis:</b>	Amended and adopted by Council
<b>Version:</b>	3	SDev CP505	OCM	28/09/22	Res: 243-22	<b>Synopsis:</b>	Reviewed and adopted by Council.
<b>Version:</b>	4	SDev CP505	OCM	25/09/24	Res: XXX-24	<b>Synopsis:</b>	Reviewed and Adopted by Council
<b>Version:</b>	5	<a href="#">SDev CP505</a>	<a href="#">OCM</a>	<a href="#">XXXXXXXX</a>	<a href="#">Res: XXX-24</a>	<a href="#">Synopsis</a>	

## 1. RESPONSIBLE DIRECTORATE

Sustainable Development

## 2. PURPOSE OR OBJECTIVE

This Policy is designed to clearly define consultation required to meet the statutory and ‘standard’ consultation requirements for planning matters. R.76A and Schedule 2, cl. 64 and cl. 87 of the Planning and Development (Local Planning Schemes) Regulations 2015\_ establishes when consultation is required and gives discretion on how an application is to be advertised.

This Policy establishes the circumstances where consultation will be exercised, in order to:

- provide a consistent approach to the types of applications where public notice is given, based on the level of a proposal’s potential ‘impacts’;
- consistently apply standard means and duration ([statutory timeframes](#)) of public notices; and
- recognise the balance between the community being informed of, and having reasonable opportunity for input into, planning proposals (transparency and engagement), and the need to process planning proposals within prescribed statutory timeframes (efficiency).

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

## 3. DEFINITIONS

The following are definitions for the purposes of this policy only:

**‘Adjoining’** refers to any land or owner of land which abuts an application site or is separated from it only by a road, pathway, driveway or similar thoroughfare.

**‘Affected Person’** means a person who owns or occupies land that adjoins an application site.

**‘Application Site’** means the land upon which a land use, development or public work is proposed to be undertaken.

**‘Advise’** means action in writing taken by the Shire or another to acquaint the recipient with details of an intended land use or development on an information-only basis.

**‘Complex application’** means —

- an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; or
- an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for development approval.

**‘Consult’** means either:

- Personal (evidence by signed documentation) or written contact with an affected property owner(s) by the party proposing to undertake a land use or development; or
- Written notification by the Shire to affected persons inviting comment on the proposal.

**‘Development’** as defined under the Planning and Development Act 2005.

**‘Development Control Unit’** means a technical advisory group to consider and recommend determination of development applications as established under Local Planning Policy or Shire Operating ~~Procedure, and~~[Procedure and](#) includes the Shire’s Development Assessment Unit.

**‘Excluded Holiday Period’** means a day that is in:

- (a) a period beginning on 25 December in any year and ending on the next 1 January; or
- (b) a period of 7 days beginning on Good Friday in a year;

Unless otherwise defined in the *Planning and Development (Local Planning Schemes) Regulations, 2015*.

**‘Land’** includes any building or part of a building created on the land.

**‘Land owner’** means the person(s) listed as the registered owners on the Certificate of Title or in the case of Reserve land is the authority listed on the Management Order.

**‘Nearby Land’** means any land, other than neighbouring or adjoining land, which may be adversely affected by a development proposal and, where appropriate, may include owners of land within a neighbouring Shire.

**‘Notify’** means written communication by the Shire or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

**‘Public Advertisement’** means notification by way of an advertisement in a local newspaper, signs erected on the application site or signs on public notice boards.

**‘Relevant Information’** means the principal details of a development proposal as determined by the Shire to be sufficient to describe the proposal and its potential impacts. Each such notification is to provide further information as to where and when full particulars of the development proposal can be inspected during the period which comments are sought.

**‘Submitters’** means people who have provided written comment on a proposal within the formal comment period.

#### 4. POLICY

This Policy is to be read in conjunction with Community Development Policy Exec CP090– Community Engagement.

