



Metro South-West Joint Development Assessment Panel Agenda

Meeting Date and Time: 14 May 2019, 1:00pm
Meeting Number: MSWJDAP/183
Meeting Venue: City of Rockingham Boardroom
Civic Boulevard
Rockingham

Attendance

DAP Members

Mr Tony Arias (Presiding Member)
Ms Lee O'Donohue (Deputy Presiding Member)
Mr Andrew MacIver (Specialist Member)
Cr Chris Elliott (Local Government Member, City of Rockingham)
Cr Deb Hamblin (Local Government Member, City of Rockingham)

Officers in attendance

Mr David Banovic (City of Rockingham)
Mr Greg Delahunty (City of Rockingham)
Mr Mike Ross (City of Rockingham)
Mr John Di Rosso (Western Australian Planning Commission)
Mr John Pride (Western Australian Planning Commission)

Minute Secretary

Ms Nicole D'Alessandro (City of Rockingham)

Applicants and Submitters

Mr Nathan Stewart (Rowe Group)
Mr John Gastev
Mr Vic Gastev
Mr Brendan Foley (LSV Borrello Lawyers)
Mr Petar Mrdja (Urbanista Town Planning)
Mr Victor Mirauda (Mirauda Constructions)
Ms Daniella Mrdja (Urbanista Town Planning)
Mr Manny Braude (Braude Architects)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member declares the meeting open and acknowledges the past and present traditional owners and custodians of the land on which the meeting is being held.



2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Signed minutes of previous meetings are available on the [DAP website](#).

5. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1** Mr Nathan Stewart (Rowe Group) presenting against the application at item 8.1. The presentation will support the Officer Recommendations to refuse the application and will provide additional reasons for refusal.
- 7.2** Mr Brendan Foley (LSV Borrello Lawyers) presenting in support of the application at item 8.1. The presentation will address the legal question of land use permissibility and in particular why the City's officers are fundamentally incorrect in their contention that the proposed development is not capable of approval.
- 7.3** Mr Petar Mrdja (Urbanista Town Planning) presenting in support of the application at item 8.1. The presentation will address the reason for refusal and provide evidence why the application should be approved.
- 7.4** Mr Victor Mirauda (Mirauda Constructions) presenting in support of the application at item 8.1. The presentation will speak about the history of the site and the advice provided by Local Government when it was purchased and prior to the submission of the subject application, which was that park homes were capable of being approved on the site.

The City of Rockingham and Western Australian Planning Commission may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.



8. Form 1 – Responsible Authority Reports – DAP Applications

- 8.1a** Property Location: Lots 2 and 13 (Nos 1447 and 1457) Mandurah Road, Baldivis
Development Description: Lifestyle Village/Park Home
Applicant: Urbanista Town Planning
Owner: Miraudo Constructions Pty Ltd, Vittorio Miraudo and Ms Antonietta Miraudo
Responsible Authority: City of Rockingham
DAP File No: DAP/18/01451
- 8.1b** Property Location: Lot 2 & 13 Mandurah Road, Baldivis
Development Description: Lifestyle Village/Park Home
Applicant: Urbanista Town Planning
Owner: Miraudo Constructions Pty Ltd, Vittorio Miraudo and Ms Antonietta Miraudo
Responsible Authority: Western Australian Planning Commission
DAP File No: DAP/18/01451

9. Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval

Nil

10. Appeals to the State Administrative Tribunal

Current Applications		
LG Name	Property Location	Application Description
City of Fremantle	Lot 1 (193) South Terrace, South Fremantle	Mixed Use Development
City of Rockingham	Lot 301 (2-6) Council Avenue, Rockingham	Proposed health studio, restaurant, showrooms and convenience store

11. General Business / Meeting Closure

In accordance with Section 7.3 of the DAP Standing Orders 2017 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.



Form 1 – Responsible Authority Report (Regulation 12)

Property Location:	Lots 2 and 13 (Nos 1447 and 1457) Mandurah Road, Baldivis
Development Description:	Lifestyle Village/Park Home
DAP Name:	Metro South West JDAP
Applicant:	Urbanista Town Planning
Owner:	Mirauo Constructions Pty Ltd
Value of Development:	\$6.5 million
LG Reference:	DD020.2018.00000172.001
Responsible Authority:	City of Rockingham
Authorising Officer:	Bob Jeans, Director Planning & Development Services
DAP File No:	DAP/18/01451
Report Due Date:	03 May 2019
Application Received Date:	22 June 2018
Application Process Days:	90 Days
Attachment(s):	Attachment 1 Development Application Plans Attachment 2 Development Application Submission Attachment 3 Schedule of Submissions

Officer Recommendation:

That the Metro South-West Joint Development Assessment Panel resolves to:

Refuse the DAP Application reference DAP/18/01451 and accompanying plans

- Site Plan, Drawing No SK1 Rev A, dated 16.03.2018;
- Ground Floor Plan, Drawing No SK2 Rev 01.01, dated 16.03.2018;
- Unit Floor Plan and Elevations, Drawing No SK3 Rev 01.01, dated 16.03.2018;
- Club House Floor Plan and Elevations, Drawing No SK4 Rev 01.01, dated 16.03.2018;
- Site Plan Tank Locations, Drawing No SK5, dated 16.03.2018;
- Recreational Area Site Plan, Drawing No SK6, dated 16.03.2018;
- Site Sections, Drawing No SK7, dated 16.03.2018;
- Perspectives, Drawing No SK8, dated 16.03.2018;
- Survey Plan, Drawing No SK9, dated 16.03.2018

in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of 68(2)(b) of the deemed provisions of the City of Rockingham Town Planning Scheme No.2, subject to the following reasons as follows:

Reason

1. The proposed development is for a land use which is prohibited ('X') under Town Planning Scheme No.2.

Details: outline of development application

Zoning	MRS:	Rural
	TPS:	Rural
Use Class:		X - Grouped Dwelling
Strategy Policy:		N/A
Development Scheme:		City of Rockingham Town Planning Scheme No.2
Total Lot Size:		40,467m ²
Existing Land Use:		Single House

Development

A Joint Development Assessment Panel application has been received seeking development approval for a Lifestyle Village on Lots 2 and 13 (Nos 1447 and 1457) Mandurah Road, Baldivis. The application consists of the following:

- Development of a 'Lifestyle Village' which includes the construction of 68 chalets, a feature 'screen' wall, private access roads, a communal clubhouse and associated open spaces;
- The proposed chalets are made up of 22 one bedroom chalets and 46 two bedroom chalets, with each chalet including a kitchen, dining and living area, one bathroom and laundry as well as an additional study room, store area and alfresco area;
- Each chalet will also be provided with a carport providing parking for one vehicle as well as 24 visitor parking bays, forward of the chalets; and
- The existing houses and associated structures are proposed to be retained.

The following reports accompany the development application:

- Acoustics Report;
- Planning Report;
- Transport Statement;
- Environmental Impact Assessment;
- Bushfire Management Plan and Emergency Plan; and
- Waste Management Plan.

The original development proposal included a series of five commercial tenancies adjacent to the visitor car bays. Amended plans were subsequently provided which removed reference to commercial tenancies from the application, however, reference to the commercial tenancies were not removed through relevant reports.

Background:

The subject land has a total land area of 4.0467ha.

The subject land is well vegetated with more than 50 mature Tuarts trees and two mature Jarrah trees. The topography of the site is steep with a fall of approximately

20m from east to west. There is an existing house and associated outbuildings on each lot.

The lots are located within the area known as the “Baldivis Rural Wedge” which has a distinctly rural amenity, characterised by small scale rural and semi-rural land uses such as plant nurseries and hobby farming and special rural residential development.

The Vernon Arms tavern and White Lakes Brewery are located directly to the north of the subject land. To the east is the Lake Walyungup wetland which is highly visible from the adjoining roads.

The subject land is otherwise surrounded by rural-style residential land on one to two hectare lots.

Legislation and Policy:

The development has been assessed against the City’s Town Planning Scheme No. 2 (TPS2). The land use has been determined to be a ‘Grouped Dwelling’ pursuant to TPS2 which is not capable of approval within the Rural Zone, consequently it was not considered appropriate to undertake a detailed assessment against applicable Policy.

Legislation

City of Rockingham Town Planning Scheme No.2 (TPS2)

Clause 3.2 - Zoning Table

The subject land is zoned ‘Rural’ under TPS2.

The applicant has applied for a ‘Lifestyle Village / Park Home Estate’ which includes the construction of 68 chalets that “provide alternative accommodation for the aged” as well as a communal clubhouse. The ‘Chalets / Park Homes’ are also referred to as ‘Grouped Dwellings’ throughout the Planning Report.

In its submission, the applicant contends that the proposed development reasonably fits within the definition of a ‘Caravan Park’ land use under TPS2. This is based upon a decision from the Minister for Planning, Lands and Heritage that in summary concluded that, *where no distinction is drawn between a ‘Park Home’ and a ‘Caravan’ under a Town Planning Scheme a ‘Park Home’ shall be treated as a ‘Caravan’.*

It is noted that a ‘Caravan Park’ is an ‘A’ use within the Rural zone under TPS2. This means the land use is not permitted unless the Local Government has exercised its discretion following advertising.

On 19 October 2018, in *Henville v City of Armadale* [2018] WASAT 108 (HENVILLE), the State Administrative Tribunal (SAT) affirmed a decision by the City of Armadale to refuse an application for a park home park licence. Critical to the SAT’s reasoning was the interpretation of the word ‘Vehicle’ as defined in the Caravan Act and accordingly, the interpretation of what constitutes a ‘Park Home’.

In HENVILLE, the SAT concludes that a ‘Park Home’ must meet three tests:

- 1) It must be a means of transport to be a conveyance and therefore a vehicle as defined;
- 2) It must be a vehicle of a class or description as provided for by the Regulations; and
- 3) It must be fitted or designed for habitation.

The SAT also determined that for an object to be a 'vehicle' for the purposes of the Act, it must be a means of transport and not merely moveable or capable of movement.

There is no detailed evidence contained within the proposed Development Application that the 'Chalets/Park Homes' meet the first two limbs of the test. Notably there is no evidence that the 'Chalets/Park Homes' are vehicles capable of being a means of transport i.e. the 'Chalets/Park Homes' do not contain axles, chassis or wheels.

It is therefore concluded that the development does not contain any 'Park Homes' and consequently cannot be treated as a 'Caravan Park' land use pursuant to TPS2.

In effect, it is considered that the proposal must be treated as a 'Grouped Dwelling' development. A 'Grouped Dwelling' is defined in TPS2 and *State Planning Policy 3.1 Residential Design Codes (R-Codes)* as:

"A dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property."

The proposal is considered to satisfy this definition, as it includes 68 single-storey chalets over the two lots. Additionally, the applicant refers to the 'Chalets' as 'Grouped Dwellings' on a number of occasions in its submission. It is therefore concluded that the proposal must be treated as 'Grouped Dwelling' development, which is a prohibited 'X' use that is not capable of approval within the Rural Zone.

For the above reasons, the development application must be refused, as Council and MSWJDAP has no discretion to approve 'X' land uses.

It could be contended that the proposal may be treated as a 'Lifestyle / Retirement Village', which is a Use Not Listed under TPS2. However, this is not considered to be appropriate as the R-Codes specifically make provision for aged accommodation (i.e Aged or dependant person's dwellings). Consequently, applications for aged accommodation that contain two or more dwellings are appropriate to be treated as 'Grouped Dwellings' pursuant to TPS2.

State Government Policies

N/A

Local Policies

N/A

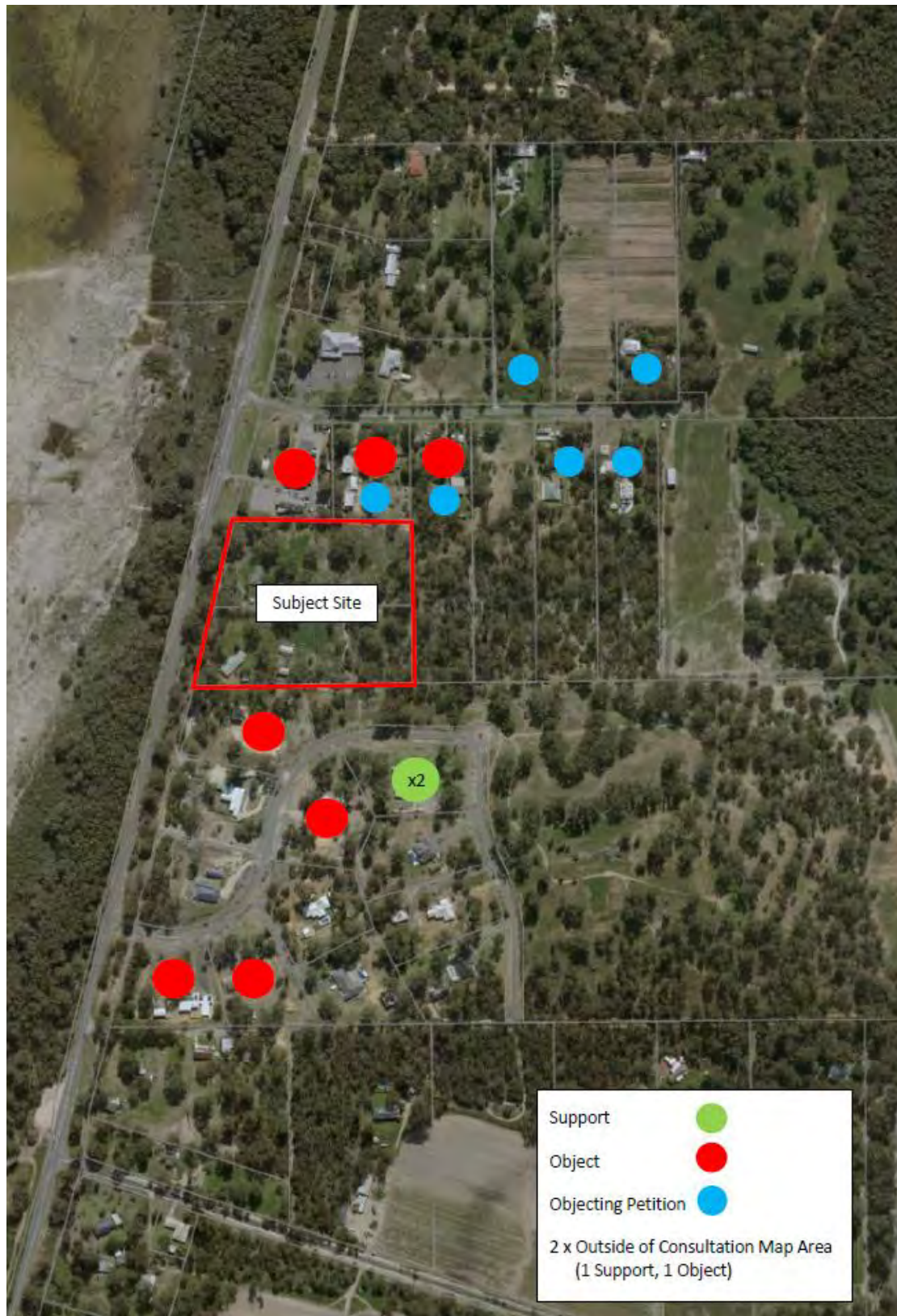
Consultation:**Public Consultation**

In accordance with Clause 64 of the deemed provisions of the TPS 2, the application was advertised for public comment over a period of 28 days, commencing on 23 January 2019 and concluding on 20 February 2019. The proposed intensity of residential land use warranted comment from nearby owners and occupiers prior to Council providing its recommendation to the MSWJDAP.

Note, advertising was undertaken prior to the City becoming aware of HENVILLE.

Advertising was carried out in the following manner:

- Landowners and occupiers within 500 metres of the site were notified in writing of the proposed development, as shown in Consultation Map below;
- A sign advertising the proposed development was erected on the front boundary, between the two sites;
- A notice appeared in the public notices section of the Sound Telegraph on the 23 January 2019 and the 30 January 2019; and
- Copies of technical documents and plans of the proposal were made available for public inspection at the City's Administration Offices and placed on the City's website.



1. Consultation Map

At the close of the public consultation period a total of 12 submissions were received, which included eight (8) objections, one (1) petition objecting the proposal from landowners of six rural properties and three (3) letters of support.

A Schedule of Submission is attached, however, given that the proposed land use cannot be approved, the City has not considered these submissions.

Consultation with other Agencies or Consultants

The following Government departments and service agencies were consulted:

- Department of Water and Environmental Regulations (DWER);
- Department of Health (DoH);
- Department of Fire and Emergency Services (DFES); and
- Department of Planning, Lands and Heritage (DPLH).

The submissions are contained within the attached Schedule of Submissions, however, given that the proposed land use cannot be approved, the City has not considered these submissions.

