



APPENDICES

PART 1

ORDINARY MEETING

To Be Held

Wednesday, 17 July 2019

Commencing at 5.00pm

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

This document is available in alternative formats such as:
~ Large Print
~ Electronic Format [disk or emailed]
Upon request.



Unit 2/100 Blair Street,
Bunbury WA 6230
p: 08 9722 0300

summitsouthwest.com.au

11 January 2019

Shire of Dardanup
PO Box 7016
EATON WA 6232

Att: Planning Department

**RE: LOT 96 ALICE COURT, MILLBRIDGE
CONTRACT N°: 156201**

Enclosed please find a development application for the above proposed residence for a reduced rear setback and BAL40 rating for a Lot greater than 1100m².

All the required documentation is included.

Please contact Anne Macnish or Holly Baker-Whittome on 9722 0300 or by email to shiresw@summithomesgroup.com.au if you have any queries.

Yours faithfully,

Amacnish

Anne Macnish
Shire Liaison Officer

156201/NS/021



**APPLICATION FOR
DEVELOPMENT APPROVAL**
Town Planning Scheme No. 3
FORM 110

(Appendix ORD: 12.1A)

SHIRE OF DARDANUP
RECEIVED
15 JAN 2019
Name: _____ Date stamp _____

Part 1 Owner Details

Full Name



Contact person for correspondence

ANNE MACNISH / HOLLY BAKER-WHITTOME

Signature

Date

6/12/18

Signature

Date

The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2).

Part 2 Applicant Details (if different from owner)

Full Name

TANGENT NOMINEES PTY LTD

Postal Address

PO BOX 394

BUNBURY WA 6231

Phone

97 22 0300

Mobile

Phone A/H

Fax

Email

shiresw@summithomesgroup.com.au

Contact person for correspondence

ANNE MACNISH / HOLLY BAKER-WHITTOME

Signature

Aamacnsh

Date

05-12-18

Part 3 Property Details

Lot No: 96 Street No: 6 Street Name: ALICE COURT

Suburb: MILLBRIDGE Post Code: 6232

Nearest street intersection: SWAN AVENUE

Plan or Diagram Number: 41302 Certificate of Title - Vol/Fol: 2572/354

Title encumbrances (e.g. easements, restrictive covenants): RESTRICTIVE COVENANT

Part 4 Proposed Development

Nature of development: Works Use Works and Use

Is an exemption from approval 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 TWO STOREY DWELLING WITH REDUCED REAR SETBACK AND BALCO
 ZONING FOR LOT OVER 1100m²

Description of exemption claimed (if relevant):
 N/A

Nature of existing buildings and/or land use:
 VACANT LOT

Approximate cost of proposed development: \$489,044 incl gst
 Estimated time of completion: EIGHT MONTHS

Part 5 OFFICE USE ONLY

Acceptance Officer's initials: [] Date received: []

Local Government Reference No: []

Part 6 Return form to

Shire of Dardanup
 Planning Department
 1 Council Drive/PO Box 7016
 EATON WA 6232

Phone: (08) 9724 0300 Fax: (08) 9724 0091
 Email: records@dardanup.wa.gov.au



JUSTIFICATION LETTER

JOB No. 156210

ADDRESS: Lot 96 Alice Court, Millbridge

SHIRE: Shire of Daradnup

5.1.3 Lot boundary setback

P3.1 **Buildings** set back from **lot** boundaries or adjacent **buildings** on the same lot so as to:

- reduce impacts of building bulk on **adjoining properties**;
- provide adequate direct sun and ventilation to the building and **open spaces** on the **site** and adjoining properties; and
- minimise the the extent of overlooking and resultant loss of privacy on adjoining properties.

Southern Boundary: The Southern boundary is the boundary in question. The setback proposed is 1.5m to the boundary from the rear of the house.

The adjoining lot is currently vacant and will not have any adverse effect placed upon.

We are seeking the same relaxation of the rear setback that has been done for the surrounding streets.

(See photos)

(Appendix ORD: 12.1A)

The following photos are from the surrounding streets. Holroyd Gardens shows houses close to the boundary, also Isaac Court.





WESTERN



AUSTRALIA

REGISTER NUMBER	
96/DP41302	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
3	18/9/2018

DUPLICATE CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 2572 FOLIO 354

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 96 ON DEPOSITED PLAN 41302

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

[Redacted name]

(T N987025) REGISTERED 14/9/2018

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

1. RESTRICTIVE COVENANT BENEFIT - SEE DEPOSITED PLAN 41302 AND INSTRUMENT I988857
2. RESTRICTIVE COVENANT BURDEN - SEE DEPOSITED PLAN 41302 AND INSTRUMENT I988857

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. Lot as described in the land description may be a lot or location.

-----END OF DUPLICATE 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: DP41302
 PREVIOUS TITLE: 2548-998
 PROPERTY STREET ADDRESS: 6 ALICE CT, MILLBRIDGE.
 LOCAL GOVERNMENT AUTHORITY: SHIRE OF DARDANUP



LEGEND	DESCRIPTION
TP 10.00	Top Pillar/Post
TW 10.00	Top Wall
TR 10.00	Top Retaining
TF 10.00	Top Fence



R-CODES NOTE:

ZONING: R10
SITE COVERAGE
SITE: 1316M²
ALLOWED COVER: 40% (526.4M²)
ACTUAL COVER: 18.22% (239.73M²)
R-CODES VARIATION: YES
PLANNING REQUIRED: YES
- REAR SETBACK LESS THAN 6m
- BAL 40 ZONING FOR A LOT GREATER THAN 1100m²

BAL NOTE:

BAL 40 TO AREAS AS SHOWN
BAL 29 TO REMAINDER OF HOUSE

FENCING NOTE:

COLORBOND FENCING TO EXTENT SHOWN BY APPROVED SUPPLIER

GARAGE NOTE:

- FALL GARAGE & WORKSHOP SLAB 20mm TOWARDS MAIN GARAGE OPENING

NOTE:

- PROVIDE CONDUIT & DRAW WIRE IN COMMON TRENCH TO METER BOX, DUAL CONDUITS & DRAW WIRES REQUIRED IF TWO COMMUNICATION PITS AVAILABLE

PLUMBING NOTE:

- PLUMBING DRAINAGE PLAN DIAGRAMMATIC ONLY. FINAL POSITION TO BE DETERMINED BY PLUMBER ON SITE
- PROVIDE REFLUX VALVE TO HOBBLESS SHOWERS

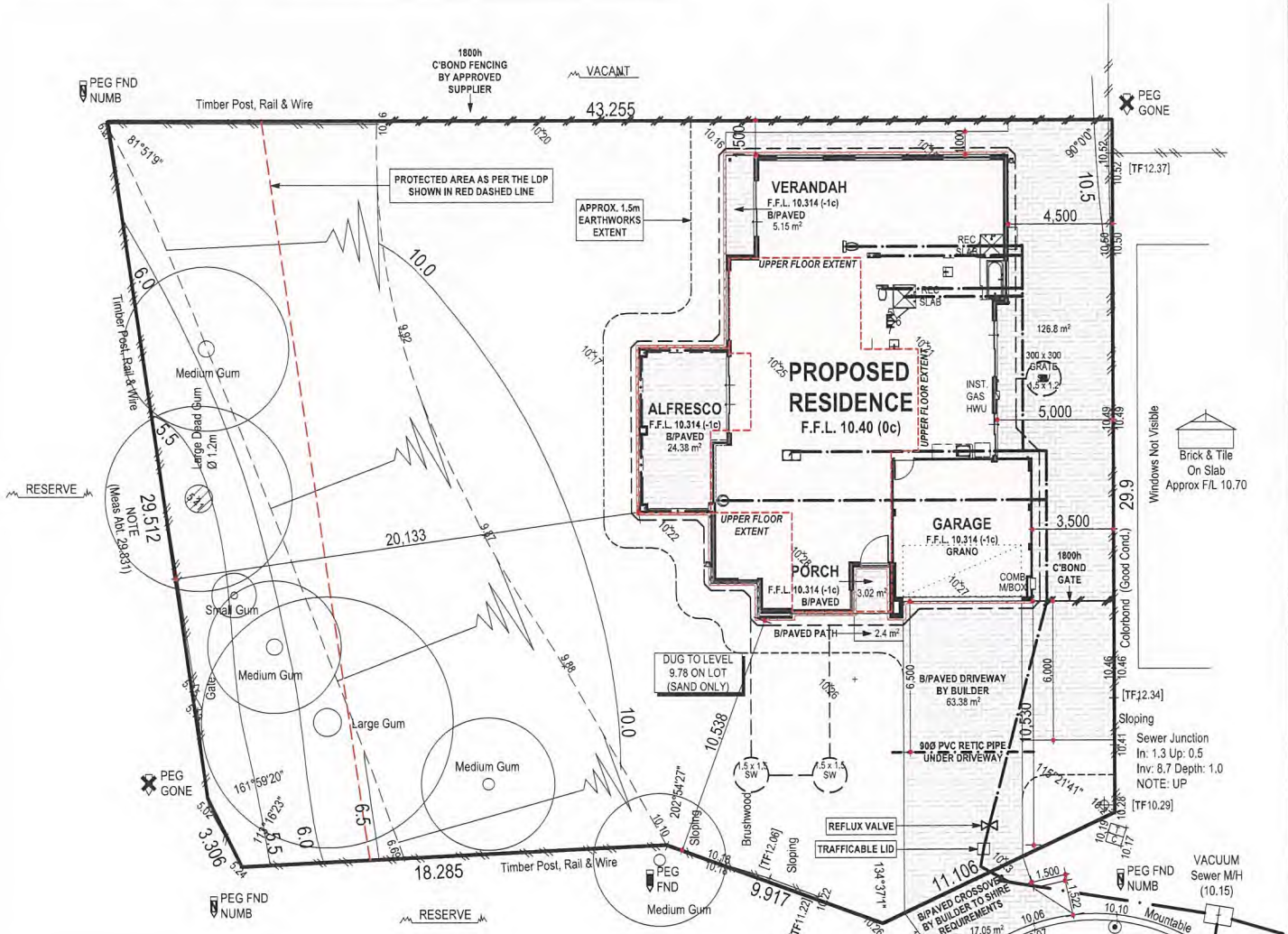
RETIC NOTE:

PROVIDE GATE VALVE WITH T-PIECE. RETIC VALVE TO BE LOCATED 1m FROM WATER METER

STORMWATER:

- PROVIDE INTERCONNECTED SOAKWELLS BY BUILDER (MIN 1.8m FROM BUILDING LINE & BDRYS). ALL STORMWATER & SURFACE WATER DRAINAGE TO BE INSTALLED IN ACCORDANCE WITH A.S. 3500.3 2003, CLAUSE 3.1.2.1 & 3.1.2.5 BCA VOL. 2 & LOCAL AUTHORITY REQ.

Soak Well Type	No.	Capacity
SW 1500x1200	1	2.1 m ³
SW 1500x1500	2	5.3 m ³
Total Capacity		7.4 m³
Roof Area G_F		269.0 m²
Paved Area		196.0 m²
Total Area		465.0 m²
Capacity Required (Area x 0.0154)		7.2 m³
Extra Capacity Provided		0.3 m³



NOTE:
RESTRICTIVE COVENANT, REFER TO SEC 130D TLLA, SEE DOCUMENT 998657

LOT MISCLOSE
0.001 m

SOIL DESCRIPTION
Sand
Thick Grass Cover

Scale 1:200

DISCLAIMER:
Lot boundaries drawn on survey are based on landgate plan only. Survey does not include title search and as such may not show easements or other interests not shown on plan. Title should be checked to verify all lot details and for any easements or other interests which may affect building on the property.