##### Consultation Categories Levels and Methods

- 4.1 In those instances where consultation is to be conducted, the consultation will be undertaken in accordance with the Consultation Matrix table in this Policy and all other provisions of this policy, unless varied by the legislation referenced in this policy.
- ~~4.2 Where proposals do not clearly fall within the matrix, the criteria outlined above will be used to establish the consultation process.~~
- 4.32 Prior to commencing consultation of a development application, the application may be listed for discussion at the Development Control Unit meeting, where the Officer may present the level of consultation to be undertaken, consistent with this Policy.
- 4.34 All [public](#) notices ~~for public~~ comment will articulate the following:
  - (a) The reasons for undertaking the consultation;
  - (b) Set out details of the proposal or a part thereof [in respect of for](#) which comment is being sought;
  - (c) Explain any policy variations being sought;
  - (d) Set out how ~~to~~ a member of the public could provide comment; and
  - (e) Specify the timeframe within [which where](#) any comments or submissions should be made.
- 4.54 Where deemed appropriate by officers, consultation may occur with government departments/referral agencies at any consultation level.

**Schedule 1 – Consultation Matrix**

DEVELOPMENT PROPOSAL/PLANNING MATTERS	CONSULTATION LEVEL	CONSULTATION PERIOD
Local Planning Scheme Review	4*	90 days
Development Strategies/Local Planning Strategies for Selected Areas	4	21 days
Scheme Amendments	3	Complex SA: 60 days Standard SA: 42 days
Structure Plans	3	42 days
Subdivision Referrals from WAPC	1	-
Development proposing a variation to the Deemed to Comply criteria of the R-Codes	2	14 days
Development proposing a variation to a scheme standard	2	14 days
Building Envelope Amendment/Relocation	2	14 days
Development – ‘P’ Uses on zoning table in <a href="#">LPS9TPS3</a>	1	-
Development – ‘D’ Uses on zoning table in <a href="#">LPS9TPS3</a>	1	-
Development ‘A’ Uses on zoning table in <a href="#">LPS9TPS3</a>	2	14 days
Complex application	3	28 days
Any proposal requiring a Heritage assessment to be carried out	2	14 days
Extension to Non-Conforming Uses	2	14 days
Cancel, amend, or extend Development Approval (s.77 applications)	1	-
Local Planning Policy Development/Review	3#	Minimum 21 days
Local Development Plan as a condition of subdivision	1	
Local Development Plan	3	14 days
<a href="#">Development Assessment Panel (DAP) assessments</a>	2	42 days

Consultation periods in Schedule 1 do not include any “Excluded Holiday Period”

\*Additional consultation requirements may be described in the Planning and Development (Local Planning Schemes) Regulations 2015.

#The minimum public consultation is 21 days, however additional workshops with key stakeholders may be required where deemed appropriate.

**Table 1 – Consultation Level Legend**

Consultation Level Description	Consultation Level
No Consultation	1
Consultation with owners and occupiers of adjoining Land	2
Consultation with owners and occupiers of the land in the locality	3
Community Engagement Plan	4

**Level ‘1’ – No consultation**

4.65 No consultation will occur where the proposal meets any of the following points:

- (a) is determined as having no predictable detrimental impact on the character or amenity of the immediate or general locality likely, and is not required under Clause 64 of the Deemed Provisions;
- (b) has previously occurred and only minor modifications, or modifications that address previous concerns raised, are proposed; and
- (c) for those proposals identified with ‘Consultation Level 1’ in the Matrix table in Schedule 1 of this policy.

**Level ‘2’– Consultation with owners and occupiers of adjoining land**

4.76 On R-Coded lots where the Deemed to Comply provisions of the Residential Design Codes are not complied with, the owner(s) of land adjoining the application site affected by the non-compliance will be consulted unless the proponent has already undertaken the necessary consultation and secured agreement or obtained comment.

4.87 Where a proposed land use or development is identified with ‘Consultation Level 2’ in the Matrix table in Schedule 1 of this policy, or where a proposed development:

- (a) will be visible from any road or other public place; and
- (b) will be likely to have an impact on the streetscape or amenity of properties in immediate proximity to the site;

the owners of properties adjoining, and those on the other side of any street immediately opposite the application site, will be consulted.

- 4.89 The owners and occupiers of the properties determined as being potentially affected by a development proposal will be consulted in writing, enabling the lodgement of any submission within the relevant period identified in the Matrix table in Schedule 1 of this policy (or such other period as prescribed by the relevant legislation).
- 4.109 Where an affected land owner is consulted by the proponent of a development proposal, the applicant must submit to the Shire evidence that the consultation satisfies the Shire’s notification requirements, by submitted all of the following for each affected property:
- (a) a completed, signed and dated [Form 87 - Consent Objection Form - Adjoining Owners](#) (completed by the applicant and all affected persons); and
  - (b) a full copy of all of the plans submitted with the application, each of the plans having been signed and dated, and which include the printed name of each of the affected persons.