Officer Comments:

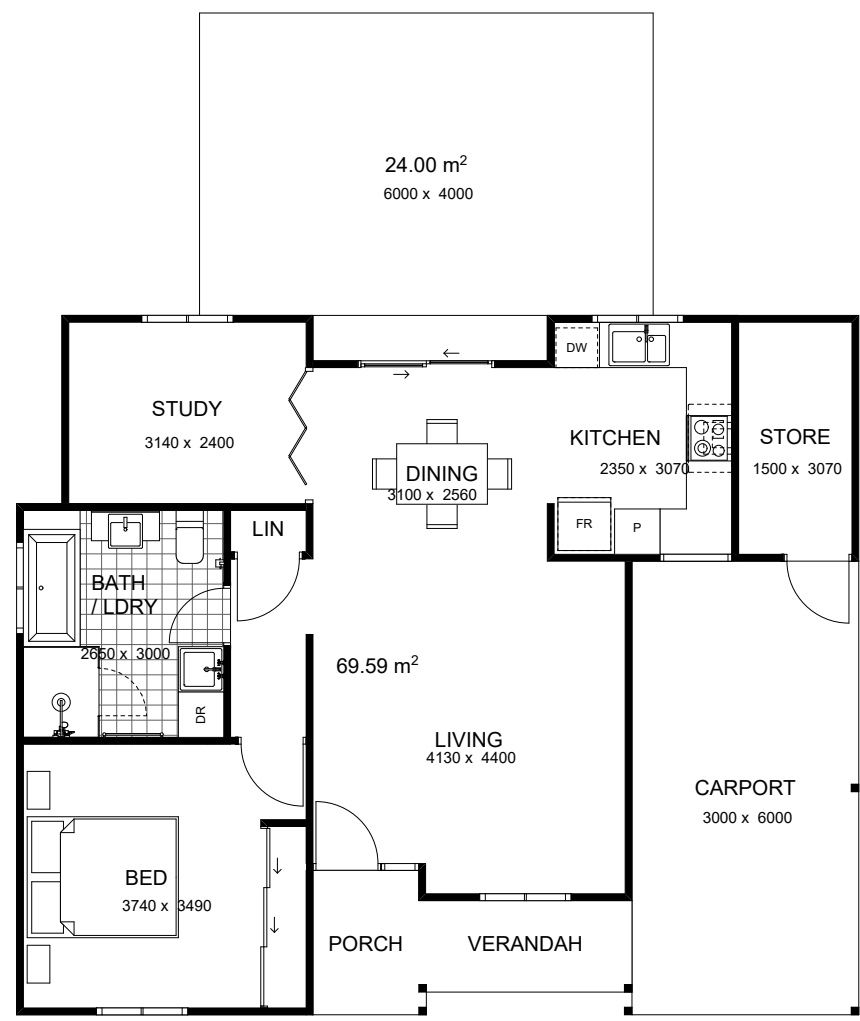
Nil

Council Recommendation:

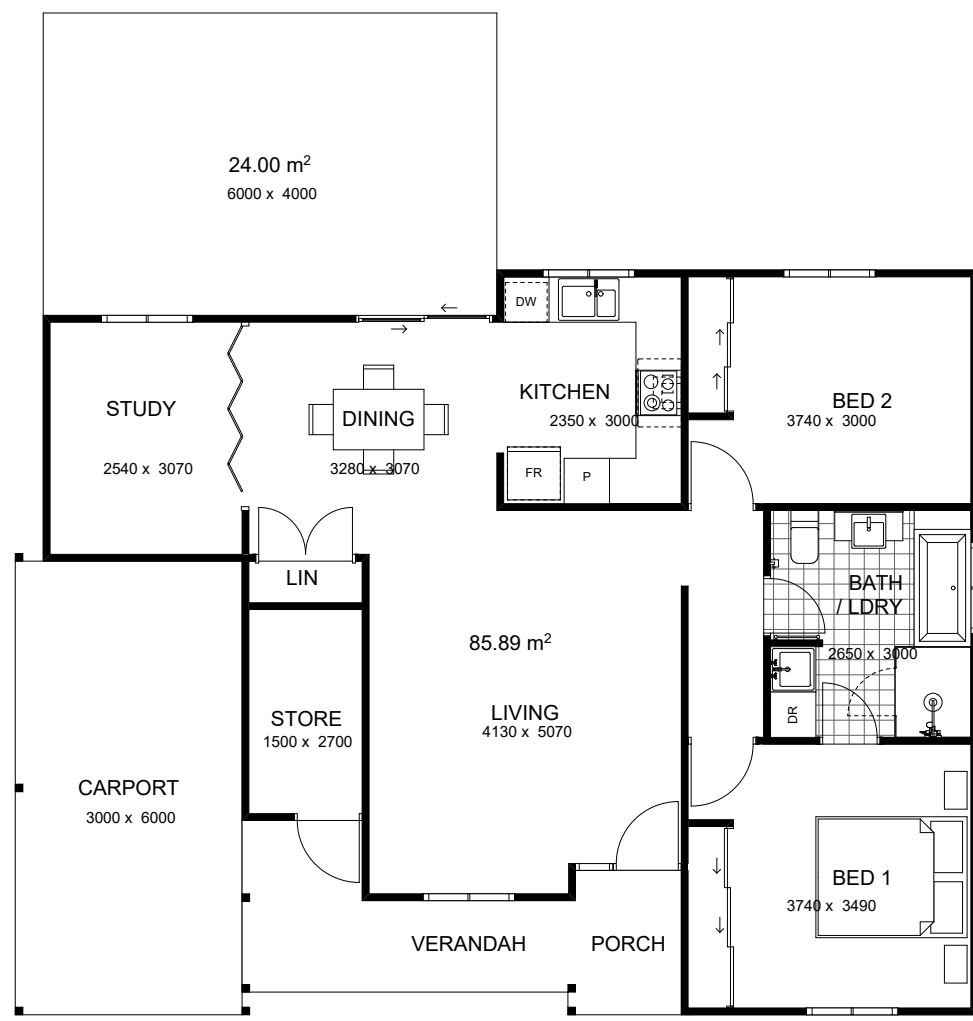
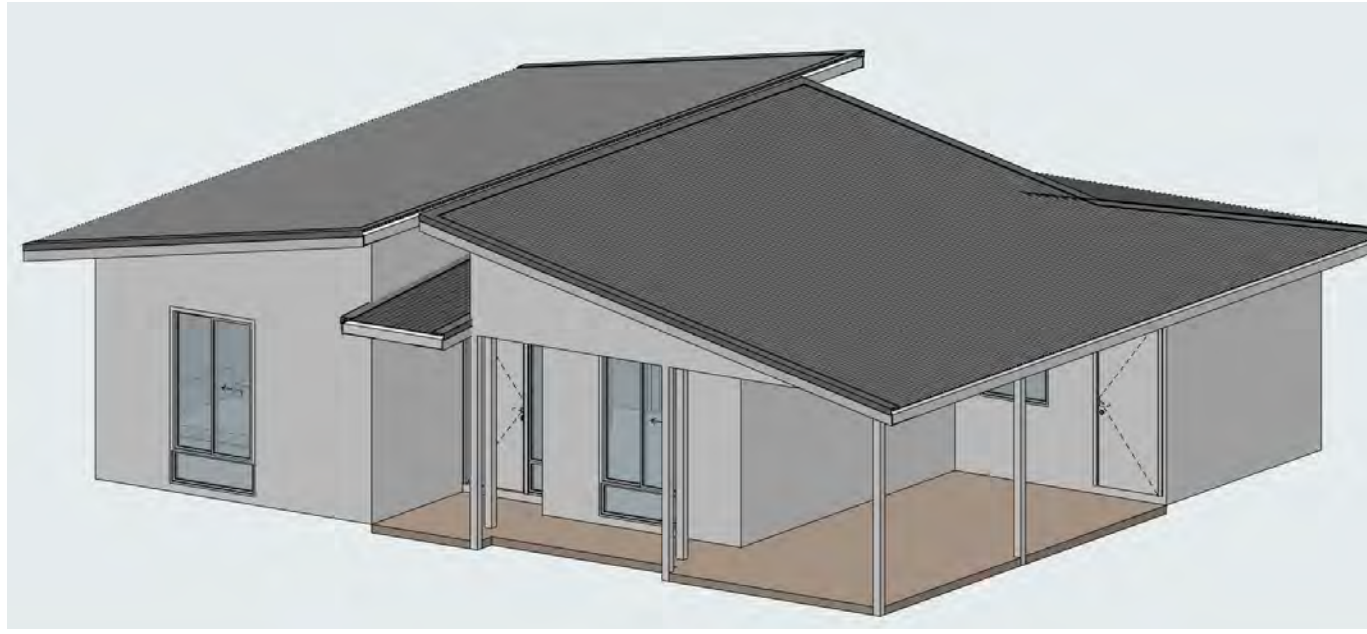
The application was referred to the 23rd April 2019 Ordinary Council Meeting, where the officer's recommendation to support the development was adopted by the Council.

Conclusion:

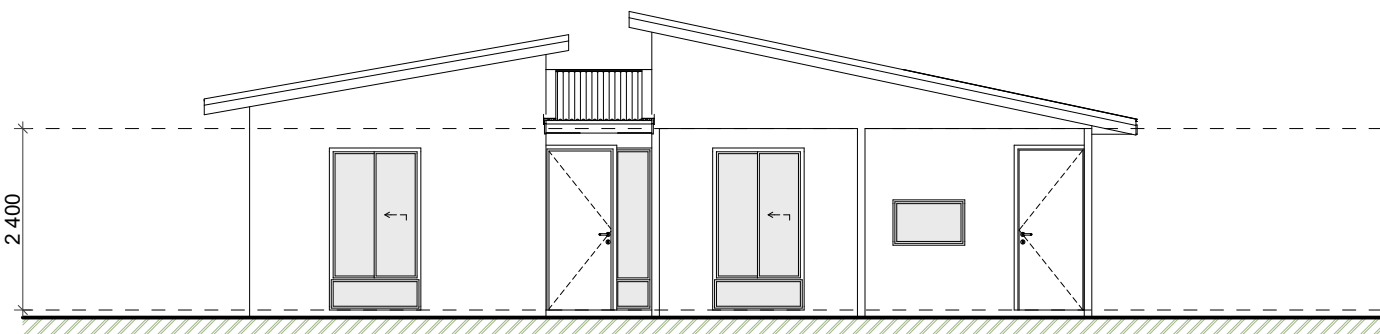
It is concluded the application proposes a 'Grouped Dwelling' development which cannot be approved within the Rural Zone. Consequently, the application must be refused.



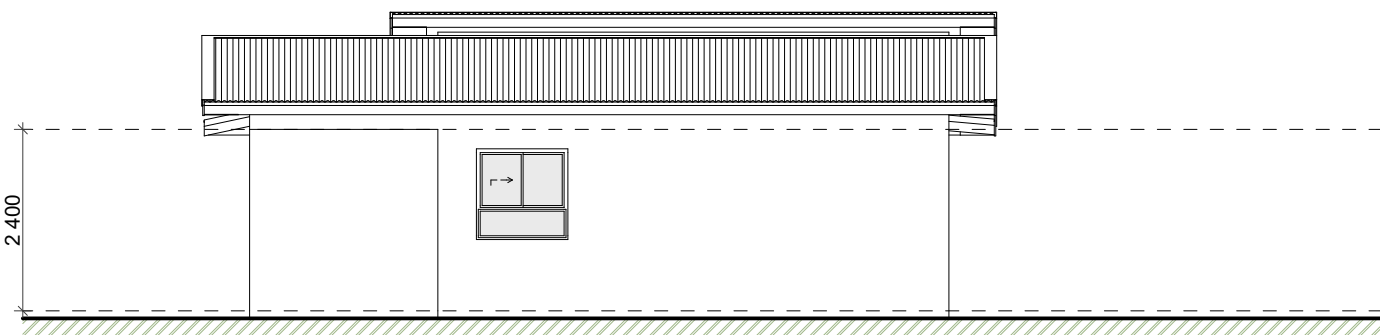
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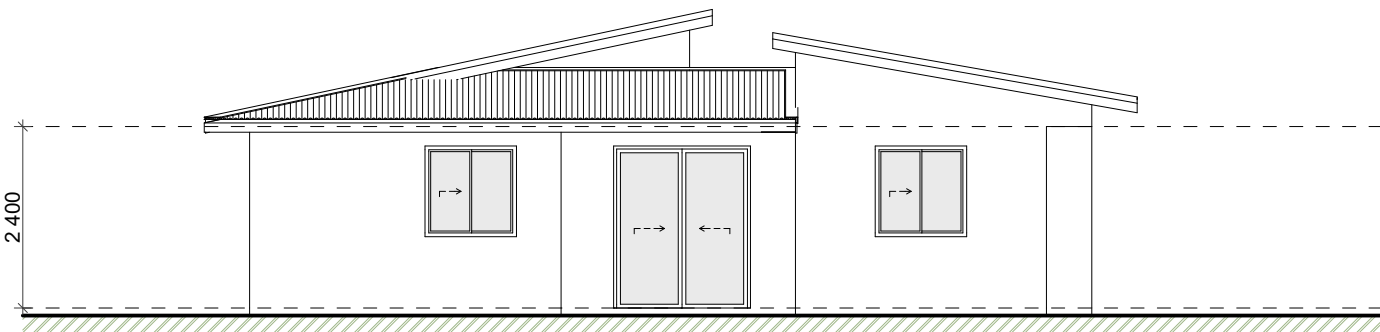
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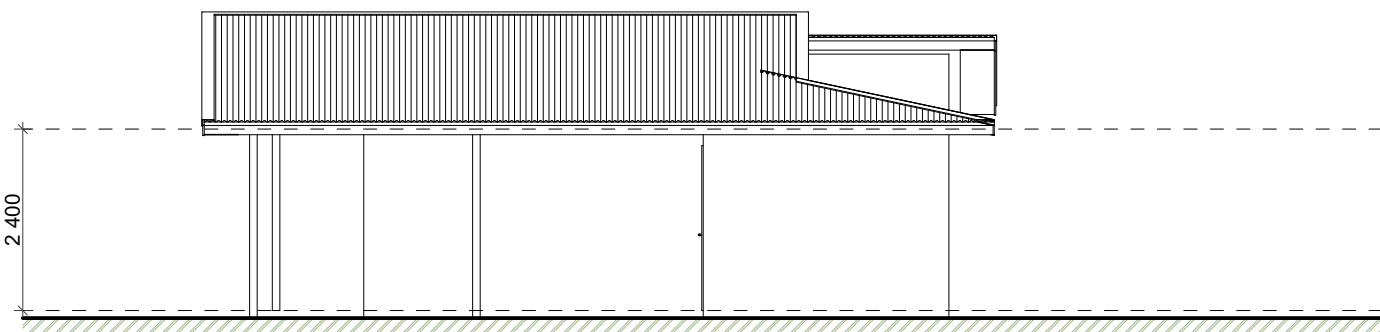
FRONT ELEVATION
SCALE 1:100



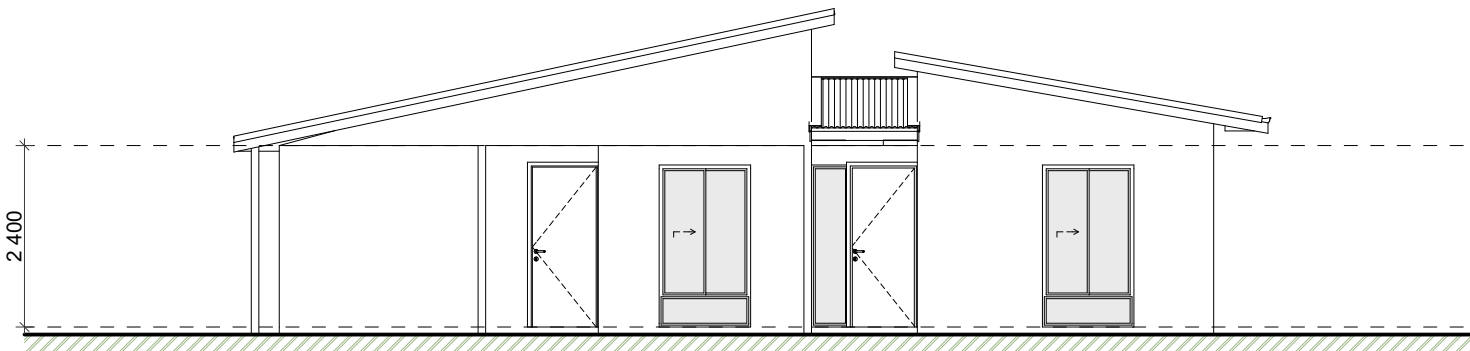
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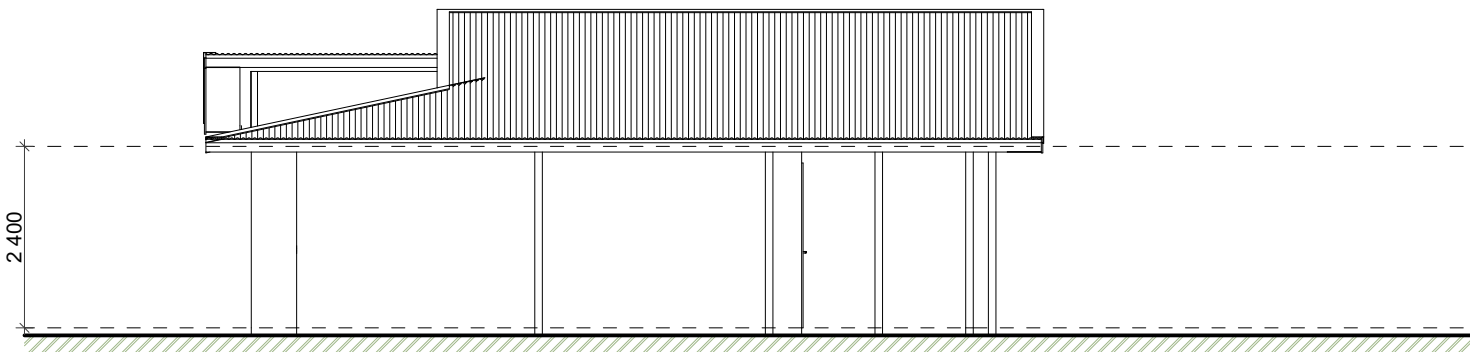
REAR ELEVATION
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SIDE ELEVATION
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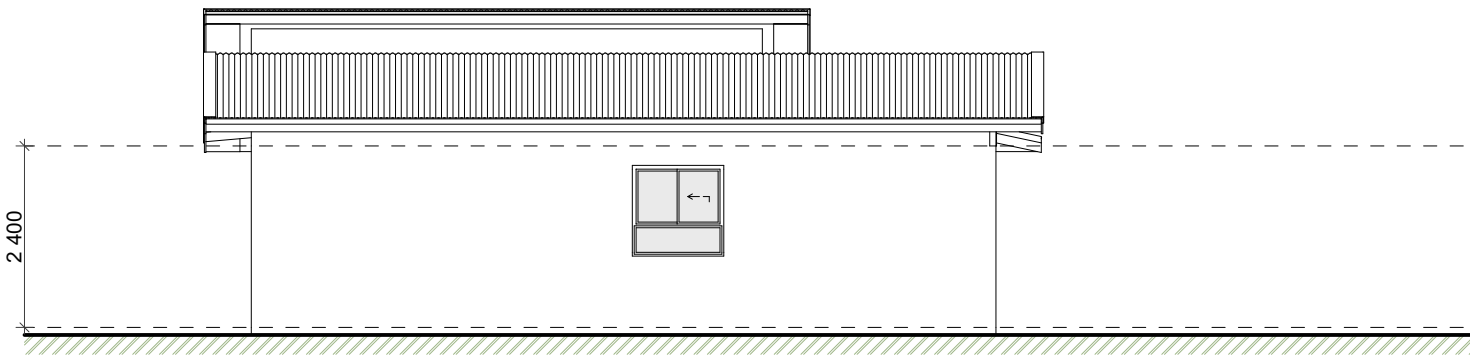
FRONT ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100