DISCLAIMER:
Survey does not include verification of cadastral boundaries. All features and levels shown are based on orientation to existing pegs and fences only which may not be on correct cadastral alignment. Any designs based or dependent on the location of existing features should have those features' location verified in relation to the true boundary.

DISCLAIMER:
Survey shows visible features only and will not show locations of underground pipes or conduits for internal or mains services. Verification of the location of all internal and mains services should be confirmed prior to finalisation of any design work.

DISCLAIMER:
Cottage & Engineering surveys accept no responsibility for any physical on site changes to the parcel or portion of the parcel of land shown on this survey including any adjoining neighbours levels and features that have occurred after the date on this survey. All Sewer details plotted from information supplied by Water Corporation.

BUILDER: _____
CLIENT(S): _____
WITNESS: _____

Tangent Nominees Pty Ltd (A.C.N. 008 865 585)
Trustee For Summit Homes Group Trust

100 Blair Street, Bunbury, W.A. 6230.
Telephone (08) 9722 0300 Fax (08) 9791 9813

PROPOSED RESIDENCE FOR: UNKOVICH	VARIATIONS: AMENDMENT CW 14/03/19 V02 CHF 12.04.19 V03 04/06/19 PB V04 11/06/19 PB
ADDRESS LOT 96 ALICE COURT MILLBRIDGE	LAST OPENED: Mon 25 Feb 2019
	DATE: 23/11/18 DRN: RIC CHD: - SCALE: 1: 200 © COPYRIGHT 2019

SHEET 20 OF 20	SPECIAL - MILLSTREAM	JOB NO: 156201
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SITE CLASSIFICATION - CLASS A
 (REFER TO SITE REPORT FOR
 DETAILS) WIND LOAD - N1
 CORROSION CLASSIFICATION - R1

BRICK NOTE
 - 2c FACE BRICK TO BE LAID IN THIRD BOND U.N.O
BUSHFIRE ATTACK LEVEL - 40 / 29
 CONSTRUCTION TO COMPLY
 FULLY W/ AS3359-2009

ROOF CARPENTER NOTE
 - ROOF PITCH AS NOTED ON ELEVATIONS WITH EAVE WIDTHS AS SHOWN ON FLOOR PLANS
 - WESPE BLUE TIMBER ROOF TO CONSTRUCTED IN ACCORDANCE TO AS1684
 - GROUND FLOOR CEILING HEIGHTS AT 31c U.N.O.
 - UPPER FLOOR CEILING AS NOTED ON UPPER FLOOR PLAN
 - FLURRING CHANNEL TO UNDERSIDE OF UPPER FLOOR TRUSSES & ALL RAKED CEILINGS
 - METAL CEILING BATTEN TO UNDERSIDE OF FIRST FLOOR ROOF TRUSSES

CEILING FIXER NOTE
 - FIX CEILING LINING TO UNDERSIDE OF UPPER FLOOR TRUSSES & CEILING JOISTS

ELECTRICAL NOTE
 - SMOKE DETECTOR TO AS 3786:2014 AS INDICATED ON PLAN

DOOR NOTE
 - ALL DOOR & DOOR HARDWARE AS PER AENDA

DRYWALL LINING NOTE
 - PROVIDE DRYWALL LINING TO INTERNAL WALLS THROUGHOUT U.N.O.

ACRYLIC RENDER WALL NOTE
 - PROVIDE 20mm THICK AD TO JUNCTIONS OF ACRYLIC RENDERED WALLS & HARDIFLEX CEILING

FIXING CARPENTER NOTE
 - 4500 SHELF AND RAIL TO ALL WIR, ROBE U.N.O. T.O.F. AT-03c
 - 4 No. 4500 SHELVES TO WIP & W.L U.N.O.

CEILING MATERIAL NOTE
 - GARAGE - HARDIFLEX CEILING
 - PORCH - HARDIFLEX CEILING
 - ALFRESCO - PLASTERBOARD CEILING
 - BALCONY - HARDIFLEX CEILING

SANITARY COMPARTMENT NOTE
 - DOORS TO FACILITIES INSTALLED WITH LIFT-OFF HINGES AS PER PART 3.8.3.3 OF THE B.C.A. (VOL 2)

BAL NOTE
 BAL 40 TO AREAS AS SHOWN
 BAL 29 TO REMAINDER OF HOUSE

SOLAR PV PANELS NOTE
 - PROVIDE (194) PV SOLAR PANELS (5.32kW) & (1x) INVERTER

DUCTED VACUUM NOTE
 - PROVIDE DUCTED VACUUM SYSTEM TO HOME BY APPROVED SUPPLIER

STAIR NOTE
 - STAIR CONSTRUCTION
 - STARWAY TREADS NON-SLIP TO TABLE 3.9.1.1 BCA VOL 2
 - HANDRAIL CONSTRUCTION
 - HANDRAILS TO COMPLY W/ CLAUSE 3.9.2.3 & 3.9.2.4 BCA VOL 2

WINDOW NOTE
 - BEDROOM WINDOWS 2m OR MORE ABOVE GROUND HEIGHT REQUIRE WINDOWS TO HAVE 120mm RESTRICTORS IF THE BOTTOM OF THE SILL IS BELOW 1.7m TO UPPER FLOOR LEVEL TO COMPLY W/ CLAUSE 3.9.2.5 BCA VOL 2
 - MOISTURE TRAY TO ALL UPPER FLOOR WINDOWS INSTALLED BY ROOF CARPENTER

BUILDER
CLIENT(S)
WITNESS

Tangent Nominees Pty Ltd (A.C.N. 008 865 585)
 Trustee For Summit Homes Group Trust

PROPOSED RESIDENCE FOR:
UNKOVICH

ADDRESS
LOT 96 ALICE COURT
MILLBRIDGE

VARIATIONS:
 AMENDMENT CW 14/03/19
 V02 CHF 12.04.19
 V03 04/06/19 PB
 V04 11/06/19 PB

LAST OPENED:
 Mon 25 Feb 2019

DATE: 23/11/18
DRN: RIC
CHD: -
SCALE: 1: 100
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TIME:
 10:38:45

SHEET 1 **OF** 20 **SPECIAL - MILLSTREAM** **JOB NO:** 156201

(Appendix ORD 11A)

NOT TO BE USED FROM THIS DRAWING
 without the approval of the Engineer
 & notes prior to initiating works. Any
 discrepancies to be notified to the Site
 Supervisor without delay.
ALL DIMENSIONS TO BRICKWORK.

ROOF PLUMBER NOTE
 - PROVIDE SLOTTED GUTTERS (EXCLUDING GUTTER ON WALLS)
 - FINAL POSITIONS OF RMP'S TO BE DETERMINED BY ROOF PLUMBER ON SITE

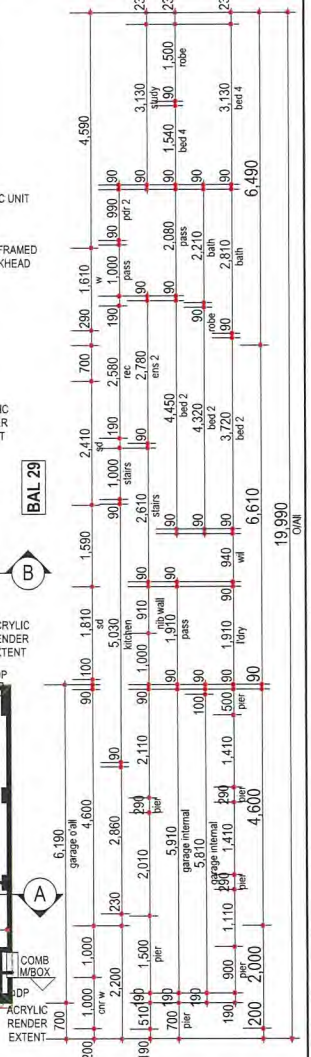
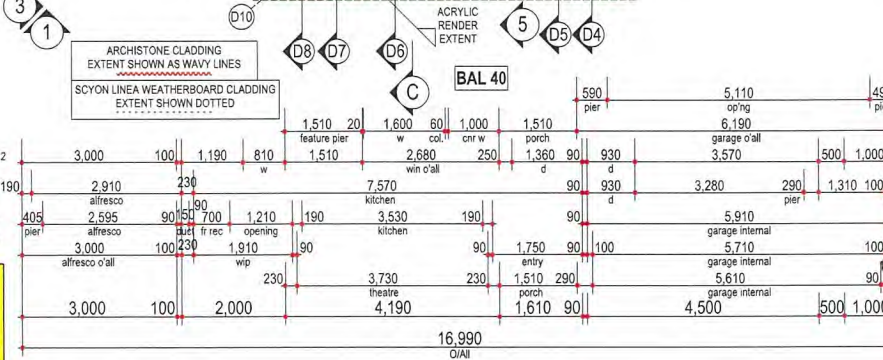
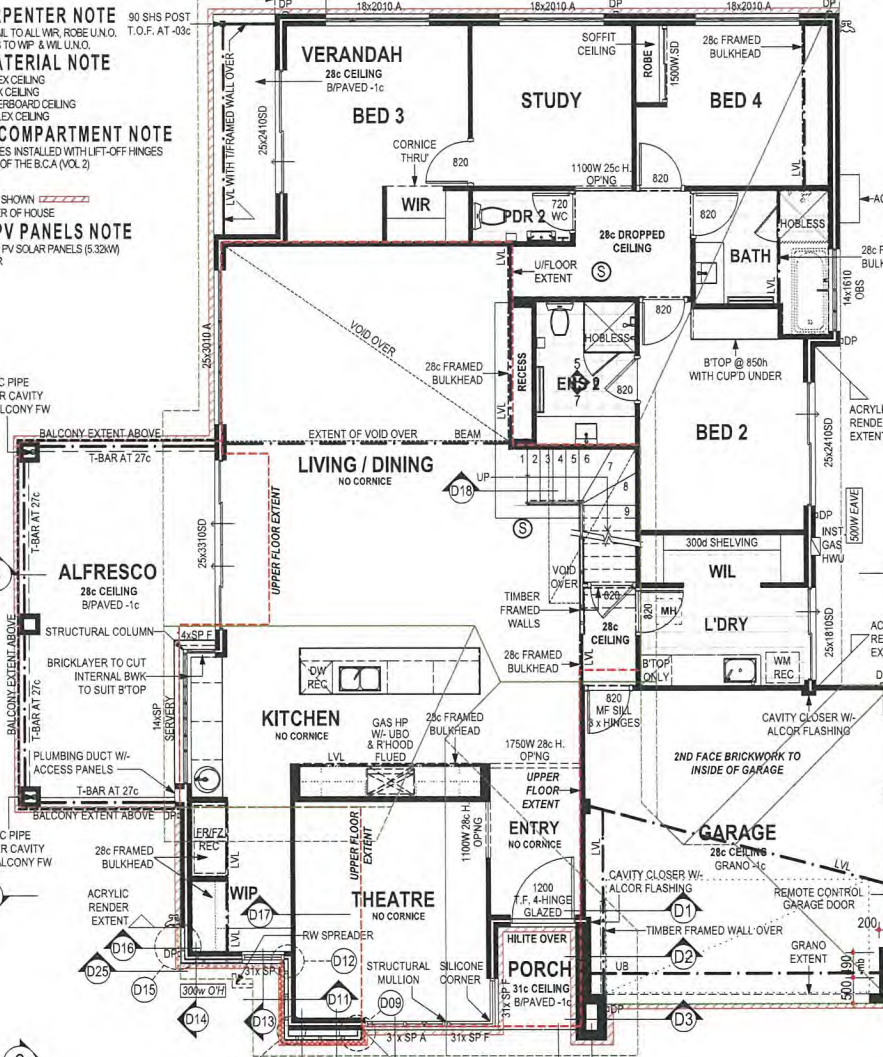
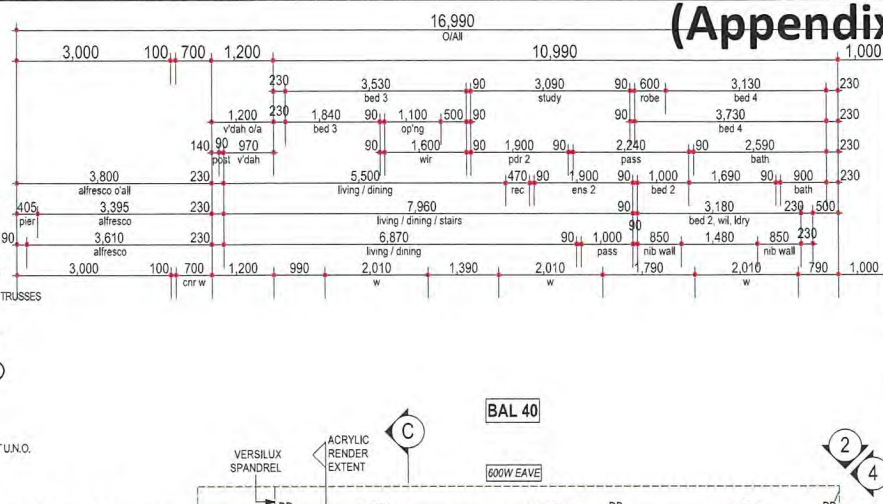
ROOF INSULATION NOTE
 - R4.0 CEILING INSULATION TO HOUSE, GARAGE, AND ANY EXTERNAL PLASTERBOARD CEILING IF APPLICABLE