#### **Level ‘3’ – Consultation with owners and occupiers of the land in the locality**

- 4.110 Where a proposal is identified with ‘Consultation Level 3’ in the Matrix table in Schedule 1 of this policy, or is determined by the Shire as having the potential to impact upon:
- (a) the use and enjoyment of land within an area but not extending to the whole of the Shire district; or
  - (b) specific interest groups within that area; the community within that area will be consulted.
- 4.121 The Shire will:
- (a) publish a notice of the development proposal in a newspaper circulating in the area containing details of the proposal;
  - (b) publish a notice, plan, application of the proposal on the Shire’s website and also place a copy on the notice board at the front of the Administration Building and make a copy of the document available for public inspection;
  - (c) require the applicant to place a notice of the development proposal on a sign in a prominent position on the property that is subject of the development proposal, in the manner ~~and form~~ approved by the Commission;
  - (d) provide written notice in the form of a letter to all land owners and occupiers within a radius of at least 200m of the application site for land within the townsite boundaries or at least 500m radius for land outside of a townsite;
  - (e) consult with the owners and occupiers of land beyond the forgoing areas where, in the opinion of the Shire, there will be an impact along key transportation facilities, tourist routes or view-sheds; ~~and~~
  - (f) consult as necessary with other affected government agencies or statutory authorities as the case requires; ~~and-~~ [Consider utilising social media platforms to direct community members to the Shire’s website to view applications available for consultation.](#)
- ~~(f)(g)~~
- 4.132 The notice and letters referred to in Clause 4.12 must detail the relevant information of the application, enabling the lodgement of any submission within the relevant period identified in the Matrix table in Schedule 1 of this policy (or such other period as prescribed by the relevant legislation).

#### **Level ‘4’ – Community Engagement Plan**

- 4.134 Where a proposal is identified with ‘Consultation Level 4’ in the Matrix table in Schedule 1 of this policy, and for planning matters that are deemed by officers to be of State, regional or shire-wide significance, officers will be required to prepare and implement a ‘Community Engagement Plan’ consistent with Policy SDev CP090 – Community Engagement.
- 4.41514 Specific objectives for Level 4 consultation which must be taken into consideration when preparing the Community Engagement Plan, include (but may not be limited to) the following:
- (a) Raise awareness about a particular issue/matter;
  - (b) Establish communication links with the community and identify which sections of the community are to be targeted in the engagement plan;
  - (c) Encourage active participation in programs;
  - (d) Collect views, opinions and ideas;
  - (e) Foster community pride, support and ‘ownership’; and
  - (f) Build trust and confidence between Council and the community.

- 4.156 Consultation mechanisms for Level 4 consultation will include the items listed at (a) – (d) below as a minimum, and may also include items (e)-(j), as determined by the Development Control Unit and/or the Manager Development Services:
- (a) Newspaper advertising\*;
  - (b) Letter/mail box drops or Council notices;
  - (c) Signage and displays in relevant locations;
  - (d) Notice to be displayed on Council's website;
  - (e) Media releases – press, radio, television (subject to availability and budget);
  - (f) Formation of community or advisory committees under *Local Government Act 1995*;
  - (g) Formation of working groups;
  - (h) Workshops, forums or briefing/information sessions;
  - (i) Public meetings; or
  - (j) Other procedures as required including utilising social media platforms to direct the community to the Shire's website.

- 4.167 \*Notwithstanding the consultation methods adopted, consultation for 'Level 4' proposals will include a comprehensive local newspaper notice repeated over the duration of the process (minimum of 2 notices) associated with a formal comment period of 28 days, or such longer period that may be necessary to comply with relevant legislation.

#### **Form of submission**

- 4.178 Submissions ~~should~~ can desirably be made via email to [submissions@dardanup.wa.gov.au](mailto:submissions@dardanup.wa.gov.au), a letter or in writing to the Shire's postal address, or via the Submission Form at Schedule No 2 of this Policy.
- 4.189 To be considered valid, any submission will be required to:
- (a) be signed by the submitter;
  - (b) provide contact details for the submitter including an address for correspondence (including email address); and
  - (c) detail the reasons for any objection to the proposal.
- 4.2019 Where a written submission is received prior to the determination of an application and the Shire did not call for formal ~~submissions, submissions~~; the submission must be considered as set out below 'consideration of submissions'.