REAR ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100

SUNSET RETREAT

VERSION 6



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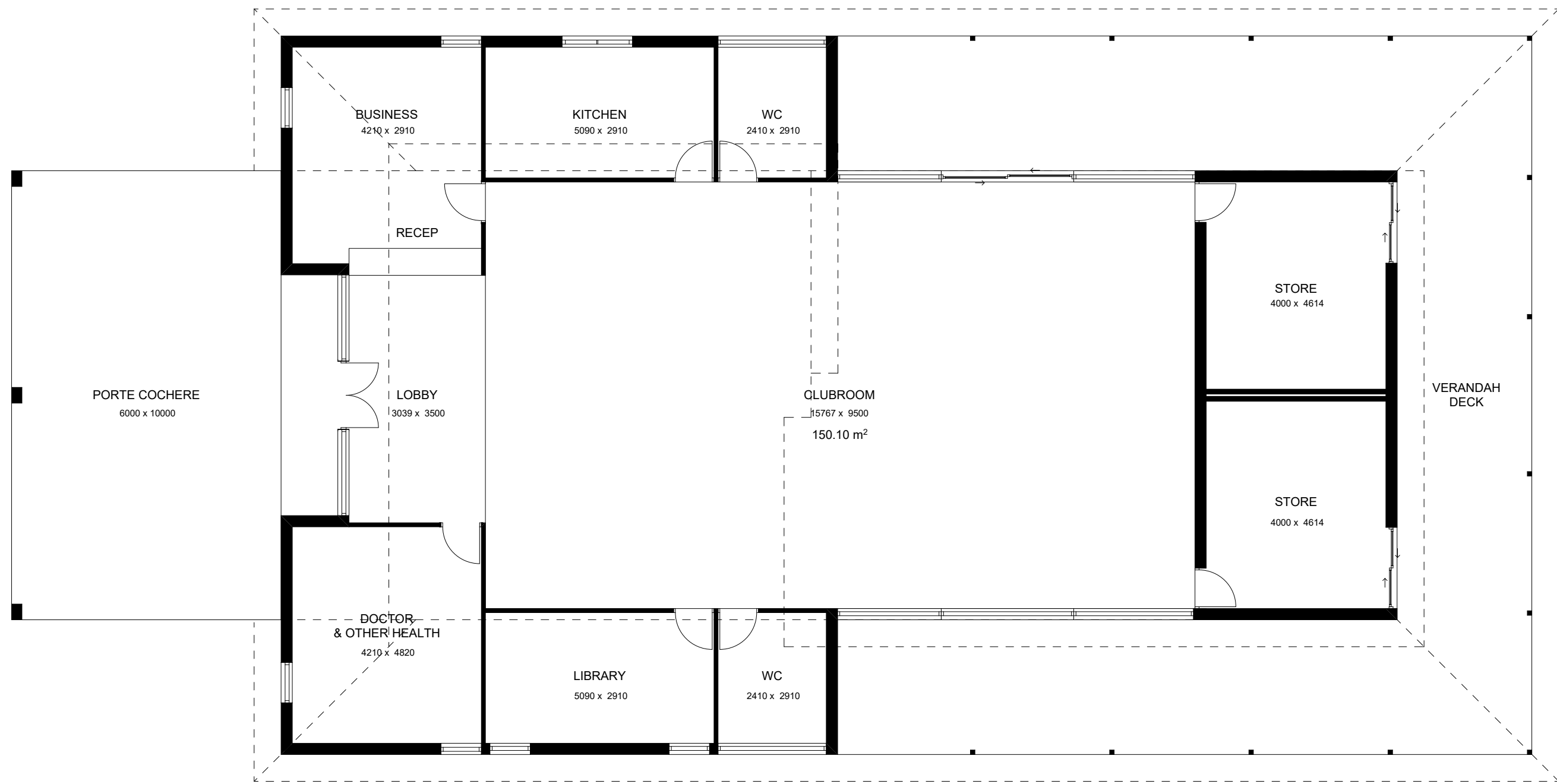
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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For MIRAUDO CONSTRUCTION

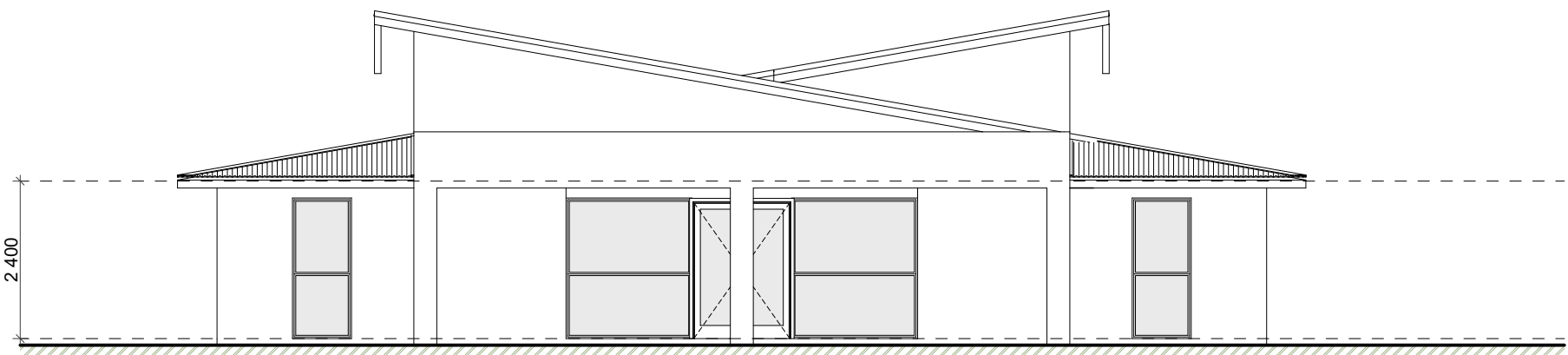
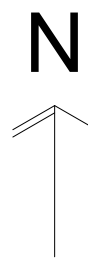
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UNITS FLOOR PLAN & ELEVATIONS			
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SK 3

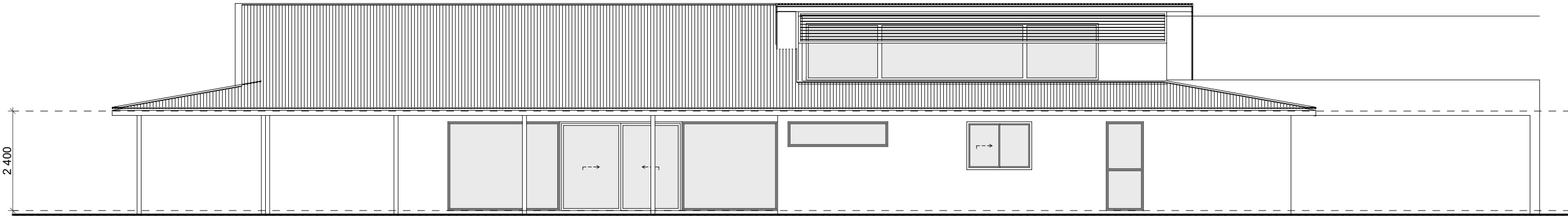
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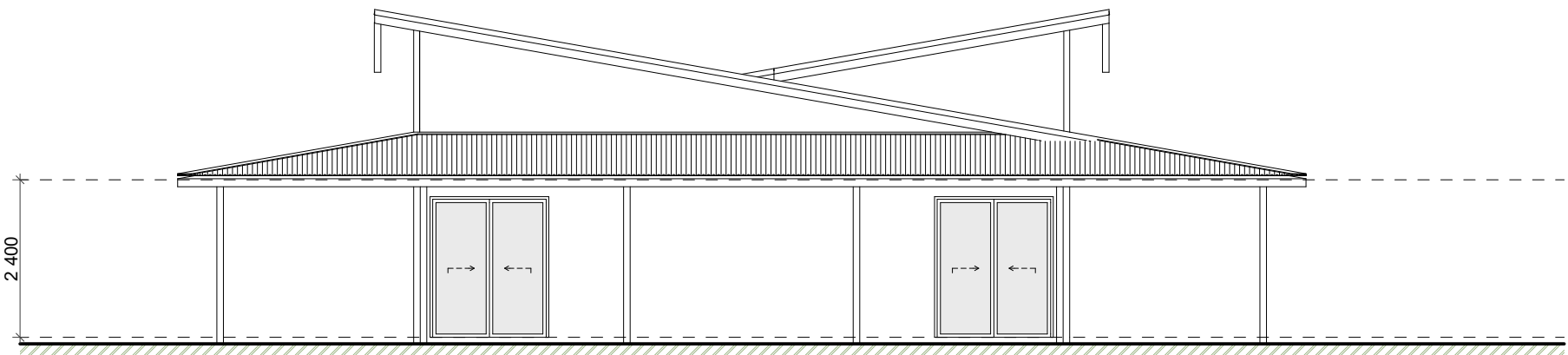
CLUB HOUSE FLOOR PLAN
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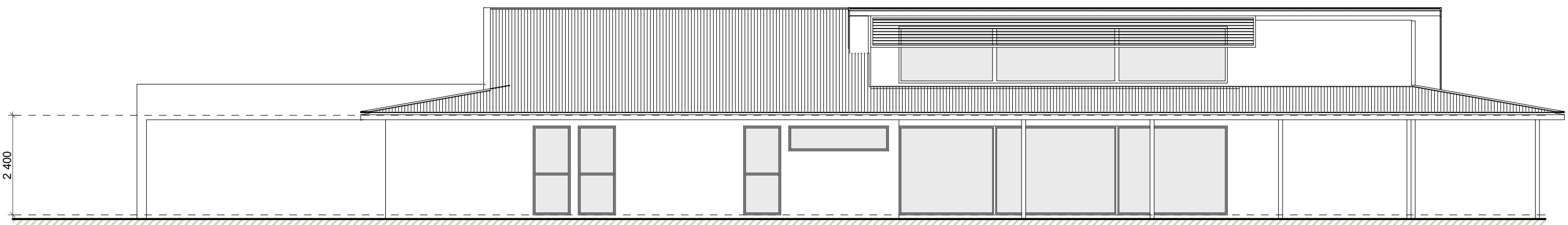
WEST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100

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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For MIRAUDO CONSTRUCTION

VERSION 6

TITLE CLUB HOUSE FLOOR PLAN & ELEVATIONS			
SCALE 1:100	WORK 17-110	PL01	19.10.2018
DATE 16.03.2018	FILE RET_022_zh.pln	PAPER A1	
AUTHOR eb	DRAWING	REV	01.01
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NOTE:
BIOMAX
WASTEWATER RECYCLING
SYSTEM
TANK LOCATION



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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For MIRAUDO CONSTRUCTION

VERSION 6

SITE PLANT TANK LOCATIONS			
TITLE	1:500	WORK	17-110
SCALE	16.03.2018	FILE	RET_022_zh.pln
DATE	17-110	PLOT	19.10.2018
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DATE	zh	REV	
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LOCATION	AREA
A	=168m ²
B	=289m ²
C	=1200m ²
D	=539m ²
E	=450m ²
F	=452m ²
G	=451m ²
H	=595m ²
I	=264m ²
J	=432m ²
K	=209m ²
L	=396m ²
M	=115m ²
N	=123m ²
O	=590m ²
TOTAL:	6273m²

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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
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VERSION 6

TITLE			
RECREATION AREA SITE PLAN			
SCALE	WORK	PILOT	
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SITE SECTION A:A
1:100 Sk1 & Sk2

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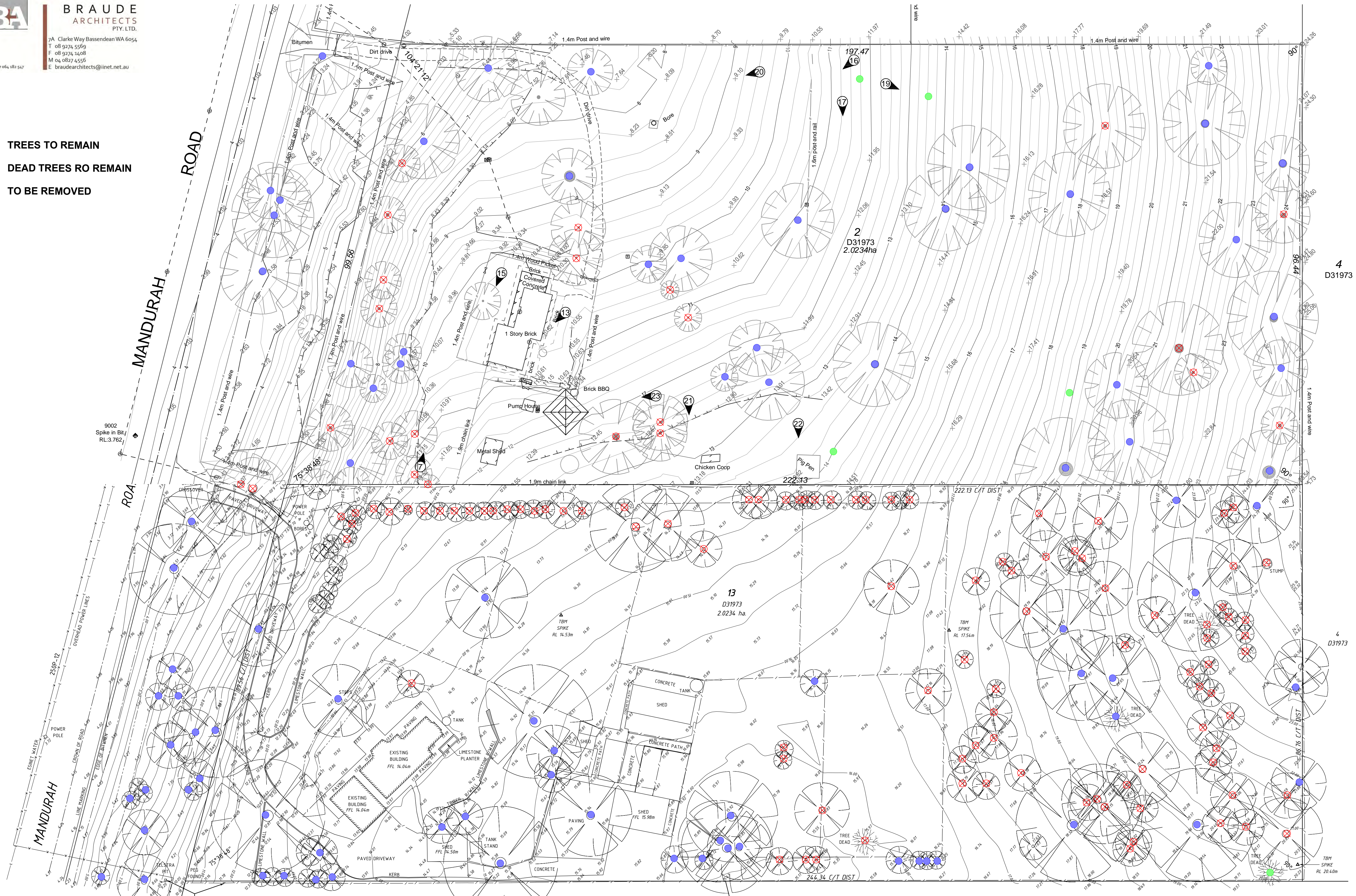
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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For MIRAUDO CONSTRUCTION

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SITE SECTION			
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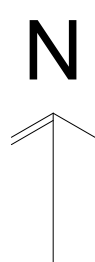
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- TREES TO REMAIN
- DEAD TREES RO REMAIN
- ⊗ TO BE REMOVED



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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For MIRAUDO CONSTRUCTION

SURVEY PLAN			
TITLE	17-110	19.10.2018	
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SK 9