WALL INSULATION NOTE
 - PROVIDE R1.5 INSULATION TO ALL INTERNAL FRAMED WALLS
 - PROVIDE R2.5 INSULATION TO ALL EXTERNAL FRAMED WALLS

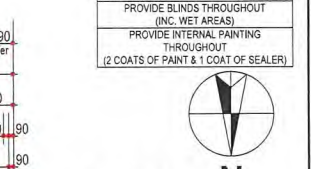
ACOUSTIC INSULATION NOTE
 - PROVIDE R2.5 ACOUSTIC INSULATION TO UNDERSIDE OF FLOOR TRUSSES ONLY

AIRCORN NOTE
 - PROVIDE REVERSE CYCLE AIR CONDITIONING, OUTLET POSITIONS TO BE NOMINATED BY SUPPLIER.
 - EXTERNAL UNIT NOT TO BE VISIBLE FROM THE STREET.

TRADES / SUPERVISOR NOTE
 - REFER TO STRUCTURAL ENGINEERS DETAILS
 - ALL PLANS TO BE READ IN CONJUNCTION WITH ENGINEERS DRAWINGS & STANDARD SPECIFICATION
 - FINAL POSITIONS/NUMBER OF GARAGE PERS TO BE DETERMINED UPON RECEIPT OF ENGINEERS CERTIFIED PLANS.



PROVIDE FLOOR TILING FROM BUILDERS STANDARD RANGE TO ENTRY, KITCHEN, WIP, LIVING / DINING & BED PASS - 79.9m²
 PROVIDE BLINDS THROUGHOUT (INC. WET AREAS)
 PROVIDE INTERNAL PAINTING THROUGHOUT (2 COATS OF PAINT & 1 COAT OF SEALER)



FLOOR PLAN

	Area m ²	Perim. L/m
1. FLOOR PLAN	199.28	65.76
2. GARAGE	37.43	26.16
3. PORCH	3.02	7.02
4. ALFRESCO	24.87	21.85
5. VERANDAH	5.16	11.00
6. TOTAL AREA	269.76	75.36
7. ROOF	268.55	70.16



Summit HOMES GROUP

PROPOSED RESIDENCE FOR:
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(REFER TO SITE REPORT FOR
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CORROSION CLASSIFICATION - R1

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BUSHFIRE ATTACK LEVEL - 40 / 29
CONSTRUCTION TO COMPLY
FULLY WITH AS 3959-2009

ROOF CARPENTER NOTE
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ACCORDANCE TO AS1684
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& ALL RAKED CEILINGS
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- PROVIDE DUCTED VACUUM SYSTEM TO HOME
BY APPROVED SUPPLIER

BAL NOTE
BAL 40 TO AREAS AS SHOWN
BAL 29 TO REMAINDER OF HOUSE

(Appendix ORD 12.1A)

DO NOT SCALE FROM THIS DRAWING
Dimensions and factors of scale differ as
& notes prior to initiating works. Any
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Supervisor without delay.
ALL DIMENSIONS TO BRICKWORK.

ROOF PLUMBER NOTE
- PROVIDE SLOTTED GUTTERS (EXCLUDING GUTTER ON WALLS)
- FINAL POSITIONS OF RWMPs TO BE DETERMINED BY ROOF
PLUMBER ON SITE

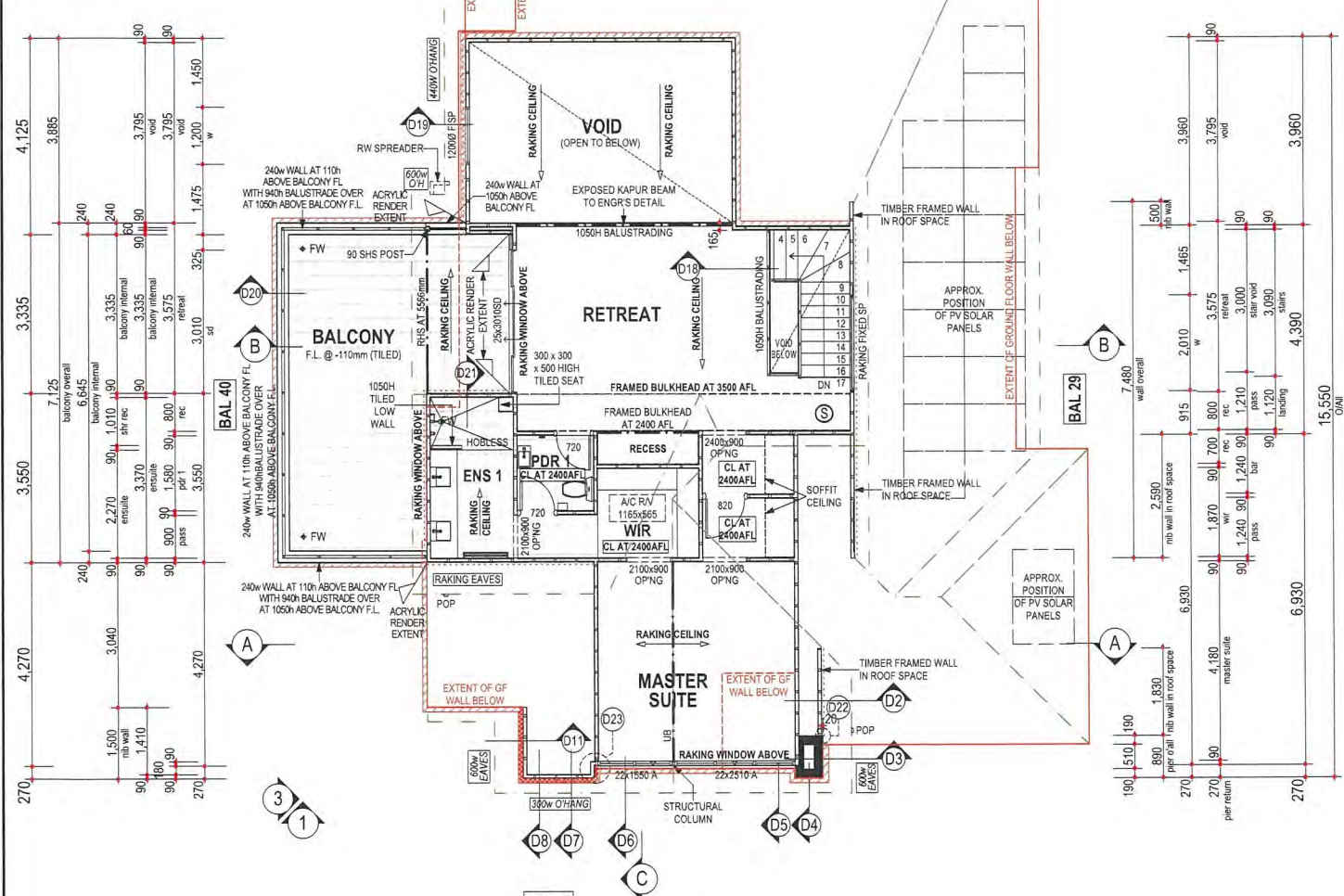
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- EXTERNAL UNIT NOT TO BE VISIBLE FROM THE STREET.

SOLAR PV PANELS NOTE
- PROVIDE (18x) PV SOLAR PANELS (5.33kW)
& (1x) INVERTER



3,100	2,000	1,510	20	50	1,550	60	2,510	590	600	90
3,100	3,510	90	610	900	690	900	1,000	90	1,100	90
90	1,420	90	4,100	390	90	210	190			
90	1,330	90	4,100	190						
3,100	2,000	1,510			4,280		1,190			
12,080 O/All										

BUILDER
CLIENT(S)
WITNESS

Tangent Nominees Pty Ltd (A.C.N. 008 865 585)
Trustee For Summit Homes Group Trust.



100 Blair Street, Bunbury, W.A. 6230.
Telephone(08) 9722 0300 Fax(08) 9791 9813

PROPOSED RESIDENCE FOR:
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ADDRESS
**LOT 96 ALICE COURT
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ROOF CARPENTER NOTE