#### **Consideration of submissions**

- 4.210 All submissions received will be acknowledged in writing within 7 days of receipt, either by email as a first preference, or by postal mail (letter) if no email address is provided.
- 4.221 All submissions will be summarised into 'issues' in a Schedule of Submissions document by the assessing officer, prior to a determination being made. The assessing officer will provide comment and/or a recommendation with regard to the matters raised in the submission.
- 4.232 Matters to be taken into account in the consideration of the submission are outlined as set out in clause 67 of the Deemed Provisions. This policy does not increase the scope of the matters that may be considered in clause 67.
- 4.243 If the matter is to be determined by the Council rather than by a delegated officer, any person or organisation (other than a government agency or service provider) that has made a submission will be notified in writing (either by email or postal mail) of the details of the Council meeting, on the Friday at least five working days prior to the Council meeting once the Agenda is made available to the public.
- 4.254 In making the determination on the application/planning matter, Council or the delegated decision-maker will consider the Schedule of Submissions.
- 4.265 Once a determination of the matter has been made, a letter or email will be sent to each submitter detailing the determination of the development proposal.

#### **Cost of Consultation**

- 4.276 The full cost of the consultation requirements for Level 3 and 4 specified within this policy are to be met by the applicant.

4.287 Council's fee-schedule [of fees and charges](#) sets the cost for consultation.

#### **Access to Planning Applications where no consultation required**

4.298 -In situations where a member of the public requests access to view a development proposal which does not require public consultation, the written consent of the applicant/owner must be obtained to view the documents submitted. In the event written consent is not obtained, the Shire will not provide access to the documents unless a formal application under the Freedom of Information Act is made to the Shire and has been approved by the Shire's Freedom of Information Officer following due process.

#### **5. APPLICATION**

5.1 This policy is applicable to the entire local government area of the Shire of Dardanup and will be applied by the Shire when making discretionary decisions relating to public notice of planning proposals.

5.2 Planning proposals in the context of this policy include development applications; Structure Plans; Scheme Amendments and Local Development Plan.

5.3 For the purposes of this policy, in circumstances where consultation is undertaken it will ~~include both~~ [be to](#) the [land owners and occupiers of properties only](#) that, in the opinion of the Shire, may be affected by the proposal and/or other stakeholders where these are identified. ~~Any reference to 'owners' in this policy shall also be taken to include 'occupiers' of the property.~~

5.4 The Policy also applies to Planning Applications for which the Council is not the final decision-making authority.

#### **6. REFERENCE DOCUMENTS**

Planning and Development Act, 2005

Planning and Development (Local Planning Schemes) Regulations, 2015

Shire of Dardanup Local Planning Scheme No. [93](#)



**APPENDIX 1 – FORM OF PUBLIC NOTICE FOR CONSULTATION PURPOSES****PROPOSED DEVELOPMENT/STRUCTURE PLAN FOR PUBLIC COMMENT**

Notice is hereby given that ~~[insert description of matter which public comment is being sought – i.e. a Structure Plan for Lot XX, XXX Road]~~ is available for public comment.

~~[Insert brief overview of the proposal – i.e. The Structure Plan has been prepared to guide the future subdivision and development of Lot XX, XXXX Road, XXXX. The Structure Plan proposes to subdivide the site into XX residential lots with an average lot size of XX and also propose the development of a local centre to service surrounding population].~~

Copies of the ~~[e.g. Structure Plan]~~ will be available for viewing at the Shire of Dardanup Administration Centre, 1 Council Drive Eaton and will be open for inspection during normal office hours (8:00 AM to 4:00 PM) from ~~[insert date]~~ up to and including ~~[insert date]~~. The ~~[Structure Plan]~~ will also be made available for viewing on the Shire's website at [www.dardanup.wa.gov.au](http://www.dardanup.wa.gov.au).

Submissions on the proposed ~~[Structure Plan]~~ may be made in writing and lodged to the Chief Executive Officer, P O Box 7016 Eaton WA 6232 or emailed to [shiresubmissions@dardanup.wa.gov.au](mailto:shiresubmissions@dardanup.wa.gov.au) before 4.00pm on ~~[insert date]~~.