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VIEW FROM SOUTH-WEST



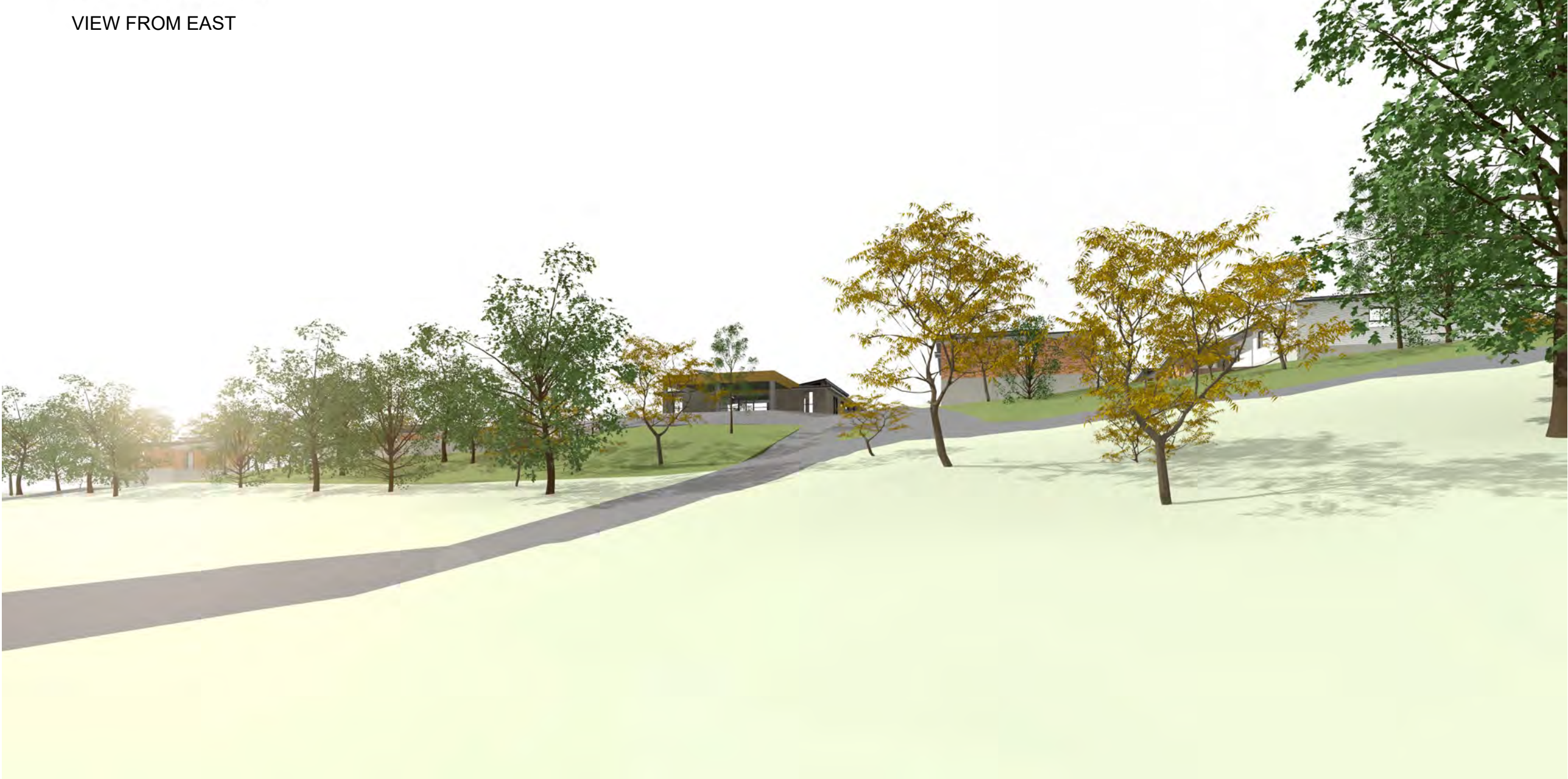
VIEW FROM SOUTH-EAST



VIEW FROM NORTH-WEST




VIEW FROM EAST



VIEW FROM WEST

SUNSET RETREAT

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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For MIRAUDO CONSTRUCTION

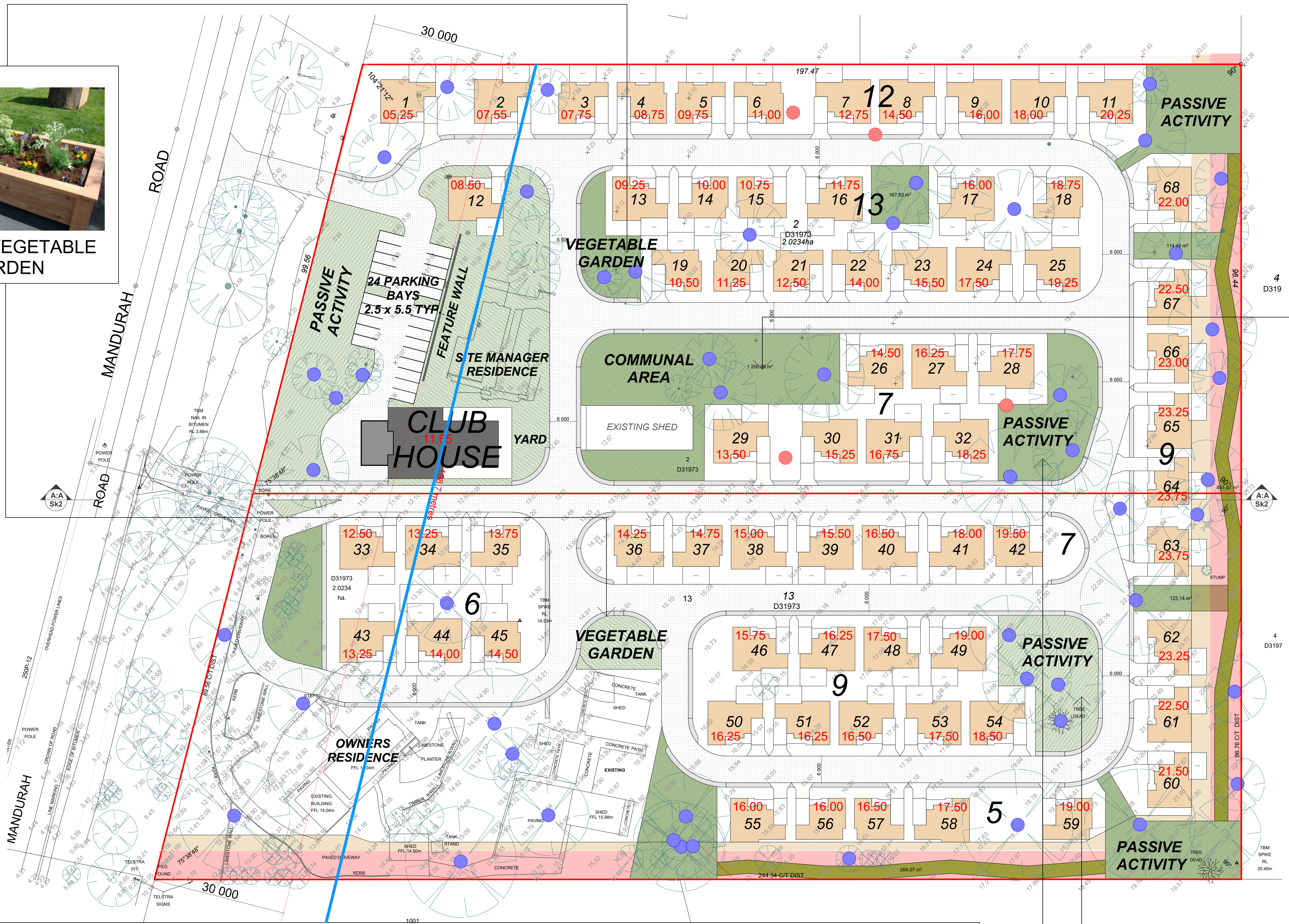
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NOTE:
REMOVE UNDERGROWTH TO
VERGE PLANT GROUND COVERS
& RETICULATE



RAISED VEGETABLE
GARDEN



COMMUNAL AREA



SHADE PERGOLA & BBQ



OUTDOOR GYM

PASSIVE ACTIVITY



LOG SEATS



LOG SEATS



WATER FEATURE



SCULPTURE

SUNSET RETREAT



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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For MIRAUDO CONSTRUCTION

REV | A | SHOWN FINISHED FLOOR LEVELS | 06.11.2018

VERSION 6

SITE PLAN			
SCALE	1:500	WORK	17-110
DATE	16.03.2018	FILE	RET_022_zh.pln
AUTHOR	eb	DRAWING	SK 1
DRAWN	zh	REV	A

Copyright in this drawing and this design is the property of Braude Architects Pty Ltd. This drawing may not be reproduced in any form without the written permission of Braude Architects Pty Ltd.

PROPOSED DEVELOPMENT

Nature of development: Works ☐
Use ☐
Works and Use ☒

Is an exemption from development claimed for part of the development? Yes ☐ No ☒

If Yes, is the exemption for: Works ☐
Use ☐

Description of proposed works and/or land use: Proposed Lifestyle village /
Park home.

Description of exemption claimed (if relevant) _____

Nature of any existing buildings and/or land use: _____

Approximate cost of proposed development (exclusive of GST): \$ 6.5 million

Estimated time of completion: 2 years

OFFICE USE ONLY

Acceptance Officer's Initials: _____ Date Received: _____

Application Reference No. _____

Parcel No. 29488 + 29587. File No. _____

Application Fee \$ _____ Date Sought _____ Date Received _____

Receipt No. _____ Planning Account No. 711 (Application Planning Fee)



DAP FORM 1

Notice of Development Application to be Determined by a Development Assessment Panel

Planning and Development Act 2005

Planning and Development (Development Assessment Panel) Regulations 2011 – regulations 7, 10, 21

Application Details

To	Name of local government and/or Western Australian Planning Commission City of Rockingham	
Planning Scheme(s)	Name of planning scheme(s) that applies to the prescribed land Town Planning Scheme No. 2	
Land	Lot number, street name, town/suburb lot 2 + 13 Mandurah Road, Baldivis	
Certificate of Title (provide copy)	Volume Number 1307 + 2034	Folio 197 + 636
	Location Number	Plan / Diagram Number 31973
Details of development application made to responsible authority	Summary of Proposal Proposed Lifestyle Village / Park home	
Development Use	Residential / Commercial / Industrial / Rural / Mixed Use / Other Commercial	
Estimated cost of development (GST Exc)	\$ 6.5 million	

Part A - Acknowledgement by Applicant and Landowner

Mandatory Application	<input type="checkbox"/> I give notice that I understand that this is a mandatory Development Assessment Panel application (regulation 5)
Optional Application	<input checked="" type="checkbox"/> I give notice that I have elected to have the development application that accompanies this form determined by a Development Assessment Panel (regulation 6)
Delegated Application	<input type="checkbox"/> I give notice that I understand that this is an application of a class delegated to a Development Assessment Panel for determination (regulation 19)

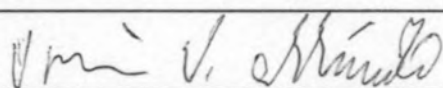
Applicant Details (to be completed and signed by applicant)

By completing this notice, I declare that all the information provided in this application is true and correct.
I understand that the information provided in this notice, and attached forming part of the development application will be made available to the public on the Development Assessment Panel and local government websites.

Name	Bianca Sandri	
Company	Urbanista Town Planning	
Address	Street number/PO Box number, street name, suburb, state, postcode 231 Bulwer Street, Perth WA 6000	
Contact Details	Email bianca@urbanistaplanning-com.au	Phone 0403 911 329
Signature		Date 22/6/2018

Landowner Details (to be completed and signed if landowner is different from applicant)

By completing this notice, I give consent to the making of this application by any authorised applicant on my behalf.

Name	Miravdo Constructions + Vittorio + Antonietta Miravdo	
Address	Street number/PO Box number, street name, suburb, state, postcode 87 Bateman Road, Mount Pleasant 6153	
Contact Details	Email	Phone 0414 286 213
Signature		Date 22/6/2018

Part B - Acknowledgement by Local Government

Responsible Authority	<input type="checkbox"/> Local Government <input type="checkbox"/> Western Australian Planning Commission <input type="checkbox"/> Dual – Local Government and Western Australian Planning Commission <input type="checkbox"/> Building Management and Works (Department of Finance) – <i>Public School Applications</i>	
Fees for applications (DAP Regulations - Schedule 1)	\$ Amount that has been paid by the applicant \$ Amount to be paid by local government (<i>delegated applications only - regulation 22</i>)	
Statutory Timeframe (regulation 12)	<input type="checkbox"/> 60 days (advertising not required) <input type="checkbox"/> 90 days (advertising required or other scheme provision)	
LG Reference Number		
Name of planning officer (Report Writer)		
Position/Title		
Contact Details	Email	Phone
Planning Officer's Signature		Date

Please refer to the Development Assessment Panel's "Guidance Note: Lodging a DAP Application" for further information.

CITY OF ROCKINGHAM	
RECORDED CORRESPONDENCE	
RECEIVED	
- 2 JUL 2018	
RECORDS OFFICE	
FILE	ACARD
OFFICER	COPY

PRE LODGMENT CONSULTATION (Optional)

If you have had any pre-lodgment discussions with a City Planning Officer prior to the submission of this Development Application, please confirm the following:

Planning Officer: Neels Pretorius Date (if known) 29/9/2017

Matters Discussed Discussed the proposed land use in
general.

Form of communication: Email ☐ Phone ☒ Meeting ☐ Letter ☒

Should you require further assistance, please call the City's Planning Services on 9527 0748.

URBANISTA
TOWN PLANNING



NO. 1447-1547 MANDURAH ROAD, BALDIVIS

PROPOSED LIFESTYLE VILLAGE/PARK HOME ESTATE

This report has been prepared by Urbanista Town Planning on behalf of Mirauda Constructions the owners of No. 1447-1457 (Lots 2 and 13) Mandurah Road, Baldivis.



Daniella Mrdja | Director

Urbanista Town Planning |
admin@urbanistaplanning.com.au |
231 Bulwer Street, Perth |

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INTRODUCTION

Urbanista Town Planning have been engaged by the owners of the subject site at Lots 2 and 13, Nos. 1447 and 1457 Mandurah Road, Baldivis, to facilitate the development of a lifestyle village/park home estate. There are a number of documents, both statutory and strategic, that have been used to inform this proposal and ensure that the best outcome for all stakeholders is achieved.

The subject proposal is for the development of a 'lifestyle village/park home' which includes the construction of 67 chalets a communal clubhouse and a series of five commercial tenancies. The development also includes areas of passive and active open space.

it is considered that all relevant considerations have been addressed from both a statutory and strategic perspective and these are clearly detailed in the report below.



FIGURE 1 - INTERNAL PERSPECTIVE

THE SITE

The land that is the subject of this planning proposal is made up of two lots and is known as Nos. 1447 (Lot 2) and 1457 (Lot 13) Mandurah Road, Baldivis.

The total land area of the two lots is 40,467sqm with a total frontage of 189.12m to Mandurah Road to the west. Each lot is currently occupied by a residential dwelling and various outbuildings and sheds.

Within a 1km radius of the subject site and amongst several residential lots with a rural and special rural zoning, is the Vernon Arms Taverns, which is directly to the north of the site, the Free Reformed Church of Baldivis, a National Lifestyle Village and the Mother Theresa Catholic College.



FIGURE 2: AERIAL PHOTO OF SITE (SOURCE: NEARMAPS)

THE PROPOSAL

The subject proposal is for the development of a 'lifestyle village/park home estate' which includes the construction of 67 chalets a communal clubhouse and a series of five commercial tenancies. The development also includes areas of passive and active open space.

The proposed 67 chalets are made up of 22 one bedroom chalets and 45 two bedroom chalets. Each of the chalets include a kitchen, dining and living area, one bathroom and laundry as well as an additional study. The chalets also include a single open carport and an outdoor alfresco area of the main living areas. A floor plan of the two chalet types are shown below.



FIGURE 3: CHALET FLOOR PLANS

The proposed clubhouse is located at the entrance of the site and is made up of a communal clubroom/common area with an area of 150sqm as well as a kitchen area, library and medical consulting room and an office area with reception.



FIGURE 4: CLUBHOUSE FLOOR PLANS

In addition to the above, the proposal also includes five small commercial tenancies that will service the chalets as well as the local community. The proposed commercial tenancies have a height of two storeys with a ground and upper floor area of 73sqm each. The ground floor will contain with the business operating area and the upper floor will contain a storage area associated with the business.

The land uses of the commercial tenancies include the following:

- Convenience store;
- Take-away food;
- Medical consulting room;
- Pharmacy; and
- Hairdressing and beauty.

The commercial tenancies are adjacent to 21 car bays, which are in addition to the one car bay associated with each chalet.

The proposal also includes a number of outdoor communal areas that can be used for passive and active recreation. There is a large area located towards the centre of the site that will be used as a communal vegetable garden for the residents of the chalets. Within the active open space area, amenities such as barbeques, outdoor gyms and a small playground will be provided and within the passive open space area, it will include calming water features and seating and picnic areas.

STATUTORY PLANNING FRAMEWORK

Metropolitan Region Scheme

The subject site is zoned Rural under the Metropolitan Regional Scheme. In accordance with the WAPC's Rural Planning Guidelines, the rural zone is highly flexible and can cater for a wide range of land uses including intensive and extensive agriculture, primary production, biodiversity conservation and tourism.

Given the proposal falls under a tourism land use, it is considered that the proposed land use is consistent with the Rural zone of the Metropolitan Region Scheme.



FIGURE 5: MRS ZONING MAP

State Planning Policy 2.5: Rural Planning

State Planning Policy 2.5 has been developed to protect and preserve Western Australia's rural land assets and to ensure broad compatibility between land uses.

Western Australia is a large and diverse State with regional variations of climate, economic activity, cultural values, demographic characteristics and environmental conditions. The WAPC's decisions will be guided by the need to provide economic opportunities for rural communities and to protect the State's primary production and natural resource assets. WAPC policy is to:

- (a) continue to promote rural zones in schemes as flexible zones that cater for a wide range of land uses that may support primary production, regional facilities, environmental protection and cultural pursuits;
- (b) support small rural communities by providing for rural enterprise zones which combine light industry and housing, provided they are carefully planned; in general proximity to urban areas; serviced; and have design features that address buffers and amenity;
- (c) support small scale tourism opportunities, such as bed and breakfast, holiday house, chalet, art gallery, micro-brewery and land uses associated with primary production, within the rural zone; and
- (d) recognise the differing needs of the various regions, and consider regional variations where they meet the stated objectives of this policy and are supported in strategies and schemes.

Whilst this development proposal is identified on land for Rural purposes by both the Scheme and Strategy, the intended uses are for caravan park and lifestyle development uses which are compatible uses with rural or agricultural pursuits. This development proposal has addressed the topography, environmental, servicing, landscaping and fire constraints associated with the future extension of lifestyle uses beyond the residential uses that currently exist on this site. This development proposal is consistent with the intent and purpose of this policy and the intended use will have limited to no impact on the surrounding rural lands within this locality

City of Rockingham Town Planning Scheme No. 2

Objectives of the Zone

To maintain consistency with the Metropolitan Region Scheme, the subject site is also zone 'Rural' in accordance with the City's Town Planning Scheme No. 2 (TPS2). In accordance with clause 4.11.1 of the City's TPS2, the objective of the Rural zone is as follows:

"The objective of the Rural Zone is to preserve land for farming and foster semi-rural development which is sympathetic to the particular characteristics of the area in which it is located, having due regard to the

Land Use Permissibility

The City's TPS2 does not list a Lifestyle Village or a Park Home as a land use. In light of this, consideration of clause 3.2.4 of TPS2 should be applied. Clause 3.2.4 states:

"If the use of the land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be determined as falling within the interpretation of one of the use classes, the Local Government may:

- a) determine that the use is consistent with the objectives and purpose of the particular zone and is therefore permitted;*
- b) determine that the proposed use may be consistent with the objectives and purposes of the particular zone and thereafter follow the advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval; or*
- c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted."*

In assessing a proposal, consideration must be given as to whether a proposed development/use reasonably fits within an existing definition, whilst having regard to the fact that not all uses are listed, nor do all uses reasonably fit within an existing definition. In regard to this matter, in 1997 the Minister for Planning upheld an appeal against the decision to refuse planning approval of parks homes being situated on a caravan park on the basis that *"local laws relating to the control of caravan parks and camping grounds in various local government districts have not all been amended to include the term "Park Home" as distinct from the definition of Caravan .Where no such distinctions are drawn the general it is general practice to agree that park homes comply with the definition of caravan.*

On this basis it is considered that the proposed use reasonably fits within the definition of a "Caravan Park".