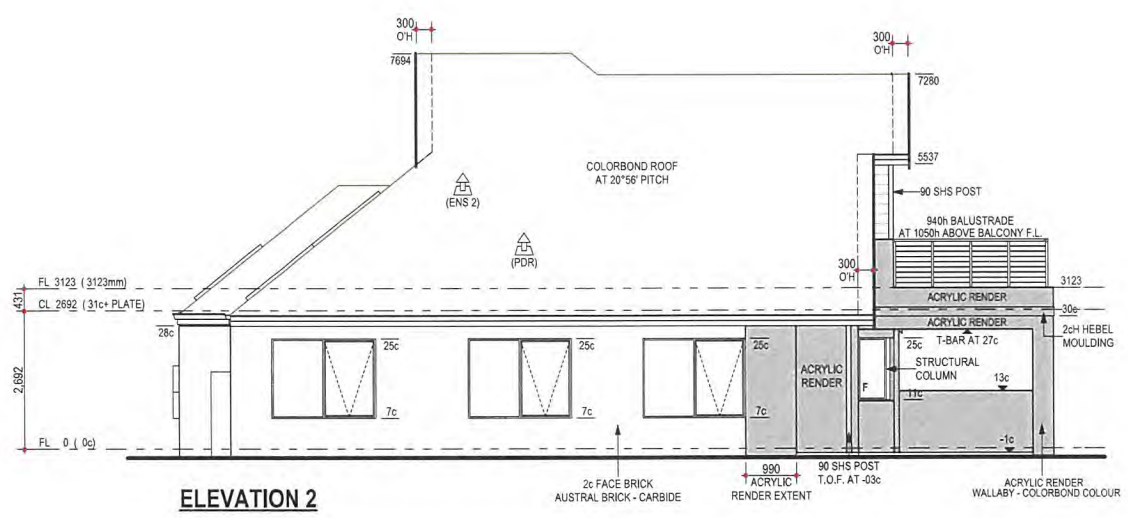
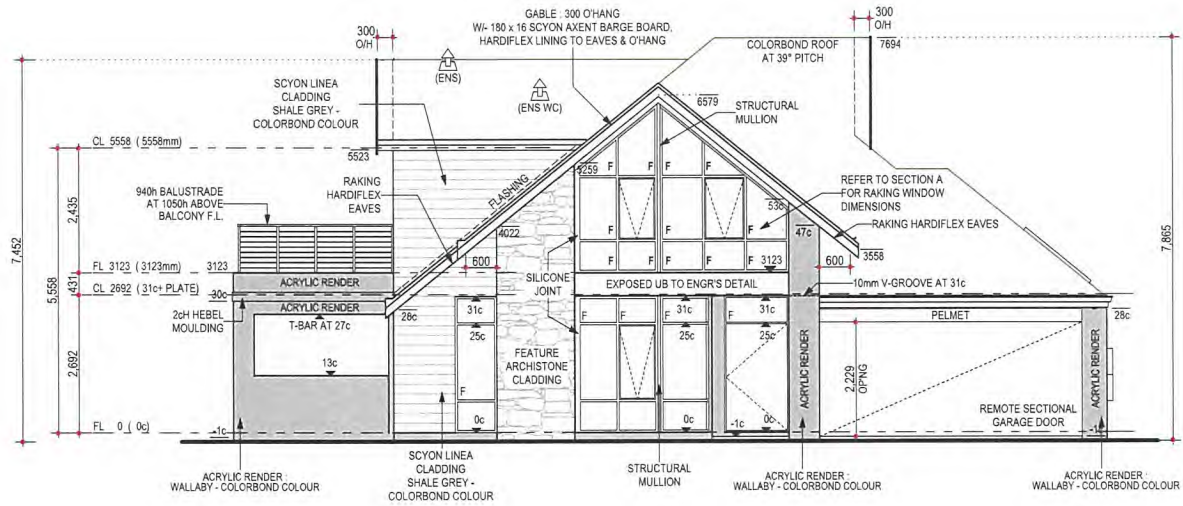
- ROOF PITCH AS NOTED ON ELEVATIONS WITH EAVE WIDTHS AS SHOWN ON FLOOR PLANS
- WESPINE BLUE TIMBER ROOF TO CONSTRUCTED IN ACCORDANCE TO AS1684
- GROUND FLOOR CEILINGS HEIGHTS AT 31c U.N.O.
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WINDOW NOTE

- BEDROOM WINDOWS 2m OR MORE ABOVE GROUND HEIGHT REQUIRE WINDOWS TO HAVE 120mm RESTRICTORS IF THE BOTTOM OF THE SILL IS BELOW 1.7m TO UPPER FLOOR LEVEL, TO COMPLY W/ CLAUSE 3.9.2.5 BCA VOL. 2
- MOISTURE TRAY TO ALL UPPER FLOOR WINDOWS INSTALLED BY ROOF CARPENTER

(Appendix ORD: 12.1A)

ON THIS SCALE FROM THIS DRAWING
 Check for factors to check dimensions
 & notes prior to initiating works. Any
 discrepancies to be notified to the Site
 Supervisor without delay.
ALL DIMENSIONS TO BRICKWORK.



ELEVATION 2

BUILDER: _____
 CLIENT(S): _____
 WITNESS: _____

Tangent Nominees Pty Ltd (A.C.N. 008 865 585)
 Trustee For Summit Homes Group Trust

SUMMIT HOMES GROUP

100 Blair Street, Bunbury, W.A. 6230.
 Telephone(08) 9722 0300 Fax(08) 9791 9813

PROPOSED RESIDENCE FOR:
UNKOVICH

ADDRESS
**LOT 96 ALICE COURT
 MILLBRIDGE**

VARIATIONS:
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SHEET **3** OF **20**

LAST OPENED:
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SPECIAL - MILLSTREAM

JOB NO: **156201**

(Appendix ORD-17-1A)

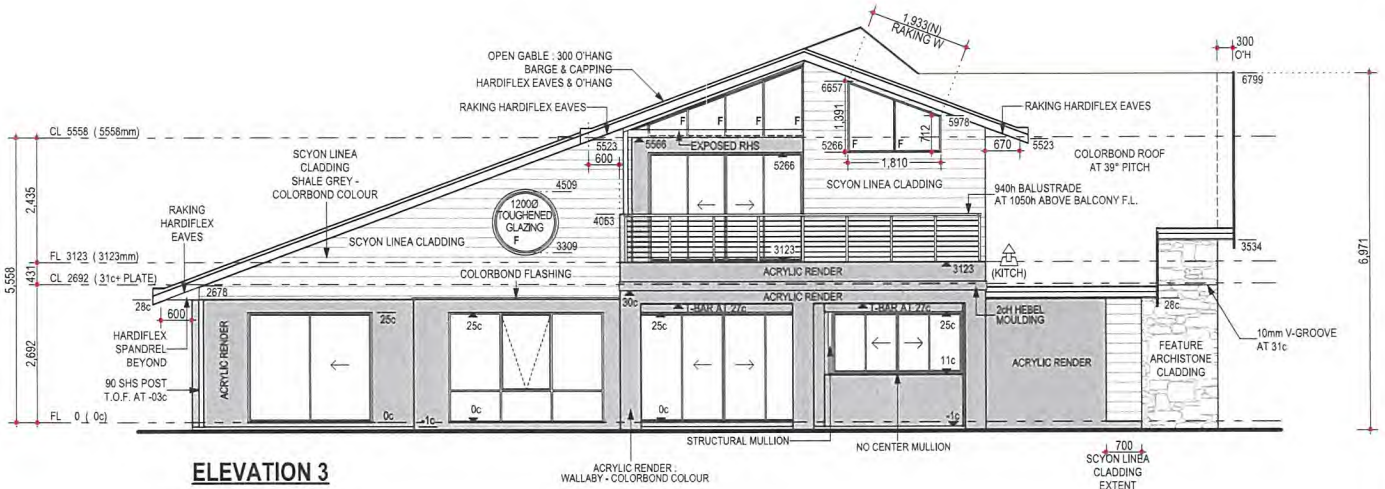
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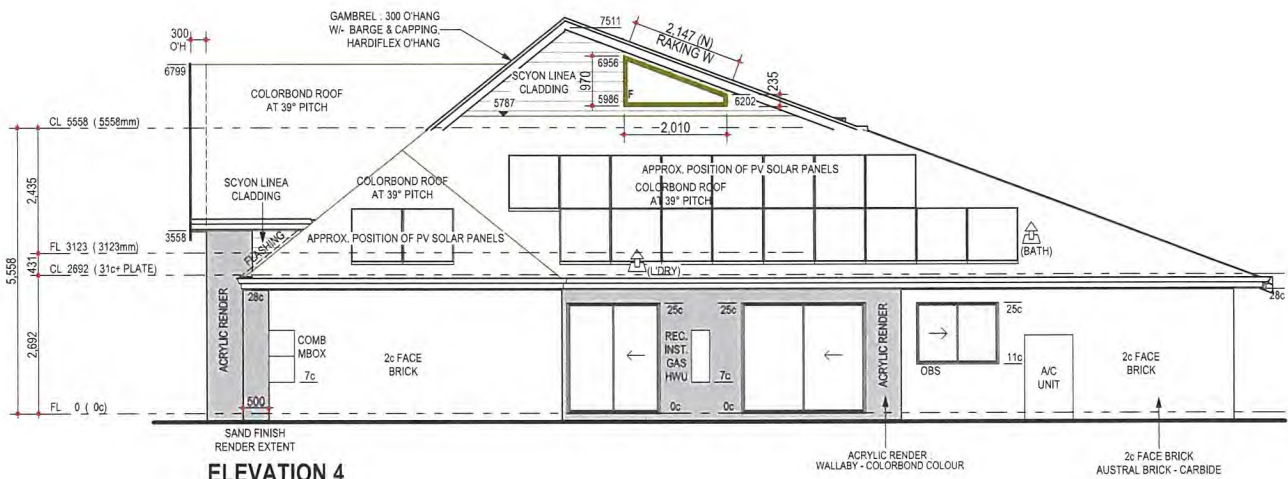
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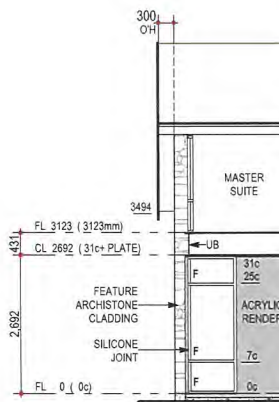
DO NOT SCALE FROM THIS DRAWING
 All dimensions are in millimeters unless otherwise stated & notes prior to initiating works. Any discrepancies to be notified to the Site Supervisor without delay.
 ALL DIMENSIONS TO BRICKWORK.



ELEVATION 3



ELEVATION 4



ELEVATION 5

BUILDER: _____
 CLIENT(S): _____
 WITNESS: _____

Tangent Nominees Pty Ltd (A.C.N. 008 865 585)
 Trustee For Summit Homes Group Trust.



100 Blair Street, Bunbury, W.A. 6230.
 Telephone(08) 9722 0300 Fax(08) 9791 9813

PROPOSED RESIDENCE FOR:

UNKOVICH

ADDRESS
**LOT 96 ALICE COURT
 MILLBRIDGE**

VARIATIONS:

- AMENDMENT CW 14/03/19
- V02 CHF 12.04.19
- V03 04/06/19 PB
- V04 11/06/19 PB

SHEET 4 OF 20

SPECIAL - MILLSTREAM

LAST OPENED:

Mon 25 Feb 2019

TIME:

10:38:45

DATE: 23/11/18

DRN: RIC

CHD: -

SCALE: 1: 100

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JOB NO: 156201

(Appendix ORD: 12.1A)

COTTAGE & ENGINEERING SURVEYS
 Licensed Surveyors

87-89 Guthrie Street, Osborne Park, Western Australia
 Telephone: (08) 9446 7361 Facsimile: (08) 9445 2998
 Email: perth@cottage.com.au Website: www.cottage.com.au

J/N: 445931 DATE: 21 Nov 18 SCALE: 1:200 DRAWN: T.Currey

Builder : Summit Homes Group Bunbury
 CLIENT : Janis Unkovich
 LOT 96 #6 Alice Court, Millbridge

SSA AREA		SEC Dome
		Power Pole
		Phone Pts
		Water Conn.
LEGEND	TP 10.00	Top Pillar/Post
	TW 10.00	Top Wall
	TR 10.00	Top Retaining
	TF 10.00	Top Fence

R-CODES NOTE:
 ZONING: R10
 SITE COVERAGE
 SITE 1316M²
 ALLOWED COVER 40% (526 4M²)
 ACTUAL COVER 18.22% (239 73M²)
 R-CODES VARIATION: YES
 PLANNING REQUIRED: YES
 - REAR SETBACK LESS THAN 6m
 - BAL 40 ZONING FOR A LOT GREATER THAN 1100m²