If you would like to discuss the proposal further with the Shire please contact ~~[insert officer contact details]~~ on (08) 9724 XXXX.

Yours sincerely

.....  
André Schönfeldt  
Chief Executive Officer  
PO Box 7016  
Eaton WA 6232



POLICY NO:
<b>SDev CP505 – PUBLIC CONSULTATION – PLANNING MATTERS</b>

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION							
<b>Version:</b>	1	New	OCM	30/09/20	Res: 269-20	<b>Synopsis:</b>	Policy created and endorsed by Council
<b>Version:</b>	2	SDev CP505	OCM	31/03/21	Res: 61-21	<b>Synopsis:</b>	Amended and adopted by Council
<b>Version:</b>	3	SDev CP505	OCM	28/09/22	Res: 243-22	<b>Synopsis:</b>	Reviewed and adopted by Council.
<b>Version:</b>	4	SDev CP505	OCM	25/09/24	Res: XXX-24	<b>Synopsis:</b>	Reviewed and Adopted by Council
<b>Version:</b>	5	SDev CP505	OCM	Xxxxxxxx	Res: XXX-24	<b>Synopsis:</b>	

## 1. RESPONSIBLE DIRECTORATE

Sustainable Development

## 2. PURPOSE OR OBJECTIVE

This Policy is designed to clearly define consultation required to meet the statutory and ‘standard’ consultation requirements for planning matters. R.76A and Schedule 2, cl. 64 and cl. 87 of the Planning and Development (Local Planning Schemes) Regulations 2015 establishes when consultation is required and gives discretion on how an application is to be advertised.

This Policy establishes the circumstances where consultation will be exercised, in order to:

- (a) provide a consistent approach to the types of applications where public notice is given, based on the level of a proposal’s potential ‘impacts;’
- (b) consistently apply standard means and duration (statutory timeframes) of public notices; and
- (c) recognise the balance between the community being informed of, and having reasonable opportunity for input into, planning proposals (transparency and engagement), and the need to process planning proposals within prescribed statutory timeframes (efficiency).

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

## 3. DEFINITIONS

The following are definitions for the purposes of this policy only:

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**‘Application Site’** means the land upon which a land use, development or public work is proposed to be undertaken.

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**‘Complex application’** means —

- a) an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; or
- b) an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for development approval.

**‘Consult’** means either:

- (a) Personal (evidence by signed documentation) or written contact with an affected property owner(s) by the party proposing to undertake a land use or development; or
- (b) Written notification by the Shire to affected persons inviting comment on the proposal.

**‘Development’** as defined under the Planning and Development Act 2005.

**‘Development Control Unit’** means a technical advisory group to consider and recommend determination of development applications as established under Local Planning Policy or Shire Operating Procedure and includes the Shire’s Development Assessment Unit.

**‘Excluded Holiday Period’** means a day that is in:

- (a) a period beginning on 25 December in any year and ending on the next 1 January; or
- (b) a period of 7 days beginning on Good Friday in a year;

Unless otherwise defined in the *Planning and Development (Local Planning Schemes) Regulations, 2015*.

**‘Land’** includes any building or part of a building created on the land.

**‘Land owner’** means the person(s) listed as the registered owners on the Certificate of Title or in the case of Reserve land is the authority listed on the Management Order.

**‘Nearby Land’** means any land, other than neighbouring or adjoining land, which may be adversely affected by a development proposal and, where appropriate, may include owners of land within a neighbouring Shire.

**‘Notify’** means written communication by the Shire or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

**‘Public Advertisement’** means notification by way of an advertisement in a local newspaper, signs erected on the application site or signs on public notice boards.

**‘Relevant Information’** means the principal details of a development proposal as determined by the Shire to be sufficient to describe the proposal and its potential impacts. Each such notification is to provide further information as to where and when full particulars of the development proposal can be inspected during the period which comments are sought.

**‘Submitters’** means people who have provided written comment on a proposal within the formal comment period.

#### 4. POLICY

This Policy is to be read in conjunction with Community Development Policy Exec CP090– Community Engagement.