A "Caravan Park" is defined within TPS 2 as follows:

Caravan Park – has the same meaning as in the Caravan Parks and Camping Grounds Act 1995.

The TPS 2 definition refers to the *Caravan Parks and Camping Grounds Act 1995* which states:

"caravan park means an area of land on which caravans, or caravans and camps, are situated for habitation"

However, in accordance with the Caravan Parks and Camping Grounds Regulations 1997 (the regulations), a 'Caravan Park' is not restricted to the parking of caravans only, but also to the park home accommodation

as proposed. As such the Park homes could fall under the definition of caravan park under the regulations thereby complying with the definition of caravan park under TPS 2.

With the Rural Zone a Caravan Park is an 'A' use which means that Council may at its discretion permit the use.

City of Rockingham Rural Land Strategy

The City of Rockingham Rural Land Strategy provides the basis for land use planning in the rural area of the municipality. In particular it provides Council with a framework for the assessment of proposals to rezone, subdivide, manage and develop rural land in the City.

In accordance with the Rural Land Strategy, the site is located within Precinct 4A of Planning Unit No. 4. Planning Unit No. 4 is located to the east of Mandurah Road and to the west of the committed lands and future urban areas of Planning Unit No. 1. This area provides a transition between the coastal urban corridor to the west and the inland urban corridor to the east.

Planning Unit No. 4 is dominated by a series of wetlands, swamps and other low lying areas, with the most significant wetlands being the Stakehill Swamp, which is located approximately 1km south of the subject site and the Anstey Swamp which is located approximately 4km south of the subject site.

The primary objective for this Planning Unit is to encourage special rural/special residential development which recognises and enhances the landscape and natural resource attributes of the unit and provides a natural viewshed to Mandurah Road and a rural context to proposed urban development to the east.

Precinct 4A represents the northern section of the Planning Unit where it serves as an interface between the future urban land located generally east of the ridgeline and the lake system parallel with Mandurah Road.

It is considered that the overall objectives of the City's Rural Land Strategy have been satisfied within the development of this proposed land use as the subject planning unit encourages special residential development within the area.

Planning Bulletin 49: Caravan Parks

The WAPC's Planning Bulletin 49 Caravan Parks (February 2001) provides guidance for local governments in considering the development of caravan parks. Key objectives for the development of caravan parks are:

- to provide short-term accommodation for tourists in locations which complement existing tourist and recreation facilities;
- to provide long-term accommodation for permanent residents in locations with access to services normally available to conventional residential development;

- to encourage development of caravan parks in a manner which is compatible with existing land uses, and which does not have a detrimental impact on the environment or the amenity of the locality.

The bulletin outlines that when considering locations for caravan park development, short stay sites should have good access to key tourist and cultural areas along with places of heritage and landscape significance. In addition the bulletin also provides that long term parks that principally cater for permanent residents, should ideally be developed near areas with access to shops, schools, and public transport and community facilities.

The bulletin also includes that it should not be assumed that occupants of long term parks have access to cars and as such, a bus route linking with essential commercial, social and community services is considered essential to the site if beyond walking distances to these facilities. In addition, the facilities must also have the capacity to service the needs of the caravan park residents. Bulletin 49 –states that:

'caravan parks which are principally designed for permanent residents should be assessed in the same way as conventional residential development. They should be located in areas with access to employment, shops, schools, public transport, and community and recreation facilities.'

The subject site includes five commercial tenancies which intend to serve the day-to-day needs of the residents. However, the site is located within close proximity to several local and district shopping centres including the Warnbro Centre, Port Kennedy Centre and the Baldivis Shopping Centre.

The policy also acknowledges that development of caravan parks must take into consideration site or locational selection matters including mix of tourist and permanent accommodation, visual impact and amenity, topography, drainage, soils and vegetation, utility services, pedestrian and vehicular access and environment, setting and land capability.

Planning Bulletin 83: Planning for Tourism

The purpose of Planning Bulletin 83 is to set out the policy position of the Western Australian Planning Commission (WAPC) to guide decision making by the WAPC and local government for subdivision, development and scheme amendment proposals for tourism purposes.

The Bulletin sets out criteria for identifying tourist sites through the strategic planning framework, identifying the strategic value of existing sites and their importance to tourism development. The Local Planning Strategy detailed in section 5.2 above, clearly outlines the importance of the park through identifying it as a major tourist node.

Section 9 of the Bulletin relates to caravan parks and advises that these are specifically dealt with under Planning Bulletin 49.

Caravan Parks and Camping Grounds Regulations 1997

The Caravan and Camping Regulations are relevant to the proposed redevelopment. Schedule 7 of the Regulations set out the key requirements in relation to the design, layout and function of the park. It requires all development to be in accordance the Caravan Parks and Camping Ground Regulations and sets out the key design standards as follows:

- internal roads, requiring entrance and two-way roads to be at least six metres wide and one-way roads to be at least four metres wide;
- setbacks, requiring a minimum of one metre between caravans, and between caravans and roads;
- parking, including a requirement for each site to have parking for at least one vehicle;
- internal open space, requiring at least 10 per cent of the total area of the caravan park to be open space;
- permitted buildings in caravan parks, including a manager's house, shop, restaurant and ablution facilities;
- fire fighting equipment; and
- supply of an electricity, water and telephone service, including a requirement for each long-term site to have separate electricity meters, its own tap and telephone connections.

These requirements have been adopted for the proposed development. The key requirements of Schedule 7 that are relevant to this proposal have been summarised into a table for compliance. This is shown in Attachment 5.

The proposed redevelopment complies with all relevant provisions of the regulations that apply to this planning application.

PLANNING CONSIDERATIONS

Land Uses

The subject application is for the development of a lifestyle village/park home. Within this overarching land use lies five commercial tenancies, which are considered to serve the day-to-day needs of the residents.

In accordance with the City's TPS2 the definition of 'incidental use' is as follows:

"Incidental Use: means a premises which is ancillary and subordinate to the predominate use".

Given this above definition it is considered that the five commercial tenancies are incidental uses and therefore are not required to be assessed in accordance with the Zoning Table of the City's TPS2.

Car Parking

In accordance with the Caravan Parks and Camping Grounds Regulations, 1 car bay per 20 sites is required to be provided, with a minimum of 4 bays. The proposed lifestyle village/park home will have 67 chalets and therefore only requires 3.35 bays. Notwithstanding this, each chalet will be provided with parking for one vehicle as outlined in the plans located in Attachment 4. In addition to the one car bay per chalet, the proposal also includes 21 car bays located adjacent to the shops and club house and within the Mandurah Road street setback area.

Site Access

The subject development provides two forms of access from Mandurah Road. These access points are located approximately 100m apart and provides direct access to the club house and commercial shops. The road is proposed to be fully sealed and will provide two-way access around the facility.

Bushfire Management

A bushfire management investigation was undertaken to inform the preparation of the plan and ensure that the design took into account the matters relevant to fire management as applicable under state policy. It is noted that the site is considered to be within a bushfire prone area and is a vulnerable land use given it is for short stay accommodation.

A Fire Consultant (Bushfire Prone Planning) was engaged to provide preliminary advice with respect to the design for improvements to the park. This included consideration of setbacks from fire risks, consideration of evacuation planning, water supplies, movement systems, compliance with the caravan and camping

regulations and other typical fire management objectives. The plan was then formulated to taking into account this preliminary information and advice.

The plan has therefore been appropriately informed by technical bushfire management information in accordance with policy. A bushfire management plan has subsequently been prepared to support the proposal as required under relevant policy. This is included at Attachment 6.

CONCLUSION

This report demonstrates that the proposed redevelopment is consistent with the relevant local planning framework and Caravan and Camping Regulations.

The proposal provides 67 chalets in a lifestyle village setting, which provides alternative accommodation for the aged. The proposed introduces a number of new passive and active recreation areas to provide for a greater experience and support a more diverse demographic.

The proposal is well informed by the attached Bushfire Management Plan that demonstrates that the proposal is compliant with the relevant Regulations and Guidelines.

It is considered that the proposed redevelopment will assist in boosting resident and visitor numbers to the area and in turn increasing investment into the existing businesses and providing opportunities for new ones. It will create employment and be a major drawcard for the area. The new chalets provide residential options that can be utilised all year round again helping to establish a more sustainable economy.

Based on the above, support for this redevelopment is respectfully requested.

ATTACHMENT 1:
CITY OF ROCKINGHAM APPLICATION FOR DEVELOPMENT APPROVAL

ATTACHMENT 2:
DAP FORM 1

ATTACHMENT 3:
CERTIFICATE OF TITLE

WESTERN



AUSTRALIA

REGISTER NUMBER	
2/D31973	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
4	26/8/2015

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME FOLIO
1307 197

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 2 ON DIAGRAM 31973

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

MIRAUDO CONSTRUCTIONS PTY LTD OF 87 BATEMAN ROAD, MOUNT PLEASANT
(T N100814) REGISTERED 24/8/2015

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1307-197 (2/D31973)
PREVIOUS TITLE: 1302-807
PROPERTY STREET ADDRESS: 1447 MANDURAH RD, BALDIVIS.
LOCAL GOVERNMENT AUTHORITY: CITY OF ROCKINGHAM

WESTERN



AUSTRALIA

REGISTER NUMBER 13/D31973	
DUPLICATE EDITION 2	DATE DUPLICATE ISSUED 9/5/2008

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME
2034

FOLIO
636

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 13 ON DIAGRAM 31973

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

ANTONIETTA MIRAUDO
VITTORIO MIRAUDO
BOTH OF 1457 MANDURAH ROAD, BALDIVIS
AS JOINT TENANTS

(T K583052) REGISTERED 1/5/2008

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

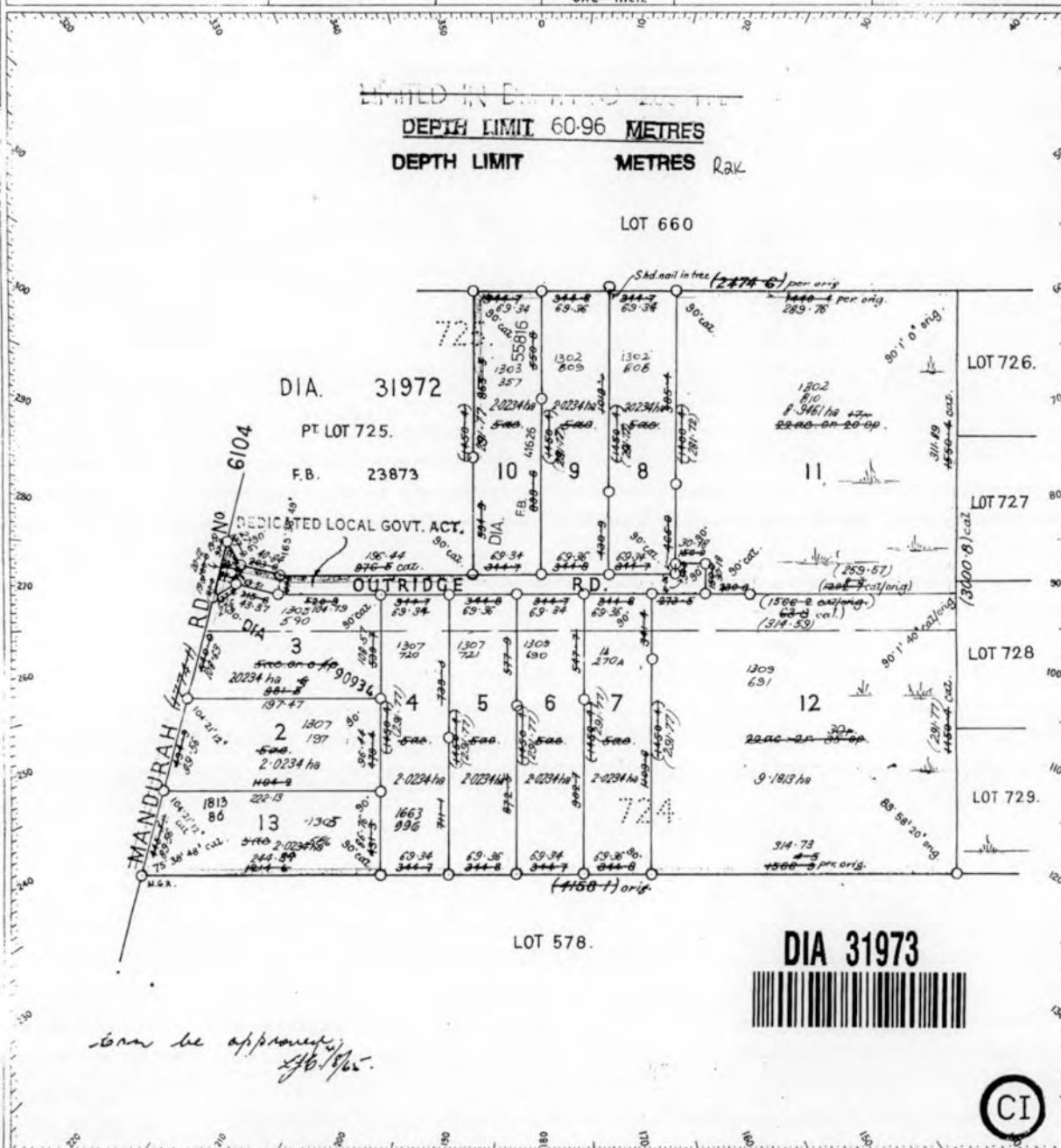
-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND:	2034-636 (13/D31973)
PREVIOUS TITLE:	1813-86
PROPERTY STREET ADDRESS:	1457 MANDURAH RD, BALDIVIS.
LOCAL GOVERNMENT AUTHORITY:	CITY OF ROCKINGHAM

Town or District.	Number of Lot or Location.	Field Book.	Scale	Certificate in which Land is Vested.	Area
PEEL ESTATE	<i>Lots</i> 724 & Pt. Lot 725.	23873	1:4752 6". Chains to one inch	Vol. 1126. Fol. 990.. 1272 ~ 642	A. R. P. 94. 3. 7 - Green 2. 2. 23 - Brown 97. 1. 30 - Total



CERTIFICATE		Approved by Town Planning Board	
I hereby certify that this survey was performed by me personally (or under my own personal supervision, inspection and field check) in strict accordance with the Licensed Surveyors (Guidance of Surveyors) Regulations, 1961. Date <u>17-6-65</u> <i>M.A. Morris</i> Licensed Surveyor.		<i>M. Hays</i> Chairman	
Approved <i>S.T. McHenry</i> Inspector of Plans and Surveys	On Plan Diagram Index Plan <u>8353</u> PEEL 10000 24	Registered <u>17705</u> <u>5/7/65</u>	Diagram No. 31973
Examined Date <u>26-8-65</u>			

**ATTACHMENT 4:
DEVELOPMENT PLANS**



BRAUDE
ARCHITECTS
PTY. LTD.