BAL NOTE:
 BAL 40 TO AREAS AS SHOWN
 BAL 28 TO REMAINDER OF HOUSE

FENCING NOTE:
 COLOURED FENCING TO EXTENT SHOWN BY APPROVED SUPPLIER

GARAGE NOTE:
 - FALL GARAGE & WORKSHOP SLAB 20mm TOWARDS MAIN GARAGE OPENING

NOTE:
 - PROVIDE CONDUIT & DRAW WIRE IN COMMON TRENCH TO METER BOX. DUAL CONDUITS & DRAW WIRES REQUIRED IF TWO COMMUNICATION PITTS AVAILABLE

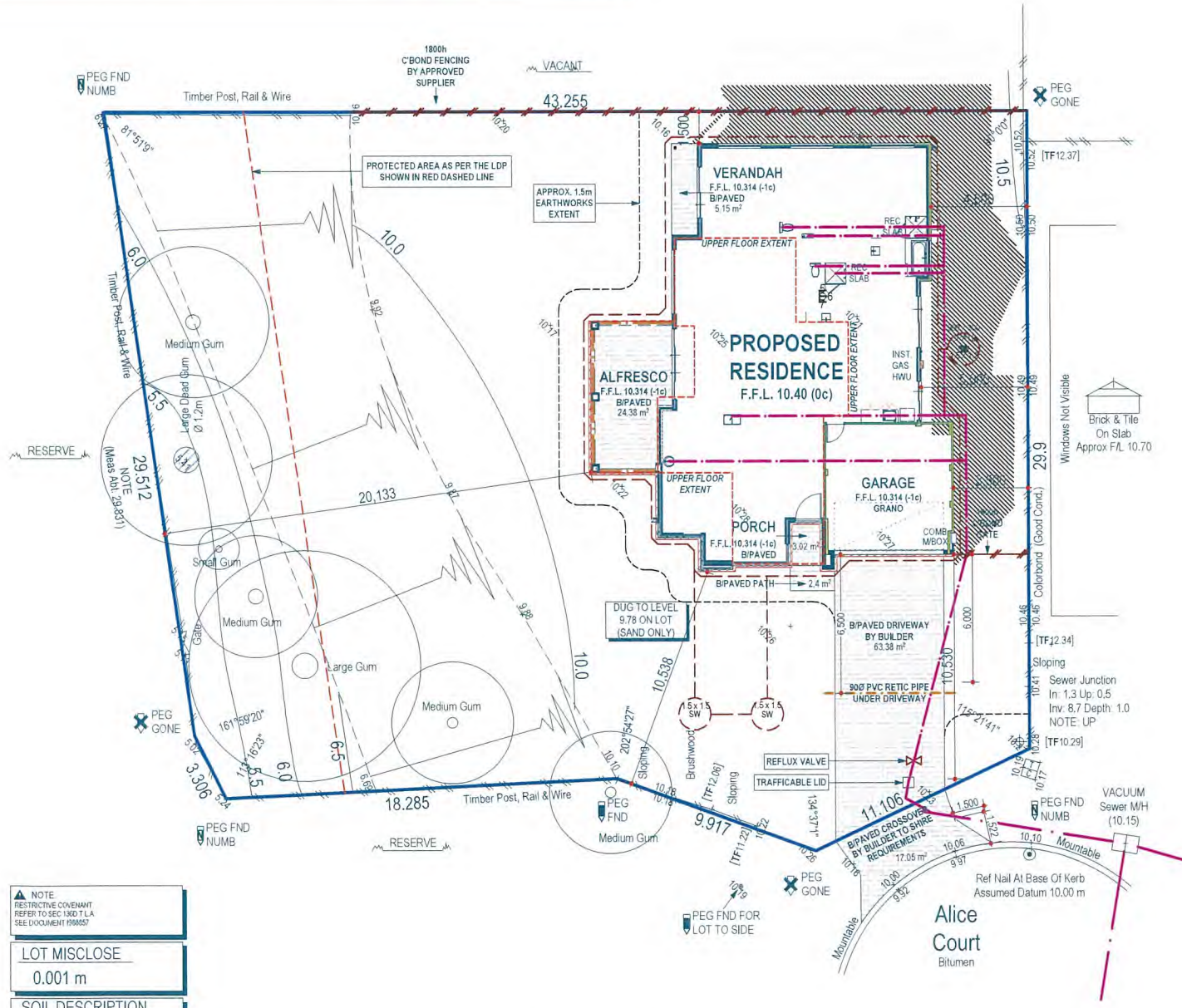
PLUMBING NOTE:
 - PLUMBING DRAINAGE PLAN DIAGRAMMATIC ONLY. FINAL POSITION TO BE DETERMINED BY PLUMBER ON SITE
 - PROVIDE REFLUX VALVE TO HOBLESS SHOWERS

RETIC NOTE:
 PROVIDE GATE VALVE WITH T-PIECE. RETIC VALVE TO BE LOCATED 1m FROM WATER METER

STORMWATER:
 - PROVIDE INTERCONNECTED SOAKWELLS BY BUILDER (MIN 1.8m FROM BUILDING LINE & BDRY'S). ALL STOPMWWATER & SURFACE WATER DRAINAGE TO BE INSTALLED IN ACCORDANCE WITH A.S. 3500.3 2003. CLAUSE 3.1.2.1 & 3.1.2.5 BCA VOL. 2 & LOCAL AUTHORITY REQ.

Soak Well Type	No	Capacity
SW 1500x1200	1	2.1 m ³
SW 1500x1500	2	5.3 m ³
Total Capacity		7.4 m ³
Roof Area Cat		250.0 m ²
Paved Area		196.0 m ²
Total Area		446.0 m ²
Capacity Required (Area x 0.0154)		7.2 m ³
Extra Capacity Provided		0.3 m ³

SHIRE OF DARDANUP NOTE: THIS PLAN IS FOR OVERSHADOWING ASSESSMENT ONLY AND MUST NOT BE RELIED ON FOR CONSTRUCTION OR DETERMINATION OF BAL



NOTE
 RESTRICTIVE COVENANT REFER TO SEC 136D T.L.A. SEE DOCUMENT 199657

LOT MISCLOSE
 0.001 m

SOIL DESCRIPTION
 Sand
 Thick Grass Cover

Scale 1:200

DISCLAIMER:
 Lot boundaries drawn on survey are based on landgate plan only. Survey does not include title search and as such may not show easements or other interests not shown on plan. Title should be checked to verify all lot details and for any easements or other interests which may affect building on the property.

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Chief Executive Officer
Shire of Dardanup
P O BOX 7016
Eaton W.A. 6232


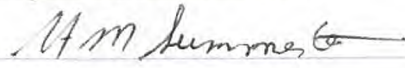


Dear Sir

In reply to your letter of 19 March 2019 Re:
APPLICATION FOR DEVELOPMENT APPROVAL - AMENDED PROPOSAL
SINGLE DWELLING - LOT 96(6) ALICE COURT, MILLBRIDGE 6232.

We the undersigned wish to advise that we have no objection to allowing Mrs Unkovich to erect the shed as outlined in your letter as above.

Yours faithfully.

CYRIL WALTER SUMMERTON: 
HELEN MARY SUMMERTON: 
4 ALICE COURT, MILLBRIDGE 6232.

9th April, 2019.

(Appendix ORD: 12.1B)

Chief Executive Officer

Shire of Dardanup

PO Box 7016

EATON WA 6232

Dear Sir/Madam

RE: Application for Development Approval – Amended Proposal

Single Dwelling – Lot 96 (6) Alice Court, Millbridge 6232

I refer to the above application, and the advertising letter addressed to us by the Senior Planning Officer, dated 19th March 2019.

As the owners of the adjacent property directly affected by the application (Lot 98 Archer Court), we object to the above application on the following grounds:

- In the advertising letter dated 19th March, the Senior Planning Officer stated that:

The proposal still seeks a variation to the requirements of the Local Development Plan (“Development Plan Guide”) which applies to the lot.

Our understanding of this process is that if it is a variation of the Local Development Plan, then it can be addressed at a local Council level. If, however, the document is a Development Guide Plan, then we believe that this document is registered with the WA Planning Commission and as such any alteration at a Local level is complex. The statement by the Planning Officer appears contradictory and we request Council to provide clarification on this issue. Further, to assist us in interpreting Council’s advice, we request that we be provided with a copy of the Local Development Plan, and that this matter be cleared up.

- In conversation with Mrs Rosenberg, the Senior Planning Officer provided verbal reasoning as to why the application was being made. We fail to understand why the applicant herself did not have to submit in writing, as part of her application process, why she would like these variations. We note that Form 110 on Council’s website (Application for Development Approval) specifically calls for text that provides “*a comprehensive written submission which addresses issues relevant to the proposal that cannot be described on the plan*”. If this documentation was in fact submitted to Council, why were we not provided with copies of it? Why does the applicant not have to justify to all concerned why they would be expected to be allowed the concessions?

We do not believe that it is the role of an impartial Council representative to provide justification as to why the application is being lodged. We would request that the Builder / Applicant submit their arguments in writing for consideration by Council.

If the reasoning is solely based on the BAL 40 rating, it is our understanding that the WA Planning Tribunal look poorly on variations being allowed to mitigate BAL considerations to the detriment of others. In this instance, in our view the proposed variations will impact negatively on our ability to enjoy the privacy we expected when we originally purchased the

(Appendix ORD: 12.1B)

block when we build here, and on the value and saleability of the block should we choose to sell it.

- Further to the above, the proposal is for a two-storey home, and in the elevation drawing there is no evidence of shielding on the balcony to prevent overlooking. The applicant appears to make no effort to ensure our privacy or amenity are protected in their application.
- In relation to the BAL rating, we note that the advertised plans of the amended proposal quote a BAL rating of 40 for parts of the proposed structure, and a BAL 29 for the remainder. It is unclear to us as to how these ratings were arrived at by the BAL assessor and (in the absence of knowledge of the identity and qualifications of the assessor) the quality of the BAL assessment. From our understanding of AS3959 -2009, it appears that the applicant is attempting to use shielding to reduce the BAL for significant portions of the proposed residence, but the justification for this, especially for a two-storey building, is unclear to us.

Further, we suspect that the BAL assessment was limited to the extents of Lot 96 Alice Court, and has not considered the proximity of vegetation in the protected zone of the adjoining property. We request that Council provide us with the BAL assessment and details of the assessor who prepared the report for the proposed residence.

- Additionally, in relation to the proposed shed, even if this was given Development Approval, we fail to see how it would meet the requirements of the National Construction Code. Volume 2 of the NCC2016, Figure 3.7.1.4 addresses the protection of Class 1 buildings (houses) and Class 10A (sheds).

The application shows a standard colorbond shed with zero allotment setback. The boundary wall should have to achieve a Fire Resistance Level of 60/60/60, which is not evident in the application. Additionally, there should be a minimum of 1.8m between the shed and the house, and there is not. We are genuinely concerned that in this application there is blatant disregard for compliance with National Construction Code, which will then will require yet more concessions when a Building Licence is issued if they are to achieve the outcome they desire.

Why is the building company who is preparing these plans not advising the applicant of these issues? They are well known and all building licences issued are required to meet the NCC requirements

- On examination of the advertised plans for the amended proposal we note that the roof carpenter's note indicates that the roof is to be constructed in accordance to AS1684. However, the proposed roof pitch of 39 degrees is not in accordance with this standard, as it is too steep.
- In light of the above issues and large variations to the R-code being sought in the amended proposal, we require a professional assessment of the impact on our property at 98 Archer Court. **We therefore request that Council grant an extension on Council's determination on the applicant's amended proposal to allow us to obtain this assessment.**

(Appendix ORD: 12.1B)

- As a final note, we would like to voice our extreme disappointment in the process that Council has employed when dealing with this matter. It would appear that Council have abrogated their duty of enforcing the legislation, meekly accepting an ever-increasing set of major departures from the relevant codes and standards, and have placed the onus of attempting to enforce these well-established regulations upon us. We view this as unacceptable, and places us in the very uncomfortable position of either being at loggerheads with the adjacent landowner, and our future neighbour, or being strong-armed into accepting these extreme concessions to our own detriment.