##### Consultation Categories Levels and Methods

- 4.1 In those instances where consultation is to be conducted, the consultation will be undertaken in accordance with the Consultation Matrix table in this Policy and all other provisions of this policy, unless varied by the legislation referenced in this policy.
- 4.2 Prior to commencing consultation of a development application, the application may be listed for discussion at the Development Control Unit meeting, where the Officer may present the level of consultation to be undertaken, consistent with this Policy.
- 4.3 All public notices for comment will articulate the following:
  - (a) The reasons for undertaking the consultation;
  - (b) Set out details of the proposal or a part thereof for which comment is being sought;
  - (c) Explain any policy variations being sought;
  - (d) Set out how a member of the public could provide comment; and
  - (e) Specify the timeframe within, where any comments or submissions should be made.
- 4.4 Where deemed appropriate by officers, consultation may occur with government departments/referral agencies at any consultation level.

##### Schedule 1 – Consultation Matrix

DEVELOPMENT PROPOSAL	CONSULTATION LEVEL	CONSULTATION PERIOD
Local Planning Scheme Review	4*	90 days
Development Strategies/Local Planning Strategies for Selected Areas	4	21 days
Scheme Amendments	3	Complex SA: 60 days

DEVELOPMENT PROPOSAL	CONSULTATION LEVEL	CONSULTATION PERIOD
		Standard SA: 42 days
Structure Plans	3	42 days
Subdivision Referrals from WAPC	1	-
Development proposing a variation to the Deemed to Comply criteria of the R-Codes	2	14 days
Development proposing a variation to a scheme standard	2	14 days
Building Envelope Amendment/Relocation	2	14 days
Development – ‘P’ Uses on zoning table in LPS9	1	-
Development – ‘D’ Uses on zoning table in LPS9	1	-
Development ‘A’ Uses on zoning table in LPS9	2	14 days
Complex application	3	28 days
Any proposal requiring a Heritage assessment to be carried out	2	14 days
Extension to Non-Conforming Uses	2	14 days
Cancel, amend, or extend Development Approval (s.77 applications)	1	-
Local Development Plan as a condition of subdivision	1	
Local Development Plan	3	14 days
Development Assessment Panel (DAP) assessments	2	42 days

Consultation periods in Schedule 1 do not include any “Excluded Holiday Period”

\*Additional consultation requirements may be described in the Planning and Development (Local Planning Schemes) Regulations 2015.

#The minimum public consultation is 21 days, however additional workshops with key stakeholders may be required where deemed appropriate.

**Table 1 – Consultation Level Legend**

Consultation Level Description	Consultation Level
No Consultation	1
Consultation with owners and occupiers of adjoining Land	2
Consultation with owners and occupiers of the land in the locality	3
Community Engagement Plan	4

#### **Level ‘1’ – No consultation**

- 4.5 No consultation will occur where the proposal meets any of the following points:
- is determined as having no predictable detrimental impact on the character or amenity of the immediate or general locality likely, and is not required under Clause 64 of the Deemed Provisions;
  - has previously occurred and only minor modifications, or modifications that address previous concerns raised, are proposed; and
  - for those proposals identified with ‘Consultation Level 1’ in the Matrix table in Schedule 1 of this policy.

#### **Level ‘2’– Consultation with owners and occupiers of adjoining land**

- 4.6 On R-Coded lots where the Deemed to Comply provisions of the Residential Design Codes are not complied with, the owner(s) of land adjoining the application site affected by the non-compliance will be consulted unless the proponent has already undertaken the necessary consultation and secured agreement or obtained comment.
- 4.7 Where a proposed land use or development is identified with ‘Consultation Level 2’ in the Matrix table in Schedule 1 of this policy, or where a proposed development:
- will be visible from any road or other public place; and
  - will be likely to have an impact on the streetscape or amenity of properties in immediate proximity to the site;
- the owners of properties adjoining, and those on the other side of any street immediately opposite the application site, will be consulted.
- 4.8 The owners and occupiers of the properties determined as being potentially affected by a development proposal will be consulted in writing, enabling the lodgement of any submission within the relevant period identified in the Matrix table in Schedule 1 of this policy (or such other period as prescribed by the relevant legislation).
- 4.9 Where an affected land owner is consulted by the proponent of a development proposal, the applicant must submit to the Shire evidence that the consultation satisfies the Shire’s notification requirements, by submitted all of the following for each affected property:

- (a) a completed, signed and dated [Form 87 - Consent Objection Form - Adjoining Owners](#) (completed by the applicant and all affected persons); and
- (b) a full copy of all of the plans submitted with the application, each of the plans having been signed and dated, and which include the printed name of each of the affected persons.