7A Clarke Way Bassendean WA 6054
T 08 9274 5569
F 08 9274 1408
M 04 0827 4556
E braudearchitects@inet.net.au

ABN 87 064 382 547



VIEW FROM SOUTH-WEST



VIEW FROM SOUTH-EAST



VIEW FROM NORTH-WEST

SUNSET RETREAT

VERSION 3

CHECK ALL DIMENSIONS ON SITE

PERSPECTIVES

TITLE	SCALE	DATE	17-110	FILE	27.06.2018
DATE	16.03.2018	FILE	RET_014_zh.pln	PROJECT	A2
AUTHOR	eb	DRAWING	zh	REV	
DATE	2018				SK 8



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ABN 87 064 382 547

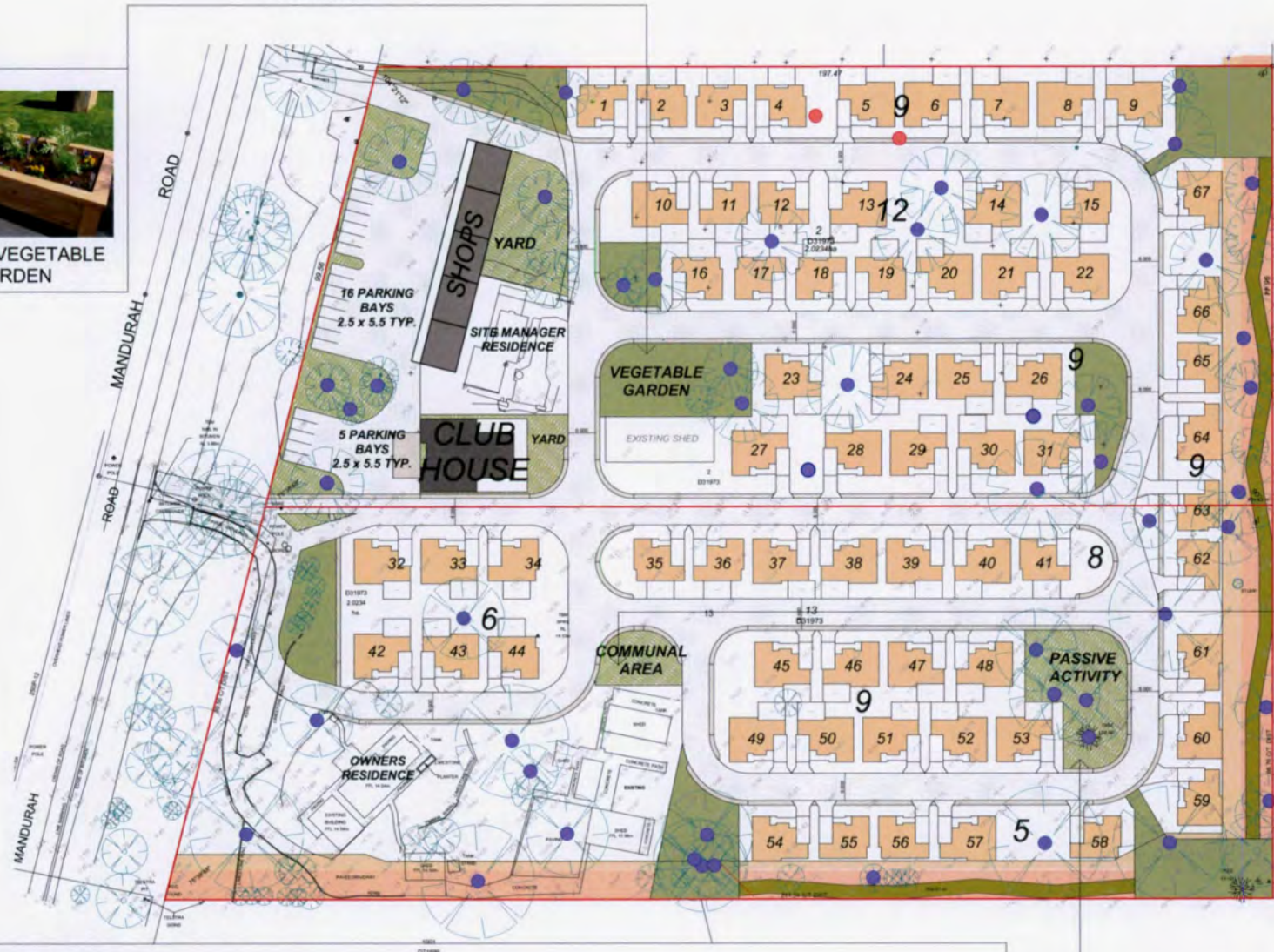
PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For Client Name

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NOTE:
REMOVE UNDERGROWTH TO
VERGE PLANT GROUND COVERS
& RETICULATE



RAISED VEGETABLE
GARDEN



COMMUNAL AREA



SHADE PERGOLA & BBQ



OUTDOOR GYM

PASSIVE ACTIVITY



LOG SEATS



LOG SEATS



WATER FEATURE



SCULPTURE



SUNSET RETREAT



**BRAUDE
ARCHITECTS**
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5 Pacific Terrace Mullumbidgee VIC 3601
T 08 9474 5569
F 08 9474 1408
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E braudearchitects@gmail.com.au

PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For Client Name

VERSION 3

SITE PLAN			
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Date	16.03.2018	RET_mla_ph.pln	A1
Author	eb		05.03
Check	ph		
©2018		SK 1	

UNITS	QUA
1 BED + STUDY	22
2 BED + STUDY	45
TOTAL UNITS	67



SUNSET RETREAT



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PROPOSED DEVELOPMENT
At Lots 11 & 12 Mandurah Rd BALDIVIS
For Client Name

VERSION 3

GROUND FLOOR PLAN

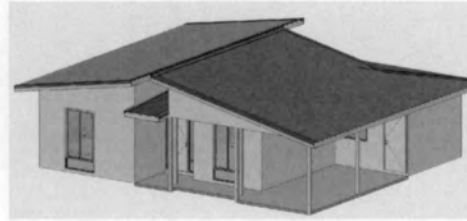
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SK 2

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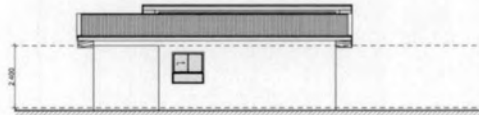
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2 BED UNIT FLOOR PLAN
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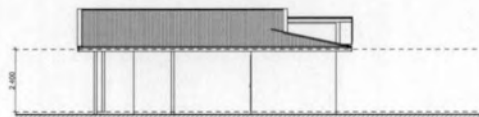
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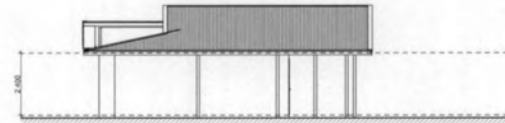
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SIDE ELEVATION
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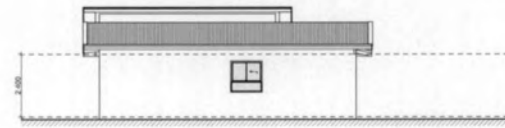
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SIDE ELEVATION
SCALE 1:100



REAR ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100

SUNSET RETREAT

VERSION 3



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PROPOSED DEVELOPMENT
At Lots 13 & 12 Mandurah Rd BALDIVIS
For Client Name

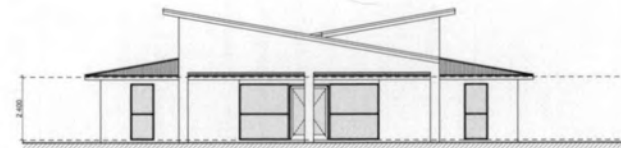
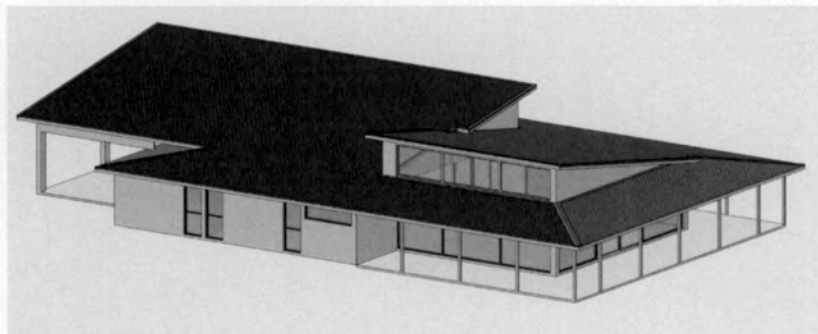
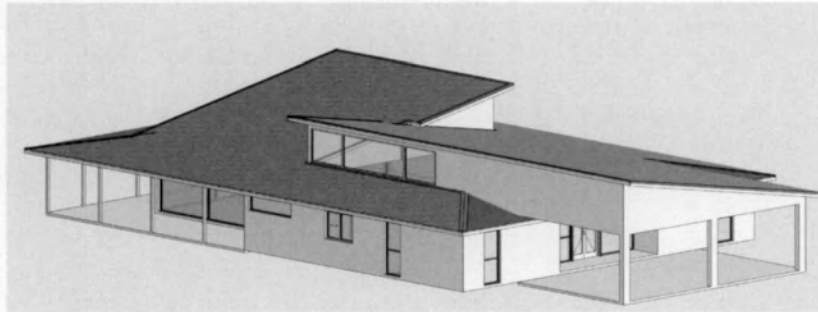
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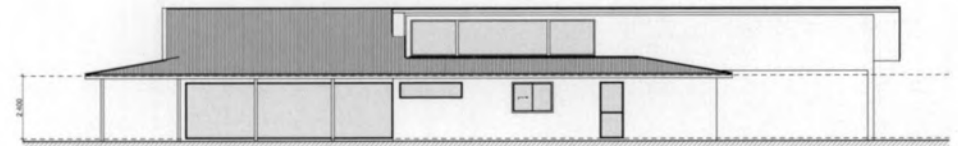
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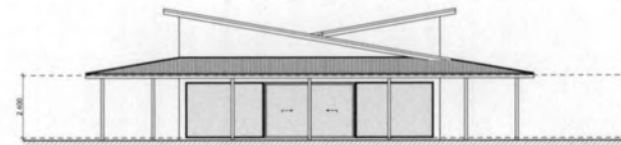
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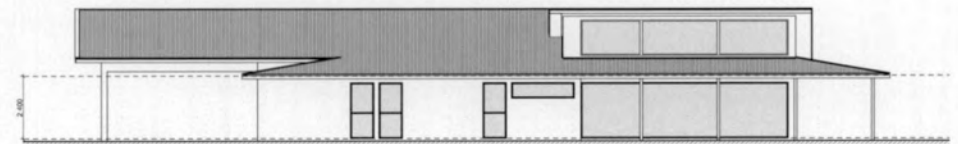
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SCALE 1:100



NORTH ELEVATION
SCALE 1:100



EAST ELEVATION
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SUNSET RETREAT



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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For Client Name

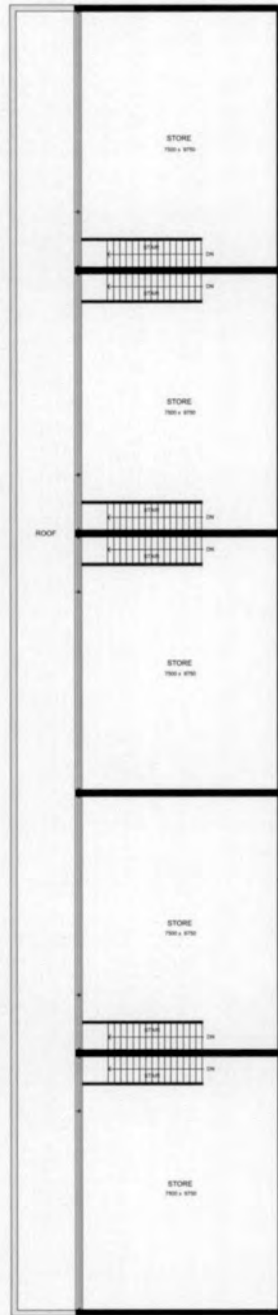
VERSION 3

CLUB HOUSE FLOOR PLAN &
ELEVATIONS
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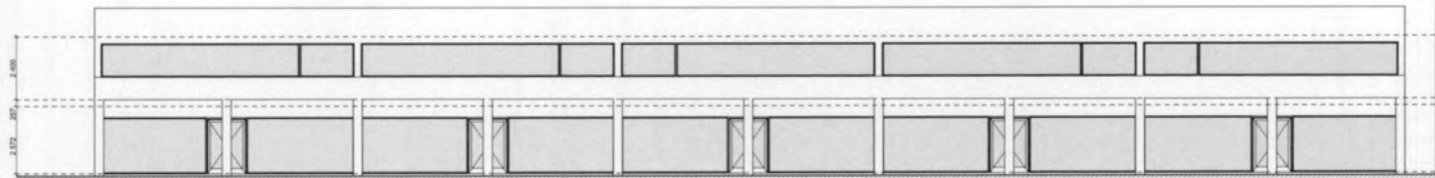
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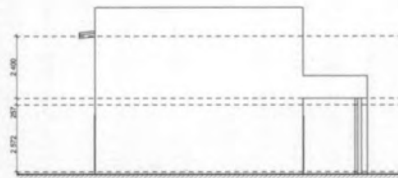
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SCALE 1:100



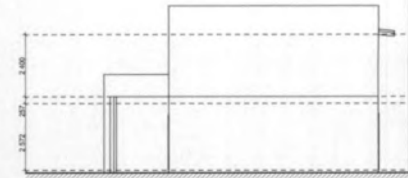
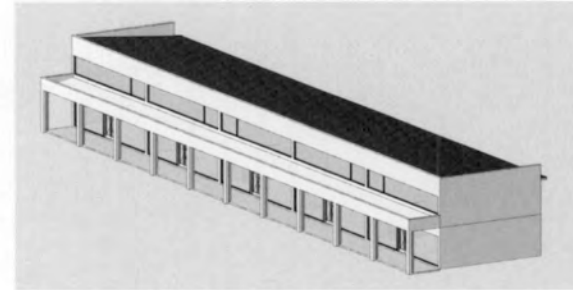
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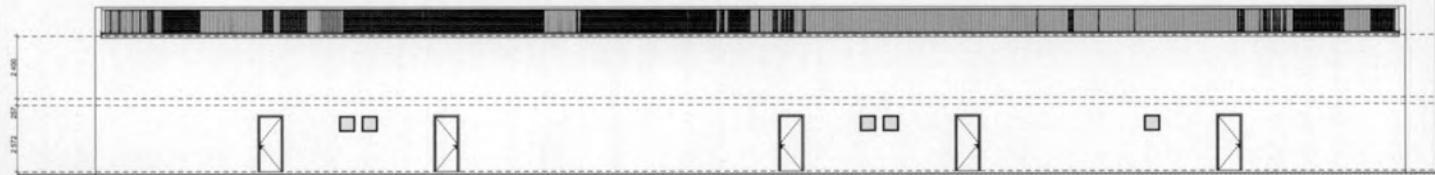
WEST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For Client Name

VERSION 3

SHOPS FLOOR PLAN & ELEVATIONS

DATE	TIME	BY	FOR
17-11-10	1:00	27.05.2018	A1
15.03.2018	1:00	RET_cna_rh.pln	A1
eb	1:00	05.01	
zh	1:00		
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AMH-B-010-01-01

NOTE:
BIOMAX
WASTEWATER RECYCLING
SYSTEM
TANK LOCATION



SUNSET RETREAT



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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
For Client Name

VERSION 3

SITE PLAN TANK LOCATIONS

Scale	1:500	1:100	1:200	1:400	1:800	1:1600
Date	16.03.2018	17.03.2018	27.06.2018			
Drawn by	eb	eb	eb	eb	eb	eb
Checked by	zh	zh	zh	zh	zh	zh
Scale	1:500	1:100	1:200	1:400	1:800	1:1600
Sheet						SK 6

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48016 v4.0 2018



LOCATION	AREA
A	=360m²
B	=209m²
C	=559m²
D	=187m²
E	=450m²
F	=452m²
G	=451m²
H	=595m²
I	=264m²
J	=432m²
K	=209m²
L	=396m²
TOTAL:	4564m²

SUNSET RETREAT

VERSION 3



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PROPOSED DEVELOPMENT
At Lots 13 & 2 Mandurah Rd BALDIVIS
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RECREATION AREA SITE PLAN			
1:500	17-110	27.06.2018	
16.03.2018	RET_m4_jh.pn	A1	
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**ATTACHMENT 5:
CARAVAN AND CAMPING REGULATIONS CHECKLIST**

CARAVAN AND CAMPING REGULATIONS CHECKLIST

The provisions included below are from a design and layout perspective as required for the development application and any specific design or building requirements will be dealt with through the relevant process.

CLAUSE	PROVISION	COMMENTS	COMPLIANCE
DIVISION 2 – DISTANCES BETWEEN CARAVANS, CAMPS, BUILDINGS, ETC			
8 (3)	There is to be at least 1m between any caravan, camp, annexe or other structure or building and any facility road.	The proposed chalets are setback at a minimum distance of 3m from the facility road.	Yes.
8 (4)	There is to be at least 6m between a caravan, camp, annexe or other structure or building on a facility and any land reserved or set aside by the Government of the State for a road.	The proposed chalets are setback at a minimum distance of 23.6m from the Mandurah Road boundary.	Yes.
8 (5)	There is to be at least 1m between the boundary of a facility and a caravan, camp, annexe or other structure or building on the facility.	The proposed chalets are setback at a minimum distance of 3.4m to the north, 11.2m to the east and 8.3m to the south.	Yes.
DIVISION 3 – BUILDINGS, FENCES AND HARD STANDS			
12 (1)	A storage shed on a site is not to exceed 6sqm in area and, unless forming part of a carport, 2.1m in height.	The storage areas available to each of the chalets range from 4sqm to 4.6sqm.	Yes.
13 (1)	Every long stay site is to have either or both of the following: (a) a hard stand for a vehicle other than a caravan; (b) such additional amount of space as is approved on the side of the facility road next to the site for at least one such vehicle to park.	Each of the proposed chalets include a space for one car bay that is located directly adjacent to each chalet.	Yes.
14 (1)	A fence on a site is: (a) not to be higher than 1.2m; and (b) to be built of lightweight material or mesh.	No fencing is proposed to be constructed within the site.	Yes.
DIVISION 4 – ROADS AND PARKING			
15 (1)	A facility entrance road is to be at least 6m wide.	The entrance road to the facility is 4.1m.	No. Further amendments required.
15 (3)	A facility road which is a two-way road is to be at least 6m wide.	The facility road has a width of 4m.	No. Further amendments required.
17 (3)	A car park on a facility is to have at least one parking space per 20 caravan sites on the facility, and not less than 4 parking spaces in any event.	The proposal includes one car bay per chalet as well as 21 additional car bays which are located adjacent to the commercial tenancies at the entrance to the facility.	Yes.

CLAUSE	PROVISION	COMMENTS	COMPLIANCE
DIVISION 5 – RECREATIONAL AREAS			
18 (1)	At least 1/10 of the total area of a facility is to be recreational area.	The proposal includes 2,162.9sqm of recreational area, which equates to a total of 5.34% of the site.	No. Further amendments required.
18 (3)	At least 2/3 of the recreational area of a facility is to be in the one area.		No. Further amendments required.
18 (4)	In a facility there is to be: (a) recreational facilities for children, which are protected from the weather and enclosed as approved; and (b) a building for communal or recreational activities, as is approved.	The proposal includes a communal 'clubhouse' which will be used for recreational activities. The proposal also included an area for active recreation which includes a children's playground, gymnasium equipment as well as barbeques and seating.	Yes.
DIVISION 6 – ABLUTION AND TOILET FACILITIES			
Each chalet includes a bathroom and toilet for the use of the residents.			
DIVISION 7 – LAUNDRY FACILITIES			
Each chalet includes a laundry for the use of the residents.			
DIVISION 8 – WASHING UP FACILITIES			
Each chalet includes a kitchen for the use of the residents.			

**ATTACHMENT 6:
BUSHFIRE MANAGEMENT PLAN**

Bushfire Management Plan Coversheet

This Coversheet and accompanying Bushfire Management Plan has been prepared and issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme.

Bushfire Management Plan and Site Details

Site Address / Plan Reference: Lots 2 & 13 (#1447-1457) Mandurah Road

Suburb: Baldivis

State: W.A.

P/code: 6171

Local government area: City of Rockingham

Description of the planning proposal: Proposed Lifestyle Village

BMP Plan / Reference Number: 170695

Version: 1.0

Date of Issue: 13 April 2018

Client / Business Name: Urbanista Town Planning

Reason for referral to DFES

Yes

No

Has the BAL been calculated by a method other than method 1 as outlined in AS3959 (tick no if AS3959 method 1 has been used to calculate the BAL)?