We take particular exception to the wording of part of the advertising letter addressed to us by the Senior Planning Officer, dated 19th March 2019 which reads as follows:

When making a submission please be aware that your name and address details may be included in a Council report which is available to the public. Please also be aware that submissions may be subject to applications for access under the Freedom of Information Act 1992.

While this may be factual, it is not germane to an advertising letter that is intended to impartially advise surrounding landowners of the application and to seek comment. In our experience the inclusion of such a statement is highly irregular, and its presence in the Senior Planning Officer's letter may be construed as being intimidatory and prejudicial. We seek an explanation from Council as to why this statement was included in the letter directed to us.

Regards

Dr S.P and Mrs D.L. Rosenberg

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Bushfire Management Plan

(Development Application – New Dwelling)

Lot 96 (6) Alice Court, Millbridge

Shire of Dardanup

Job Number:	180816
Summit Job Number:	156201
Assessment Date:	4 October 2018
Report Date:	14 June 2019

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

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Ph: 08 6477 1144

Email: admin@bushfireprone.com.au



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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	BAL Report	3-Dec-18
1.1	Upgrade to a Simple BMP	10-Jan-19
1.2	Site Plan Updates	21-May-19
1.3	Site Plan Updates	13-Jun-19
1.4	Appendix 2 (Onsite Vegetation Management)	14-Jun-19

Co-author	Accreditation	Signature
Mick Whitelaw	BPAD Level 2 - No. 37265	
Mike Scott	BPAD Level 3 - No. 27795	

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.

Simple DA BMP Template v1.0

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Executive Summary

This Bushfire Management Plan (the Plan) has been prepared to accompany the development application (New Dwelling – Vacant Land) for Lot 96 (6) Alice Court, Millbridge in the Shire of Dardanup.

The development site of approximately 1316 m² is within a designated bushfire prone area and the Proposal requires the application of State Planning Policy No. 3.7: Planning in Bushfire Prone Areas (SPP 3.7). The assessed bushfire risk is manageable and will be achieved by the identified stakeholders implementing and maintaining the bushfire risk management measures that are presented in this Plan.

The development site is a vacant lot in a residential area surrounded by existing residential development and remnant bushland. The proposed development does not achieve compliance by ensuring future building work on the lot is in an area that will be subject to potential radiant heat from a bushfire not exceeding 29 kW/m² (i.e. a BAL rating of BAL-29 or less). Elements of the proposed building work are subject to a determined BAL 40 Rating. The lot layout and design are a legacy issue, being created prior to the enacting of the bushfire provisions.

The proposed single house can be defined as 'minor development' as the development site is >1100m² and therefore clause 6.7.1 of SPP 3.7 Planning in Bushfire Prone Areas applies. The proposed development is in a residential built-out area and it is constrained by the pre-existing lot layout and nearby existing land uses. The subject land is an existing lot in a residential area which has been development, that may or may not have been subject to consideration of bushfire threat in the past, and for which compliance with A1.1 and A2.1 of the Guidelines for Planning in Bushfire Prone Areas cannot be achieved.

1 The Proposal and Purpose of the Plan

1.1 Details

Proponent:	Summit South West
Site Address:	Lot 96 (6) Alice Court, Millbridge
Local Government:	Shire of Dardanup
Lot Area:	1316 m ²
Planning Stage:	Development Application
Development Type:	Construction of a Class 1 Building & associated 10a building
Overview of the Proposal:	New Dwelling on a Vacant Lot
For Submission to:	Shire of Dardanup

1.2 Existing Documentation Relevant to the Construction of this Plan

Relevant Documents		
Existing Documentation	Copy Provided by Client	Title
Site Plans (Summit SW)	Yes	Lot 96 (6) Alice Court, Millbridge SITE PLAN (Summit) - June 2019
BAL Report	Yes	180816 - Lot 96 (6) Alice Court, Millbridge (BAL)_v1.0
Email Correspondence between Summit SW & Shire of Dardanup	Yes	Bushfire Planning - Lot 96 (6) Alice Court, Millbridge - Bushfire Prone Query (1-11)

1.3 Minor Development Justification

The proposed development of land or land use cannot achieve full compliance with SPP 3.7 and cannot fully comply with the bushfire protection criteria contained in the Guidelines (including if the proposed site is subject to BAL-40 or BAL-FZ). ✓

The development can be assessed as 'Minor Development':

Because the planning application is for a class of development that is "a single house and/or an ancillary building on an existing lot of 1,100 m² or greater, in a predominantly residential built out area where typically the development will be constrained by pre-existing lot layout and nearby existing land uses." ✓

Supporting statements that justify why the proposed development should be supported as minor development by providing justification for the bushfire protection criteria that cannot be met and provide an assessment of the relative bushfire risks to the site and movement of persons from the site.

Provided Section 4.3 Minor Development – Supporting Statements

For land uses - identified as either 'Minor Development'



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 (Refer to Appendix 2)
Will off-site clearing of native vegetation be required?	No
Does this have the potential to trigger environmental impact/referral requirements under State and Federal environmental legislation?	Unaware

The bushfire assessment and management strategies contained in the BMP, assume that (if required) 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)	Yes	Yes
Modify the development location	Yes	Yes

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

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

AREA	LEGEND
[Symbol]	Phone Pits
[Symbol]	Water Conn.
[Symbol]	Top Pillar/Post
[Symbol]	Top Wall
[Symbol]	Top Retaining
[Symbol]	Top Fence



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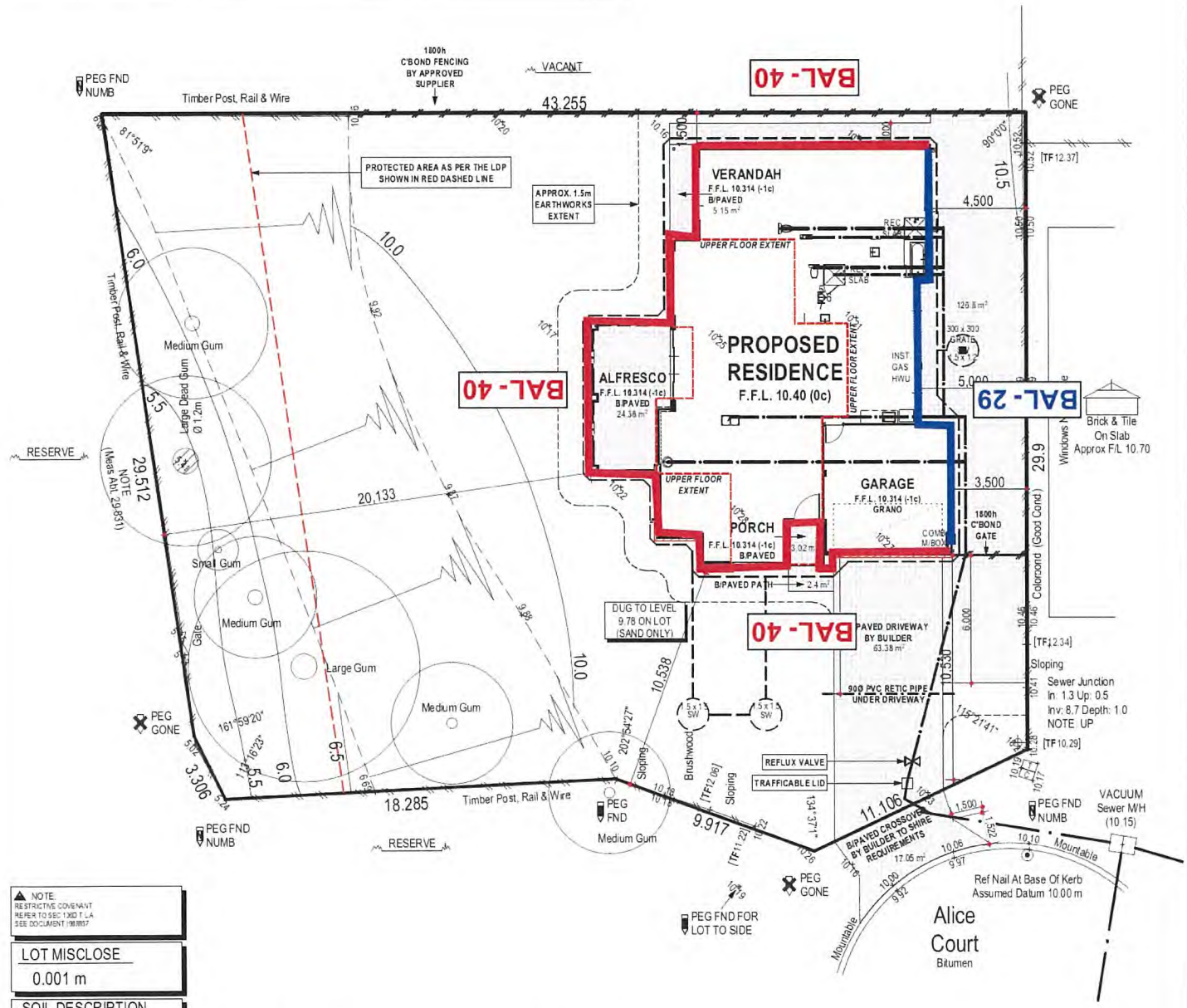
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LOT MISCLOSE
0.001 m

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Thick Grass Cover

Scale 1:200

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DISCLAIMER:
Survey does not include verification of cadastral boundaries. All features and levels shown are based on orientation to existing pegs and fences only which may not be on correct cadastral alignment. Any designs based or dependent on the location of existing features should have those features location verified in relation to the true boundary.

DISCLAIMER:
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BUILDER: _____
CLIENT(S): _____
WITNESS: _____

Tangent Nominees Pty Ltd (A.C.N. 008 865 585)
Trustee For Summit Homes Group Trust

SUMMIT HOMES GROUP

100 Blair Street, Bunnbury, W.A. 6230.
Telephone (08) 9722 0300 Fax (08) 9791 9813

PROPOSED RESIDENCE FOR:
UNKOVICH
ADDRESS
**LOT 96 ALICE COURT
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VARIATIONS:
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LAST OPENED:
Mon 25 Feb 2019