#### **Level '3' – Consultation with owners and occupiers of the land in the locality**

- 4.10 Where a proposal is identified with 'Consultation Level 3' in the Matrix table in Schedule 1 of this policy, or is determined by the Shire as having the potential to impact upon:
- (a) the use and enjoyment of land within an area but not extending to the whole of the Shire district; or
  - (b) specific interest groups within that area;  
the community within that area will be consulted.
- 4.11 The Shire will:
- (a) publish a notice of the development proposal in a newspaper circulating in the area containing details of the proposal;
  - (b) publish a notice, plan, application of the proposal on the Shire's website and also place a copy on the notice board at the front of the Administration Building and make a copy of the document available for public inspection;
  - (c) require the applicant to place a notice of the development proposal on a sign in a prominent position on the property that is subject of the development proposal, in the manner and form approved by the Commission;
  - (d) provide written notice in the form of a letter to all land owners and occupiers within a radius of at least 200m of the application site for land within the townsite boundaries or at least 500m radius for land outside of a townsite;
  - (e) consult with the owners and occupiers of land beyond the forgoing areas where, in the opinion of the Shire, there will be an impact along key transportation facilities, tourist routes or view-sheds;
  - (f) consult as necessary with other affected government agencies or statutory authorities as the case requires; and
  - (g) consider utilising social media platforms to direct community members to the Shire's website to view applications available for consultation.
- 4.12 The notice and letters referred to in Clause 4.12 must detail the relevant information of the application, enabling the lodgement of any submission within the relevant period identified in the Matrix table in Schedule 1 of this policy (or such other period as prescribed by the relevant legislation).

#### **Level '4' – Community Engagement Plan**

- 4.13 Where a proposal is identified with 'Consultation Level 4' in the Matrix table in Schedule 1 of this policy, and for planning matters that are deemed by officers to be of State, regional or shire-wide significance, officers will be required to prepare and implement a 'Community Engagement Plan' consistent with Policy SDev CP090 – Community Engagement.
- 4.14 Specific objectives for Level 4 consultation which must be taken into consideration when preparing the Community Engagement Plan, include (but may not be limited to) the following:
- (a) Raise awareness about a particular issue/matter;
  - (b) Establish communication links with the community and identify which sections of the community are to be targeted in the engagement plan;
  - (c) Encourage active participation in programs;
  - (d) Collect views, opinions and ideas;
  - (e) Foster community pride, support and 'ownership'; and
  - (f) Build trust and confidence between Council and the community.
- 4.15 Consultation mechanisms for Level 4 consultation will include the items listed at (a) – (d) below as a minimum, and may also include items (e)-(j), as determined by the Development Control Unit and/or the Manager Development Services:
- (a) Newspaper advertising\*;
  - (b) Letter/mail box drops or Council notices;
  - (c) Signage and displays in relevant locations;
  - (d) Notice to be displayed on Council's website;
  - (e) Media releases – press, radio, television (subject to availability and budget);
  - (f) Formation of community or advisory committees under *Local Government Act 1995*;

- (g) Formation of working groups;
- (h) Workshops, forums or briefing/information sessions;
- (i) Public meetings; or
- (j) Other procedures as required including utilising social media platforms to direct the community to the Shire's website.

4.16 \*Notwithstanding the consultation methods adopted, consultation for 'Level 4' proposals will include a comprehensive local newspaper notice repeated over the duration of the process (minimum of 2 notices) associated with a formal comment period of 28 days, or such longer period that may be necessary to comply with relevant legislation.

#### **Form of submission**

- 4.17 Submissions can be made via email to [submissions@dardanup.wa.gov.au](mailto:submissions@dardanup.wa.gov.au), or in writing to the Shire's postal address.
- 4.18 To be considered valid, any submission will be required to:
- (a) be signed by the submitter;
  - (b) provide contact details for the submitter including an address for correspondence (including email address); and
  - (c) detail the reasons for any objection to the proposal.
- 4.19 Where a written submission is received prior to the determination of an application and the Shire did not call for formal submissions; the submission must be considered as set out below 'consideration of submissions.'