☐
☒

Have any of the bushfire protection criteria elements been addressed through the use of a performance principle (tick no if only acceptable solutions have been used to address all of the BPC elements)?

☐
☒

Is the proposal any of the following special development types (see SPP 3.7 for definitions)?

Unavoidable development (in BAL-40 or BAL-FZ)

☐
☒

Strategic planning proposal (including rezoning applications)

☐
☒

Minor development (in BAL-40 or BAL-FZ)

☐
☒

High risk land-use

☐
☒

Vulnerable land-use

☐
☒

If the development is a special development type as listed above, explain why the proposal is considered to be one of the above listed classifications (E.g. considered vulnerable land-use as the development is for accommodation of the elderly, etc.)?

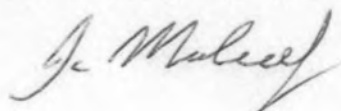
Note: The decision maker (e.g. local government or the WAPC) should only refer the proposal to DFES for comment if one (or more) of the above answers are ticked "Yes".

BPAD Accredited Practitioner Details and Declaration

Name	Accreditation Level	Accreditation No.	Accreditation Expiry
Ian Macleod	1	BPAD39131	Nov 2018
Company		Contact No.	
Bushfire Prone Planning		6477 1144	

I declare that the information provided within this bushfire management plan is to the best of my knowledge true and correct

Signature of Practitioner



Date 13/04/2018



Bushfire Management Plan (Development Application)

Lots 2 & 13 (#1447-1457) Mandurah Road, Baldivis

City of Rockingham

Job Number:	170695
Assessment Date:	1 November 2017
Report Date:	12 April 2018

BPP Group Pty Ltd t/a Bushfire Prone Planning
ABN: 39 166 551 784

Level, 159-161 James Street
Guildford WA 6055

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Disclaimer

The measures contained in this Bushfire Management Plan are considered to be minimum standards and they do not guarantee that a building will not be damaged in a bushfire, persons injured, or fatalities occur either on the subject site or off the site while evacuating. This is substantially due to the unpredictable nature and behaviour of fire and extreme weather conditions. Additionally, the correct implementation of the required bushfire protection measures (and any associated response/evacuation plan if applicable) will depend, among other things, on the actions of the landowners or occupiers over which Bushfire Prone Planning has no control.



All surveys, forecasts, projections and recommendations made in this report associated with the project are made in good faith based on information available to Bushfire Prone Planning at the time.

All maps included herein are indicative in nature and are not to be used for accurate calculations.

Notwithstanding anything contained therein, Bushfire Prone Planning will not, except as the law may require, be liable for any loss or other consequences whether or not due to the negligence of their consultants, their servants or agents – arising out of the services provided by their consultants.

Document Control

Version	Version Details	Date Submitted
1.0	Original document	13-Apr-18
		-
		-

Author	Accreditation	Signature
Ian Macleod	BPAD Level 1 - No. 39131	
Co-author		
Reviewed/Approved		
Kathy Nastov	BPAD Level 3 - No. 27794	

Document Content Compliance Statement

This Bushfire Management Plan (the Plan) provides the required information to address State Planning Policy No. 3.7: Planning in Bushfire Prone Areas - December 2015 (SPP 3.7), the associated Guidelines for Planning in Bushfire Prone Areas - WAPC 2017 v1.3 (Guidelines), and any additional information as directed by the WA Planning Commission (WA Department of Planning, Lands and Heritage). It is fit for accompanying a planning application.

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1 The Proposal and Purpose of the Plan

1.1 Details

Landowner / Proponent: Mirauda Constructions

Site Address: Lot 2 & 13 (#1447-1457) Mandurah Road, Baldivis

Local Government: City of Rockingham

Lot Area: 4.0467ha

Planning Stage: Development application

Development Type: Construction of a “Lifestyle Village”

Overview of the Proposal:

The development proposal provides for the construction of 67 residential units within a “Lifestyle Village” along with a clubhouse, shops, managers and owners residences. Provision is also made for communal areas including a vegetable garden.

This Bushfire Management Plan considers the whole of the subject lots and the proposed constructions thereon.

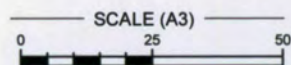
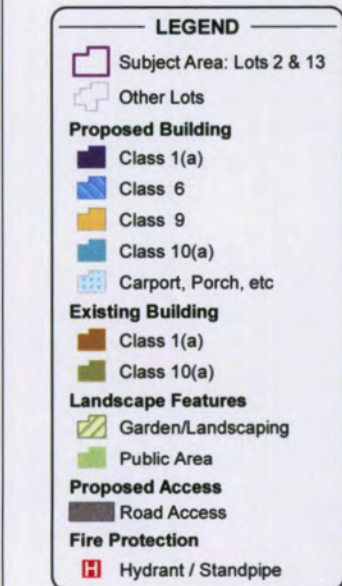
Bushfire Prone Planning
Commissioned to Produce Urbanista Town Planning
the Plan by:

Purpose of the Plan: To Accompany a development application

For Submission to: City of Rockingham

Figure 1.1
Proposed Development

Lots 2 & 13 on Diagram 31973
Mandurah Road
BALDIVIS



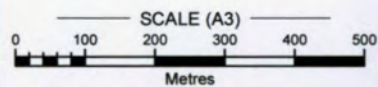
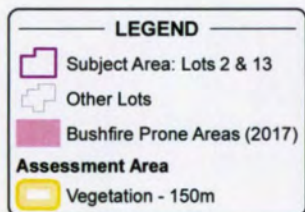
Aerial Imagery : Landgate/SLIP
Image Date : JAN 2018

Coordinate System: GDA 1994 MGA Zone 50
Projection: Universal Transverse Mercator Units: Metre
Map compiled by: Russell Wornes
Map updated by: Rebecca
Date map compiled/updated: 11/04/2018



Figure 1.2
Bushfire Prone Area

Lots 2 & 13 on Diagram 31973
Mandurah Road
BALDIVIS



Aerial Imagery : Landgate/SLIP
Image Date : AUG 2017

Coordinate System: GDA 1994 MGA Zone 50
Projection: Universal Transverse Mercator Units: Metre
Map compiled by: Russell Wornes
Date map compiled/updated: 28/03/2018



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Document Path: G:\BushfireProne\Mapping\MXD\1170695_Lots 13 & 2 Mandurah Road, Baldivis BMP (A3L) v18-4.mxd

1.2 Existing Documentation Relevant to the Construction of this Plan

This section acknowledges any known reports or plans that have been prepared for previous planning stages, that refer to the subject area and that may or will impact upon the assessment of bushfire risk and/or the implementation of bushfire protection measures and will be referenced in this Bushfire Management Plan.

Relevant Documents		
Existing Document	Copy Provided by Client	Title
Structure Plan	No	
Environmental Report	No	
Landscaping (Revegetation) Plan	No	
Bushfire Risk Assessments	No	

2 Environmental Considerations

2.1 Native Vegetation – Modification and Clearing

‘Guidelines’ s2.3: “Many bushfire prone areas also have high biodiversity values. SPP 3.7 policy objective 5.4 recognises the need to consider bushfire risk management measures alongside environmental, biodiversity and conservation values.”

Existing conservation areas that are potentially affected by the development proposal are required to be identified. This may result in vegetation removal/modification prohibition or limitations. These areas include National Parks, Nature Reserves, Wetlands and Bush Forever sites.

Environmental Protection Act 1986: “Clearing of native vegetation in Western Australia requires a clearing permit under Part V, Division 2 of the Act unless clearing is for an exempt purpose. Exemptions from requiring a clearing permit are contained in Schedule 6 of the Act or are prescribed in the Environmental Protection Regulations” (‘Guidelines’ s2.3).

The Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act): This Act administered by the Australian Government Department of Environment, provides a national scheme of environment and heritage protection and biodiversity conservation. Nationally threatened species and ecological communities are a specific matter of significance. Areas of vegetation can be classified as a Threatened Ecological Community (TEC) under the EPBC Act and consequently have removal restrictions imposed.

Vegetation Modification and Clearing Assessment

Will on-site clearing of native vegetation be required?	Yes
Does this have the potential to trigger environmental impact/referral requirements under State and Federal environmental legislation?	Unaware
Identified environmental legislation applicable to the Proposal site - No.1:	N/A
Identified environmental legislation applicable to the Proposal site - No.2:	N/A
For the proposed development site, have any areas of native vegetation been identified as species that might result in the classification of the area as a Threatened Ecological Community (TEC)?	No
Potential TEC species identified:	N/A

The subject lots are mostly open woodland, consisting of tuart trees with a tussock grass understorey. A more dense area of woodland exists in the eastern portion of the lots that additionally contains some sheoaks and banksias.

The bushfire assessment and management strategies contained in the BMP, assume that environmental approval will be achieved or clearing permit exemptions will apply.

Recommendation: It is advised that the proponent seek further advice from an Environmental Consultant or the WA Department of Parks and Wildlife for further information on the condition and species contained within the proposed development area and the requirement for referral of the proposal.

Development Design Options

Establishing development in bushfire prone areas can adversely affect the retention of native vegetation through clearing associated with the creation Lots and/or Asset Protection Zones. Where loss of vegetation is not acceptable or causes conflict with landscape or environmental objectives, it will be necessary to consider available design options to minimise the removal of native vegetation.

Minimising the Removal of Native Vegetation		
Design Option	Identified	Adopted
Cluster development	Yes	Yes
Construct building to a standard corresponding to a higher BAL rating as per BCA (AS 3959-2009 and/or NASH Standard)	N/A	N/A
Modify the development location	Yes	Yes

The positioning of buildings and access ways within the proposed development is designed to minimise the removal of existing native vegetation.

Impact on Adjoining Land

Is this planning proposal able to implement the required bushfire measures within the boundaries of the land being developed so as not to impact on the bushfire and environmental management of neighbouring reserves, properties or conservation covenants?	Yes
---	-----

The proposed development can achieve asset protection zones and maintenance of vegetation within the subject lots in a low threat state, which will ensure the bushfire risk will be reduced to the immediate surrounding properties due to the continued ongoing management of vegetation. Compliance is regulated via the bushfire management plan for the site and the City of Rockingham annual Fire Control Notice.

2.2 Re-vegetation / Retained Vegetation / Landscape Plans

Riparian zones, wetland/foreshore buffers, road verges and public open space may have plans to re-vegetate or retain vegetation as part of the Proposal.

Vegetation corridors may join offsite vegetation and provide a route for fire to enter a development area.

When applicable, any such area will be identified in this Bushfire Management Plan and their impact on the assessment and future management accounted for.

Is re-vegetation of riparian zones and/or wetland or foreshore buffers and/or public open space a part of this Proposal?	No
Is the requirement for ongoing maintenance of existing vegetation in riparian zones and/or wetland or foreshore buffers and/or public open space a part of this Proposal?	No

3 Potential Bushfire Impact Assessment

3.1 Assessment Input

3.1.1 Fire Danger Index (FDI) Applied

AS 3959-2009 specifies the fire danger index values to apply for different regions as per Table 2.1. The values used in the model calculations are for the Forest Fire Danger Index (FFDI) and for which equivalent representative values of the Grassland Fire Danger Index (GFDI) are applied as per Appendix B. The values can be refined if appropriately justified.

Table 3.1: Applied FDI Value

FDI Value			
Vegetation Area	As per AS 3959 - 2009 Table 2.1	As per DFES for the Location	Value Applied
All vegetation areas	80	N/A	80

3.1.2 Existing Vegetation Identification, Classification and Effective Slope

Vegetation identification and classification has been conducted in accordance with AS 3959-2009 s2.2.3 and the Visual Guide for Bushfire Risk Assessment in WA (DoP February 2016).

When more than one vegetation type is present, each type is identified separately with the worst-case scenario being applied as the classification. The predominant vegetation is not necessarily the worst-case scenario.

The vegetation structure has been assessed as it will be in its mature state (rather than what might be observed on the day). Areas of modified vegetation are assessed as they will be in their natural unmodified state (unless maintained in a permanently low threat, minimal fuel condition, satisfying AS 3959-2009 s2.2.3.2-f and asset protection zone standards). Vegetation destroyed or damaged by a bushfire or other natural disaster has been assessed on its revegetated mature state.

Effective Slope: Is the ground slope under the classified vegetation and is determined for each area of classified vegetation. It is the measured or determined slope which will most significantly influence the bushfire behaviour in that vegetation as it approaches a building or site. Where there is a significant change in effective ground slope under an area of classified vegetation, that will cause a change in fire behaviour, separate vegetation areas will be identified, based on the change in effective slope, to enable the correct assessment.

Table 3.2: Vegetation identification and classification.

All Vegetation Within 150 metres of the Proposed Development			
Vegetation Area	Identified Classification Types ¹ or Description if 'Excluded'	Applied Classification ²	Effective Slope Under Classified Vegetation (degrees)
1	Open Woodland B-06 Tussock Grassland G-22	Class G Grassland	0
2	Low Open Shrubland G-19	Class G Grassland	0
3	Woodland B-05	Class B Woodland	0
4	Open Forest A-03	Class A Forest	0
5	Woodland B-05	Class B Woodland	>10-15
6	Woodland B-05	Class B Woodland	0
7	Open Woodland B-06 Tussock Grassland G-22	Class G Grassland	0
8	Open Woodland B-06 Tussock Grassland G-22	Class G Grassland	>5-10
9	Woodland B-05	Class B Woodland	>5-10
10	Woodland B-05	Class B Woodland	0
-	Managed areas around existing buildings	Excluded AS3959-2009 2.2.3.2 (f)	N/A

Representative photos of each vegetation area, descriptions and classification justification, are presented on the following pages. The areas of classified vegetation are defined, and the photo locations identified on the topography and classified vegetation map, Figure 3.1.

Note¹: As per AS 3959-2009 Table 2.3 and Figures 2.3 and 2.4 a-g

Note²: As per AS 3959-2009 Table 2.3.

3.2 Assessment Output

3.2.1 Indicative BAL Results Presented as a BAL Contour Map

Interpretation of the Bushfire Attack Level (BAL) Contour Map

The contour map will present different coloured contour intervals constructed around the classified bushfire prone vegetation. These represent the different Bushfire Attack Levels that exist at varying distances away from the classified vegetation.

Each BAL represents a set range of radiant heat flux (as defined by AS 3959-2009) that can be generated by the bushfire in that vegetation at that location.

The width of each shaded contour (i.e. the distance interval) will vary and is determined by consideration of variables including vegetation type, fuel structure, ground slope, climatic conditions. They are unique to a site and can vary across a site. The width of each contour is a diagrammatic expression of the separation distances from the classified vegetation that apply for each BAL rating, for that site.

A building (or 'area') located within any given BAL contour will be subject to that BAL rating and potentially multiple BAL ratings of which the highest rating will be applied.

Separation Distances Calculated to Construct the BAL Contours

Table 3.3: Vegetation separation distances applied to construct the BAL contours.

Calculated Vegetation Separation Distances								
Vegetation Area	Vegetation Classification	Effective Slope	BAL Assessment Method Applied ¹	BAL Rating and Corresponding Separation Distance (metres)				
		Degrees		BAL-FZ	BAL-40	BAL-29	BAL-19	BAL12.5
1	Class G Grassland	0	Method 1	<6	6-<8	8-<12	12-<17	17-<50
2	Class G Grassland	0	Method 1	<6	6-<8	8-<12	12-<17	17-<50
3	Class B Woodland	0	Method 1	<10	10-<14	14-<20	20-<29	29-<100
4	Class A Forest	0	Method 1	<16	16-<21	21-<31	31-<42	42-<100
6	Class B Woodland	0	Method 1	<10	10-<14	14-<20	20-<29	29-<100
7	Class G Grassland	0	Method 1	<6	6-<8	8-<12	12-<17	17-<50
10	Class B Woodland	0	Method 1	<10	10-<14	14-<20	20-<29	29-<100

¹ Method 1 as per AS 3959-2009 Table 2.4.3 and Method 2 as per AS 3959-2009 Appendix B. The input variables applied, other than the calculation model defaults, are presented in Section 3.1 of this Plan.

Vegetation Areas 5, 8 and 9 are to be managed to a low bushfire threat state as per AS3959-2009 s2.2.3.2.

Vegetation Area 1**Classification Applied:** Class G Grassland**Classification Justification:** Open woodland (15% foliage cover), jarrah, banksia, sheoak, tussock grassland understorey, classified on the basis of its understorey as per AS3959-2009 Table 2.3 Note 2.

Photo ID: 1a



Photo ID: 1b

Vegetation Area 2**Classification Applied:** Class G Grassland**Classification Justification:** Low shrubs, occasional stunted tree, classified as low open shrubland

Photo ID: 2a



Photo ID: 2b

Vegetation Area 3**Classification Applied:** Class B Woodland**Classification Justification:** Tuart, sheoak, shrubs, some scrub, grass understorey (<30% foliage cover)

Photo ID: 3a



Photo ID: 3b

Vegetation Area 4**Classification Applied:** Class A Forest**Classification Justification:** Tuarts, shrubs, some scrub, grass understorey (>30% foliage cover)

Photo ID: 4a



Photo ID: 4b

Vegetation Area 5**Classification Applied:** Class B Woodland**Classification Justification:** Tuart, some banksia, tussock grassland understorey

Photo ID: 5a

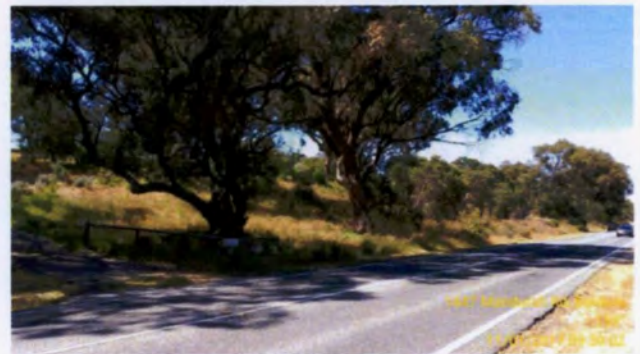


Photo ID: 5b

Vegetation Area 6**Classification Applied:** Class B Woodland**Classification Justification:** Banksia, sheoak, tussock grassland understorey

Photo ID: 6a

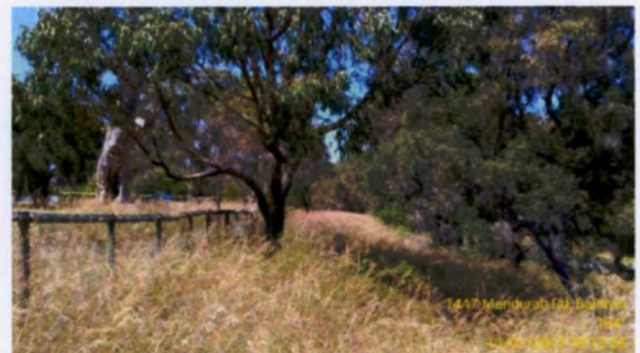


Photo ID: 6b

Vegetation Area 7**Classification Applied:** Class G Grassland**Classification Justification:** Open woodland (10% foliage cover), tuarts, tussock grassland understorey, classified on the basis of its understorey as per AS3959-2009 Table 2.3 Note 2.