DATE: 23/11/18
DRN: RIC
CHD: -
SCALE: 1:200
© COPYRIGHT 2019

TIME: 10:38:45

SHEET 20 OF 20



SPECIAL - MILLSTREAM

JOB NO: 156201



Figure 1.1
Proposed Development

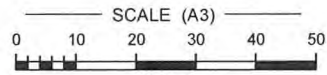
Lot 96 (6) Alice Court
Millbridge

LEGEND


-  Lot 96
-  Other Lots

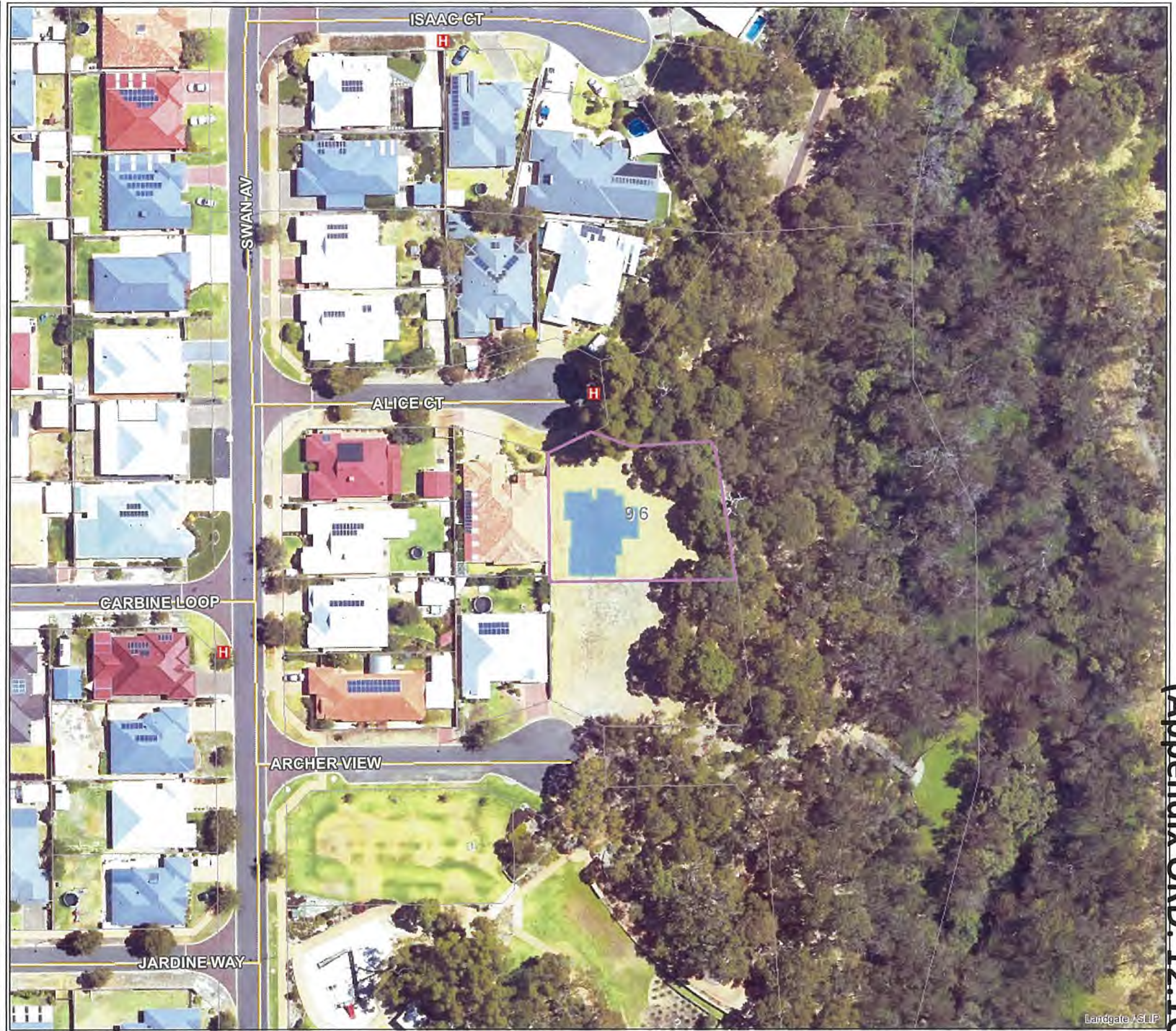
Buildings

-  Proposed Building (June 2019)
-  Existing Hydrant



Aerial Image: Landgate 2019

 Coordinate System: GDA 1994 MGA Zone 50
Projection: Universal Transverse Mercator
Map created on: 12/06/2019
Map compiled by: Mick Whiteleaw



Landgate /SLIP

Disclaimer and Limitation: This map has been prepared for bushfire management planning purposes only. All depicted areas, contours and any dimensions shown are subject to survey. Bushfire Prone Planning does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which may arise from relying on any information depicted.

(Appendix ORD: 12.1C)

3 Potential Bushfire Impact Assessment

3.1 Assessment Input

3.1.1 Fire Danger Index (FDI) Applied

Table 3.1: Applied FDI Value

Vegetation Area	FDI Value		Value Applied
	As per AS 3959 - 2009 Table 2.1	As per DFES for the Location	
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).

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.

Table 3.1.2: Vegetation identification and classification

All Vegetation Within 100 metres of the Proposed Development			
Vegetation Area	Identified Types (AS3959) or Description if 'Excluded'	Applied Classification	Effective Slope
1	Woodland (B-05)	Class B Woodland	0
2	Woodland (B-05)	Class B Woodland	7
3	Excluded – Managed Vegetation (Managed Grass/ Gardens/ Cleared Areas)	Excluded AS3959-2009 2.2.3.2 (e)(f)	-

Vegetation Area 1

Classification Applied: Class B Woodland

Assessment Comment: Open Eucalypt Woodland – Little to no understory



Photo ID: 1a



Photo ID: 1b

Vegetation Area 2

Classification Applied: Class B Woodland

Assessment Comment: Open Woodland (Eucalypt & Melaleuca) – Grass understory



Photo ID: 2a



Photo ID: 2b

Vegetation Area 2

Classification Applied: Class B Woodland

Assessment Comment: Open Woodland (Eucalypt) – Areas with Grass understory



Photo ID: 2c



Photo ID: 2d

Vegetation Area 3

Classification Applied: Excluded AS3959-2009 2.2.3.2 (f)

Assessment Comment: Excluded – Managed Vegetation (Managed Grass/ Gardens/ Cleared Areas)



Photo ID: 3a



Photo ID: 3b

Vegetation Area 3

Classification Applied: Excluded AS3959-2009 2.2.3.2 (f)

Assessment Comment: Excluded – Managed Vegetation (Managed Grass/ Gardens/ Cleared Areas)



Photo ID: 3c



Photo ID: 3d

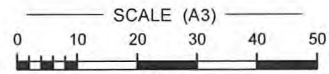
**This assessment is reliant on the surrounding land (Area 3) being maintained in a low fuel condition as per the Shires Firebreak Order, reflecting the state of the vegetation at the time of the assessment.*

Figure 2.1
**Topography &
 Classified Vegetation**

Lot 96 (6) Alice Court
 Millbridge

LEGEND

- Lot 96
- Other Lots
- Buildings**
- Proposed Building (June 2019)
- Area of Interest - 100m extent
- Existing Hydrant
- Photo Locations
- Classified Vegetation**
- Class (B) Woodland
- Managed - Min. Fuel



Aerial Image: Landgate 2019

Coordinate System: GDA 1994 MGA Zone 50
 Projection: Universal Transverse Mercator
 Map created on: 12/06/2019
 Map compiled by: Mick Whitlaw



Landgate / SLIP

Disclaimer and Limitation: This map has been prepared for bushfire management planning purposes only. All depicted areas, contours and any dimensions shown are subject to survey. Bushfire Prone Planning does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which may arise from relying on any information depicted.

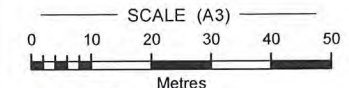
Figure 2.2

Asset Protection Zone (APZ)

Lot 96 (6) Alice Court
Millbridge

LEGEND

- Lot 96
- Other Lots
- Buildings
 - Proposed Building (June 2019)
 - Proposed Vegetation Modification
 - Asset Protection Zone
 - Existing Hydrant



Coordinate System: GDA 1994 MGA Zone 50
Projection: Universal Transverse Mercator
Map created on: 14/06/2019
Map compiled by: Mick Whitelaw

Disclaimer and Limitation: This map has been prepared for bushfire management planning purposes only. All depicted areas, contours and any dimensions shown are subject to survey. Bushfire Prone Planning does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which may arise from relying on any information depicted.



3.1.3 Vegetation Separation Distance

The vegetation separation distance is the horizontal distance from an existing building or planned building footprint to the start of an area of classified vegetation.

The separation distance can be:

- The actual distance – which will correspond to a single determined BAL rating. It can only be measured when the location of a building or building footprint is known

Actual measured vegetation separation distances are applied in this assessment and are presented in the tables below. ✓

Table 3.1.3: Measured separation distances applied to building.

Measured Separation Distances Applied			
Structure	Vegetation Area	Applied Vegetation Classification	Distance to the Classified Vegetation (m)
New Dwelling	1	Class B Woodland	10
	2	Class B Woodland	20

Establishing and Maintaining the Excluded Vegetation Areas

The onsite vegetation (Area 3 - Figure 2.1) - is proposed to be maintained in accordance with Asset Protection Zone standards (Figure 2.2 & Appendix 1). It is expected that in the future this vegetation will continue to be maintained in a Low threat state as per the AS 3959-2009 s2.2.3.2 requirements and the Shire Firebreak Order.



3.2 Assessment Output

Understanding the Bushfire Assessment Results - Application of Bushfire Attack Levels (BAL)

Building versus Planning Applications

In the building environment, a determined BAL rating is required (for the proposed construction) at the building application stage. This is to inform approval considerations and establish the construction standards that are to apply if approved. An indicative BAL rating is not acceptable for a building application. In the planning environment, assessing the ability of a proposed development site to achieve BAL-29 or less is the objective (as one of the bushfire protection criteria being assessed). The 'development site' is defined by the LPS Amendment Regulations 2015 as "that part of a lot on which a building that is the subject of development stands or is to be constructed".

3.2.1 Determined (BAL) Results Using Method 1

Table 3.2.1: Determined BAL's using AS 3959-2009 Method 1.

BAL - Analysis and Determination				
Relevant Fire Danger Index (AS3959-2009 Table 2.1)				80
BAL Determination Method		Method 1 (as per AS 3959-2009 s2.2.6 and Table 2.4.3)		
Vegetation Area	Applied Vegetation Classification	Effective Slope Under the Classified Vegetation (degrees)	Separation Distance to the Classified Vegetation (metres)	Bushfire Attack Level
1	Class B Woodland	0	10	BAL-40
2	Class B Woodland	7	20	BAL-40
3	Exclusion AS3959-2009 2.2.3.2 (f)	-	-	BAL-LOW
Determined Bushfire Attack Level				BAL-40

Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report.

Shielding Provisions – Reduction in construction requirements (AS 3959-2009 section 3.5)

If any elevation of the proposed building or works are not exposed to the source of bushfire attack, the construction requirements corresponding to one BAL rating lower than the determined BAL rating may be applied to those elevations (to a minimum of BAL-12.5). If applicable to this assessment, the relevant shielded elevations are identified on the Site Plan.

Do the shielding provisions apply to any elevation of the subject building?	Yes
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4 Assessment Against the Bushfire Protection Criteria (BPC)

4.1 Bushfire Protection Criteria - Assessment Summary

Summarised Outcome of the Assessment Against the Bushfire Protection Criteria (BPC)

Element	Basis for the Assessment of Achieving the Intent of the Element			
	Achieves compliance with the Element through meeting Acceptable Solutions		Achieves compliance with the Element by application of a Performance Based Solution	
	Meets all relevant acceptable solutions	One or more relevant Acceptable Solutions are not <u>fully</u> met. A <u>variation</u> of the solution is provided and justified.	One or more applicable Acceptable Solutions are not met. A solution is developed with the summary presented in this Plan in Section 5.5. The supporting document presenting Bushfire Prone Planning’s detailed methodology is submitted separately to the decision makers.	Minor or Unavoidable Development
Location	No			Minor Development
Siting and Design of Development	No			
Vehicular Access	✓			
Water	✓			

The subject Proposal has been assessed against:

1. The requirements established in Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas, WAPC 2017 v1.3 (the ‘Guidelines’). The detail, including technical construction requirements, are found at <https://www.planning.wa.gov.au/8194.aspx>.
2. Any endorsed variations to the Guideline’s acceptable solutions and associated technical requirements that have been established by the relevant local government.