#### **Consideration of submissions**

- 4.20 All submissions received will be acknowledged in writing within 7 days of receipt, either by email as a first preference, or by postal mail (letter) if no email address is provided.
- 4.21 All submissions will be summarised into 'issues' in a Schedule of Submissions document by the assessing officer, prior to a determination being made. The assessing officer will provide comment and/or a recommendation with regard to the matters raised in the submission.
- 4.22 Matters to be taken into account in the consideration of the submission are outlined as set out in clause 67 of the Deemed Provisions. This policy does not increase the scope of the matters that may be considered in clause 67.
- 4.23 If the matter is to be determined by the Council rather than by a delegated officer, any person or organisation (other than a government agency or service provider) that has made a submission will be notified in writing (either by email or postal mail) of the details of the Council meeting, on the Friday prior to the Council meeting once the Agenda is made available to the public.
- 4.24 In making the determination on the application/planning matter, Council or the delegated decision-maker will consider the Schedule of Submissions.
- 4.25 Once a determination of the matter has been made, a letter or email will be sent to each submitter detailing the determination of the development proposal.

#### **Cost of Consultation**

- 4.26 The full cost of the consultation requirements for Level 3 and 4 specified within this policy are to be met by the applicant.
- 4.27 Council's schedule of fees and charges sets the cost for consultation.

#### **Access to Planning Applications where no consultation required**

- 4.28 In situations where a member of the public requests access to view a development proposal which does not require public consultation, the written consent of the applicant/owner must be obtained to view the documents submitted. In the event written consent is not obtained, the Shire will not provide access to the documents unless a formal application under the Freedom of Information Act is made to the Shire and has been approved by the Shire's Freedom of Information Officer following due process.

**5. APPLICATION**

- 5.1 This policy is applicable to the entire local government area of the Shire of Dardanup and will be applied by the Shire when making discretionary decisions relating to public notice of planning proposals.
- 5.2 Planning proposals in the context of this policy include development applications; Structure Plans; Scheme Amendments and Local Development Plan.
- 5.3 For the purposes of this policy, in circumstances where consultation is undertaken it will be to the land owners only that, in the opinion of the Shire, may be affected by the proposal and/or other stakeholders where these are identified.
- 5.4 The Policy also applies to Planning Applications for which the Council is not the final decision-making authority.

**6. REFERENCE DOCUMENTS**

Planning and Development Act, 2005  
Planning and Development (Local Planning Schemes) Regulations, 2015  
Shire of Dardanup Local Planning Scheme No.9

RISK ASSESSMENT TOOL								
<b>OVERALL RISK EVENT:</b> <u>Local Planning Policy SDev CP505 – Public Consultation – Planning Matters Review</u>								
<b>RISK THEME PROFILE:</b>								
3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory) Choose an item.				Choose an item.				
<b>RISK ASSESSMENT CONTEXT:</b> Operational								
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Risk of criticism in the media for not having a clear policy	Minor (2)	Almost Certain (5)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
PROPERTY	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.

## RISK ASSESSMENT TOOL

**OVERALL RISK EVENT:** Inadequate emergency services capability and coordination

**RISK THEME PROFILE:**

5 - Employment Practices

Choose an item.

2 - Business and Community Disruption

Choose an item.

**RISK ASSESSMENT CONTEXT:** Operational

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	Inefficient emergency management arrangements may result in increased response and recovery costs.	Moderate (3)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
	Withdrawal from MOU may result in increased costs to Shire resourcing.	Moderate (3)	Unlikely (2)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	Limited coordination and support may impact brigade capability and emergency response effectiveness.	Moderate (3)	Likely (4)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Inadequate oversight of emergency management functions may result in non-compliance with legislative obligations.	Moderate (3)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Failure to adequately support volunteer brigades and emergency services may impact community confidence.	Moderate (3)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	Inadequate emergency preparedness and response capability may increase the impact of bushfire and other	Major (4)	Possible (3)	High (12 - 19)	Introduction of CESM role to strengthen programs and enhance coordinated response capability.	Major (4)	Unlikely (2)	Moderate (5 - 11)

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
	hazards on the natural environment.							
<b>PROPERTY</b>	Inadequate emergency response capability may result in increased damage to community infrastructure and assets.	Major (4)	Possible (3)	High (12 - 19)	Enhanced coordination, training and operational oversight through the CISM role to improve response effectiveness and asset protection.	Moderate (3)	Unlikely (2)	Moderate (5 - 11)