Photo ID: 7a



Photo ID: 7b

Vegetation Area 8**Classification Applied:** Class G Grassland**Classification Justification:** Open woodland (10% foliage cover), tuart, some banksia, tussock grassland understorey, classified on the basis of its understorey as per AS3959-2009 Table 2.3 Note 2.

Photo ID: 8a



Photo ID: 8b

Vegetation Area 8**Classification Applied:** Class G Grassland**Classification Justification:** Open woodland (10% foliage cover), tuart, some banksia, tussock grassland understorey, classified on the basis of its understorey as per AS3959-2009 Table 2.3 Note 2.

Photo ID: 8c



Photo ID: 8d

Vegetation Area 9

Classification Applied: Class B Woodland

Classification Justification: Tuart, sheoak, banksia, tussock grassland understorey (<30% foliage cover)



Photo ID: 9a

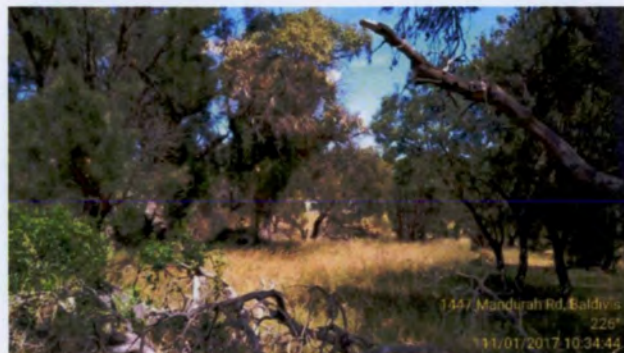


Photo ID: 9b

Vegetation Area 10

Classification Applied: Class B Woodland

Classification Justification: Tuart, sheoak, banksia, tussock grassland understorey (<30% foliage cover)



Photo ID: 10a



Photo ID: 10b

Vegetation Area

Classification Applied: Excluded AS3959-2009 2.2.3.2 (f)

Classification Justification: Managed grass areas on neighbouring lots



Photo ID: 11a



Photo ID: 11b

Vegetation Area

Classification Applied: Excluded AS3959-2009 2.2.3.2 (f)

Classification Justification: Managed areas around existing dwellings



Photo ID: 11c












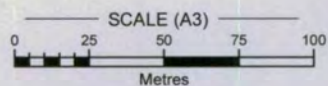
Photo ID: 11d

Figure 3.1
Topography &
Classified Vegetation

Lots 2 & 13 on Diagram 31973
Mandurah Road
BALDIVIS

LEGEND

-  Subject Area: Lots 2 & 13
-  Other Lots
- Assessment Area**
-  Vegetation - 150m
- Classified Vegetation**
-  Class (A) Forest
-  Class (B) Woodland
-  Class (G) Grassland
-  Exclusion 2.2.3.2
-  Elevation contour (m)
-  Photo no., location & direction



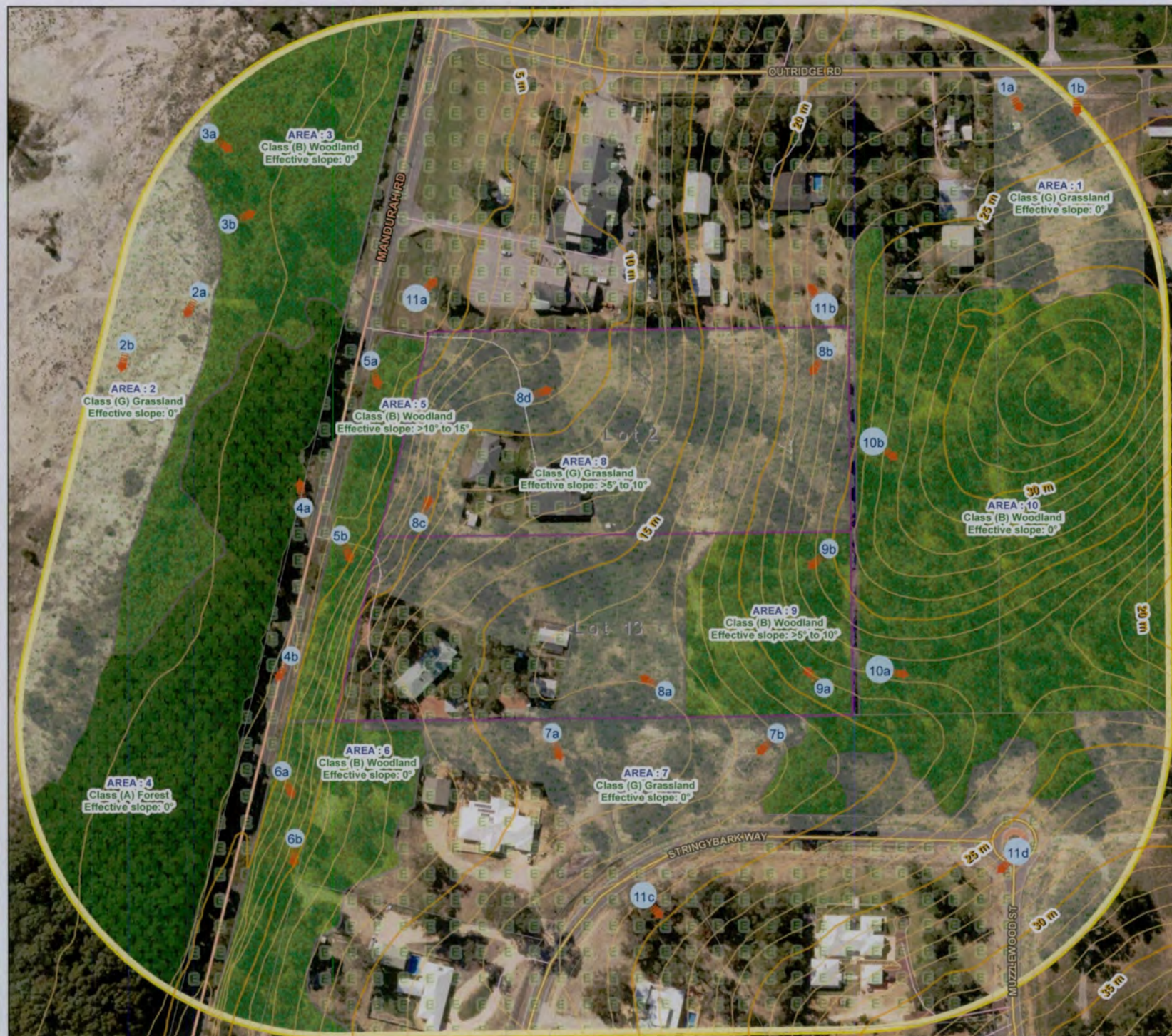
LOCALITY



Aerial Imagery : Landgate/SLIP
Image Date : AUG 2017

Coordinate System : GDA 1994 MGA Zone 50
Projection : Universal Transverse Mercator Units : Metre

Map compiled by: Russell Wormes
Date map compiled/updated: 29/03/2018



3.2 Assessment Output

3.2.1 Indicative BAL Results Presented as a BAL Contour Map

Interpretation of the Bushfire Attack Level (BAL) Contour Map

The contour map will present different coloured contour intervals constructed around the classified bushfire prone vegetation. These represent the different Bushfire Attack Levels that exist at varying distances away from the classified vegetation.

Each BAL represents a set range of radiant heat flux (as defined by AS 3959-2009) that can be generated by the bushfire in that vegetation at that location.

The width of each shaded contour (i.e. the distance interval) will vary and is determined by consideration of variables including vegetation type, fuel structure, ground slope, climatic conditions. They are unique to a site and can vary across a site. The width of each contour is a diagrammatic expression of the separation distances from the classified vegetation that apply for each BAL rating, for that site.

A building (or 'area') located within any given BAL contour will be subject to that BAL rating and potentially multiple BAL ratings of which the highest rating will be applied.

Separation Distances Calculated to Construct the BAL Contours

Table 3.3: Vegetation separation distances applied to construct the BAL contours.

Calculated Vegetation Separation Distances								
Vegetation Area	Vegetation Classification	Effective Slope	BAL Assessment Method Applied ¹	BAL Rating and Corresponding Separation Distance (metres)				
		Degrees		BAL-FZ	BAL-40	BAL-29	BAL-19	BAL12.5
1	Class G Grassland	0	Method 1	<6	6-<8	8-<12	12-<17	17-<50
2	Class G Grassland	0	Method 1	<6	6-<8	8-<12	12-<17	17-<50
3	Class B Woodland	0	Method 1	<10	10-<14	14-<20	20-<29	29-<100
4	Class A Forest	0	Method 1	<16	16-<21	21-<31	31-<42	42-<100
6	Class B Woodland	0	Method 1	<10	10-<14	14-<20	20-<29	29-<100
7	Class G Grassland	0	Method 1	<6	6-<8	8-<12	12-<17	17-<50
10	Class B Woodland	0	Method 1	<10	10-<14	14-<20	20-<29	29-<100

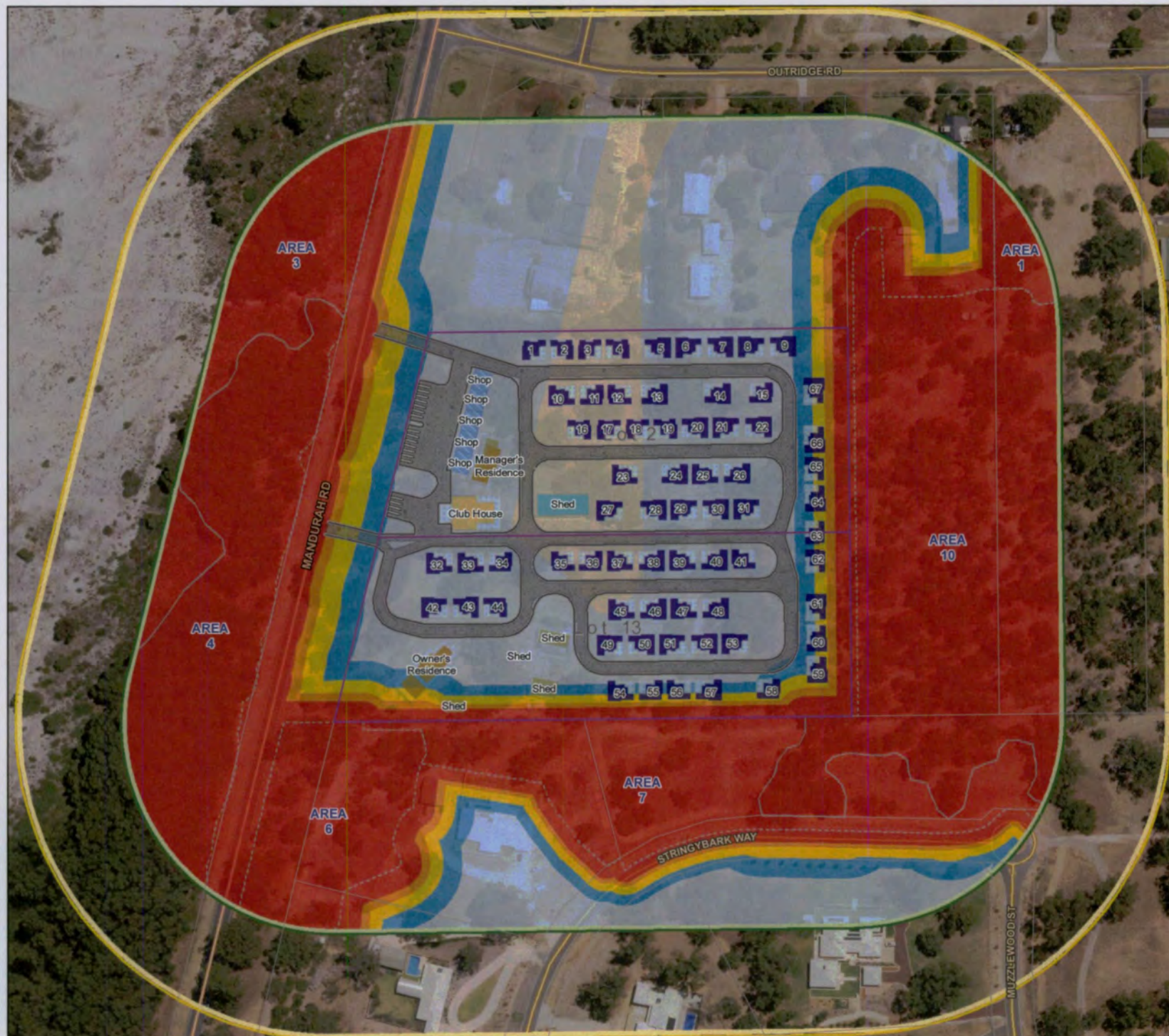
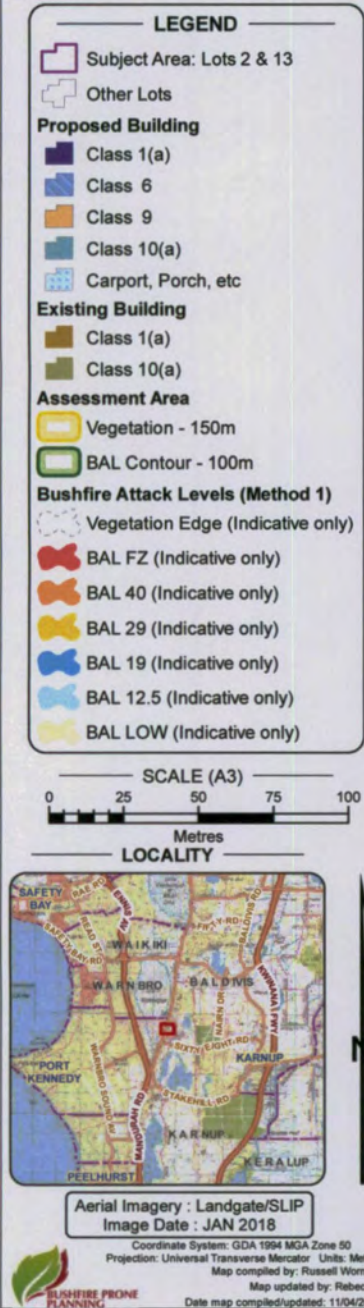
¹ Method 1 as per AS 3959-2009 Table 2.4.3 and Method 2 as per AS 3959-2009 Appendix B. The input variables applied, other than the calculation model defaults, are presented in Section 3.1 of this Plan.

Vegetation Areas 5, 8 and 9 are to be managed to a low bushfire threat state as per AS3959-2009 s2.2.3.2.

Figure 3.2

BAL Contour Map

Lots 2 & 13 on Diagram 31973
Mandurah Road
BALDIVIS



3.2.2 Bushfire Attack Levels (BAL) Derived from The Contour Map

Deriving a BAL Rating for a Future Construction Site (Building) from the BAL Contour Map Data (Capacity to Issue a BAL Certificate)

The BAL Rating is Assessed as Indicative

If the assessed BAL for the 'building' is stated as being 'indicative', it is because that 'building' is impacted by more than one BAL contour interval and/or classifiable vegetation remains on the lot, or on adjacent lots, that can influence the future building's BAL rating (and this vegetation may have been omitted from being contoured for planning purposes e.g. Grassland or when the assumption is made that all onsite vegetation can be removed and/or modified).

In this report the indicative BAL is presented as either the highest BAL impacting the building or as a range of achievable BAL's within the site – whichever is the most appropriate.

The BAL rating that will apply to any future building will be dependent on:

1. vegetation management onsite; and/or
2. vegetation remaining on adjacent lots; and/or
3. the actual location of the future building.

A BAL Certificate cannot be provided for future buildings, within a lot or envelope with an indicative BAL, until the building location and in some instances building design (elevation), have been established and any required and approved vegetation modification/removal has been confirmed. Once this has occurred a report confirming the building location and BAL rating will be required to submit with the BAL certificate.

The required confirmation of the BAL rating must be done by a bushfire practitioner with the same level of accreditation as has been required to compile this Bushfire Management Plan. This is dependent on the type of calculations utilised (e.g. if performance based solutions have been used in the Plan BPAD Level 3 accreditation is required)

The BAL Rating is Assessed as Determined

If the assessed BAL for the building or envelope is stated as being 'determined' it is because that building or envelope is impacted by a single BAL contour interval. This BAL has been determined by the existence (or non-existence) of classified vegetation outside the lot or envelope, and no classifiable vegetation currently exists on the lot or envelope (i.e. it has been cleared to a minimal fuel, low bushfire threat state).

As a result, a determined BAL can be provided in this limited situation because:

1. No classified vegetation is required to be removed or modified to achieve the determined BAL, either within the lot/envelope or on adjacent lots (or if vegetation is excluded from classification, it is reasonable to assume it will be maintained in this state into the future); and
2. A future building can be located anywhere within the 'site' and be subject to the determined BAL rating; and
3. The degree of certainty is more than sufficient to allow for any small discrepancy that might occur in the mapping of the BAL contours.

For a determined BAL rating for a lot/envelope, A BAL Certificate (referring to this BMP) can be provided for a future building, if the BMP remains current.

For this proposal the BAL ratings are Indicative only as onsite vegetation must be managed to a low bushfire threat state, or cleared, to achieve the stated BAL rating.