4.2 Bushfire Protection Criteria – Acceptable Solutions Assessment Detail

4.2.1 Element 1: Location

Bushfire Protection Criteria Element 1: Location

Assessment Statements and Bushfire Protection Measures to be Applied

Intent: To ensure that strategic planning proposals, subdivision and development applications are located in areas with the least possible risk of bushfire to facilitate the protection of people, property and infrastructure.

Acceptable Solution:	A1.1: Development Location	Method of achieving Element compliance and/or the Intent of the Element:	The acceptable solution is not met. Assess as Minor Development.
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The development cannot achieve compliance as:

- Future building work on the lot cannot be located on an area that will be subject to potential radiant heat from a bushfire not exceeding 29 kW/m². BAL ratings of BAL-40 will apply and require the use of BAL-40 construction standards. Positioning, design and onsite vegetation removal/modification cannot create the required vegetation separation distances.
- The proposed single house can be defined as ‘minor development’ as the development site is >1100m² and therefore clause 6.7.1 of SPP 3.7 Planning in Bushfire Prone Areas applies.
- See “Section 4.3 – Minor Development Statements” for more detail.

4.2.2 Element 2: Siting and Design of Development

Bushfire Protection Criteria Element 2: Siting and Design of Development

Assessment Statements and Bushfire Protection Measures to be Applied

Intent: To ensure that the siting and design of development (note: not building/construction design) minimises the level of bushfire impact.

Acceptable Solution:	A2.1: Asset Protection Zone	Method of achieving Element compliance and/or the Intent of the Element:	The acceptable solution is not met. Assess as Minor Development.
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The development cannot achieve compliance as:

- An APZ of the minimum dimensions required to ensure future building work on the lot will be subject to potential radiant heat from a bushfire not exceeding 29 kW/m², cannot be established fully within the lot boundary; and
- The ability to extend the APZ onto adjoining lot/s has been assessed as not feasible
- See “Section 4.3 – Minor Development Statements” for more detail.
- This assessment is reliant on the surrounding land (Area 3) being maintained in a low fuel condition as per the Shires Firebreak Order, reflecting the state of the vegetation at the time of the assessment.



4.2.3 Element 3: Vehicular Access

Bushfire Protection Criteria Element 3: Vehicular Access
Assessment Statements and Bushfire Protection Measures to be Applied

Intent: To ensure that vehicular access serving a development is available and safe during a bushfire event.

Acceptable Solution:	A3.1: Two access routes	Method of achieving Element compliance and/or the Intent of the Element:	The acceptable solution is fully met.
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Alice Court is a cul-de-sac of approximately 75m in length. Alice Court links onto Swan Avenue which provides options for travel in two different directions.

Acceptable Solution:	A3.2 Public Road	Method of achieving Element compliance and/or the Intent of the Element:	The acceptable solution is fully met.
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The existing road network is constructed to the required standard.

Acceptable Solution:	A3.3 Cul-de-sacs (including a dead-end road)	Method of achieving Element compliance and/or the Intent of the Element:	The acceptable solution is fully met.
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Alice Court is a cul-de-sac of approximately 75m in length. Alice Court links onto Swan Avenue which provides options for travel in two different directions.

4.2.4 Element 4: Water

Bushfire Protection Criteria Element 4: Water
Assessment Statements and Bushfire Protection Measures to be Applied

Intent: To ensure water is available to the subdivision, development or land use to enable people, property and infrastructure to be defended from bushfire.

Acceptable Solution:	A4.1 Reticulated Areas	Method of achieving Element compliance and/or the Intent of the Element:	The acceptable solution is fully met.
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The site is provided with a reticulated water supply. A hydrant was located immediately adjacent to the site on Alice Court

4.3 Minor Development – Supporting Statements

SPP 3.7 Section 6.7.1 – Minor Development - Items to Address

Item (a)

“Where full compliance with the Bushfire Protection Criteria requirements cannot be achieved within the boundary of the development site, evidence must be provided demonstrating to the fullest extent possible how the criteria have been addressed and provide justification for those that have not been met.”

The development site is a vacant lot in a residential area surrounded by existing residential development and remnant bushland. The proposed development does not achieve compliance by ensuring future building work on the lot is in an area that will be subject to potential radiant heat from a bushfire not exceeding 29 kW/m² (i.e. a BAL rating of BAL-29 or less). Elements of the proposed building work are subject to a BAL 40 Rating. The lot layout and design are a legacy issue, being created prior to the enacting of the bushfire provisions. The proposed development is in a residential built-out area and it is constrained by the pre-existing lot layout and nearby existing land uses.

Item (b)

“Ensure that the bushfire hazard level is not increased and/or the ability to manage bushfire hazards on adjoining lands is not otherwise adversely affected.”

The proposed development is in a residential built-out area and is constrained by the pre-existing lot layout and nearby existing land uses. The proposed new residential dwelling does not increase the bushfire hazard level or the ability to manage bushfire hazards on adjoining lands.

Item (c)

“Ensure that the siting of the buildings within the boundary of the development site has been optimised to reduce bushfire impact.”

The siting of the building has been optimised to reduce bushfire impact. The design of the building is constrained by the pre-existing lot layout and nearby existing land uses.

Item (d)

“Give holistic consideration to existing emergency services in the area, existing road networks, water provision, existing places that could function as emergency evacuation centres in a bushfire event, the surrounding landscape, issues that may arise in the course of a bushfire both during and post event, and any contextual issues relevant to the application of bushfire risk management measures.”

Refer to Section 4.4

4.4 Bushfire Risk Analysis

Proposed Use and Occupants

Proposed Use: New Residential Dwelling

Potential Occupants: Adults/Youth/Children

Potential Occupant Issues: N/a

Special Health Considerations: N/a

Site Issues

Building Construction: New building to be constructed as per the determined BAL Rating (AS3959 -2009)

Is the building likely to be impacted by significant radiant heat? Yes

Is a defensible space available? Yes

Are the grounds maintained? Yes, APZ (onsite) will be installed and will be maintained

Access/egress – accessibility/choice:

Vehicle vs Pedestrian: Vehicle

Road Safety: Public Road access readily available

Road Network – Options: Two - way vehicle access/egress (Swan Avenue via Alice Court)

Are routes through bushfire prone vegetation: Implications, level of threat. No

Existing Fire Fighting Infrastructure

Emergency services: Eaton/ Australind Fire & Rescue Service – 5 km away

Water Supplies: Reticulated Water (emergency firefighting water available - Hydrants)

Evacuation Considerations

Destinations: Eaton Townsite (5 minutes)

Movement: private/other vehicles, community vehicle, pedestrian: Private Vehicles

Requirement for ambulance or other special transport: N/a

Shelter in the Building Considerations

Is the property maintained free of fuel and litter in gutters and around buildings? – N/a

Is the building constructed to minimise the impact of a bushfire and have an APZ constructed and maintained to the Standard? – Yes – the building will comply with AS3959 – 2009 (APZ to be installed onsite)

Is there access to an onsite refuge/amenity away from the direct threat of bushfire? Yes

Is their disabled access to shelter? Yes

Is sufficient supervision of occupants likely? No



5 Responsibilities for Implementation and Management of the Bushfire Protection Measures

This section sets out the responsibilities of landowners builders and local government in relation to the implementation and maintenance of the requirements of SPP 3.7 and the 'Guidelines'.

Table 5.1: BMP Implementation responsibilities prior to occupancy or building for the Landowner

LANDOWNER (DEVELOPER)	
No.	Implementation Actions
1	<p>The local government may condition a development application approval with a requirement for the landowner/proponent to register a notification onto the certificate of title (it may also need to be included on the deposited plan). This will be done pursuant to Section 70A Transfer of Land Act 1893 as amended ('Factors affecting use and enjoyment of land, notification on title:'). This is to give Notice of the bushfire hazard and any restrictions and/or protective measures required to be maintained at the owner's cost.</p> <p>This condition ensures that:</p> <ol style="list-style-type: none">1. Landowners/proponents are aware their lot is in a designated bushfire prone area and of their obligations to apply the stated bushfire risk management measures; and2. Potential purchasers are alerted to the Bushfire Management Plan so that future landowners/proponents can continue to apply the bushfire risk management measures that have been established in the Plan.
2	<p>Prior to occupancy, undertake onsite vegetation modification works in accordance with Figure 2.2 & Appendix 1 – Includes Parkland clearing, vegetation management and the installation of Asset Protection Zone within the Lot boundary.</p>
3	<p>Prior to any building work, inform the builder of the existence of this Bushfire Management Plan and the responsibilities it contains, regarding the required construction standards. This will be:</p> <ul style="list-style-type: none">• The standard corresponding to the determined BAL rating, as per the bushfire provisions of the Building Code of Australia (BCA);



Table 5.2: Ongoing management responsibilities for the Landowner/Occupier

LANDOWNER/OCCUPIER - ONGOING	
No.	Ongoing Management Actions
1	Comply with the Shire of Dardanup Firebreak Order issued under s33 of the Bush Fires Act 1954.
2	Maintain the onsite vegetation in accordance with Figure 2.2 & Appendix 1. Includes Parkland clearing, vegetation management and the installation of Asset Protection Zone.
3	Ensure all future buildings the landowner has responsibility for, are designed and constructed in full compliance with: <ol style="list-style-type: none">1. the requirements of the WA Building Act 2011 and the bushfire provisions of the Building Code of Australia (BCA)

Table 5.3: Ongoing management responsibilities for the Local Government

LOCAL GOVERNMENT - ONGOING	
No.	Ongoing Management Actions
1	Monitor landowner compliance with the Bushfire Management Plan and the annual Firebreak Order

Appendix 1 - Onsite Vegetation Management Technical Requirements

It is the responsibility of the landowner to maintain the established bushfire protection measures on their property. Not complying with these responsibilities can result in buildings being subject to a greater potential impact from bushfire than that determined by the assessed BAL rating presented in this Bushfire Management Plan.

For the management of vegetation within a lot (i.e. onsite) the following technical requirements exist:

1. **The APZ:** Installing and maintaining an asset protection zone (APZ) of the required dimensions to the standard established by the Guidelines for Planning in Bushfire Prone Areas (WA Planning Commission, as amended).
2. **The Firebreak/Fuel Load Notice:** Complying with the requirements established by the relevant local government's annual firebreak Notice issued under s33 of the Bushfires Act 1954. Note: If an APZ requirement is included in the Notice, the standards and dimensions may differ from the Guideline's APZ Standard – the larger dimension must be complied with.
3. **Changes to Vegetated/Non-Vegetated Areas:**
 - a. If applicable to this Plan, the minimum separation distance from any classified vegetation, that corresponds to the determined BAL for a proposed building, must be maintained as either a non-vegetated area or as low threat vegetation managed to a minimal fuel condition as per AS 3959-2009 s2.2.3.2 (e) and (f). Refer to Part 4 of this Appendix 1.
 - b. Must not alter the composition of onsite areas of classified vegetation (as assessed and presented in Section 3.1.2) to the extent that would require their classification to be changed to a higher bushfire threat classification (as per AS 3959-2009); and
 - c. Must not allow areas within a lot (i.e. onsite) that have been:
 - i. excluded from classification by being low threat vegetation or non-vegetated; and
 - ii. form part of the assessed separation distance that is determining a BAL rating -
...to become vegetated to the extent they no longer represent a low threat (refer to Part 4 of Appendix 1). Note: The vegetation classification exclusion specifications as established by AS 3959-2009 s2.2.3.2, are included at A1.4 below for reference.

1. Requirements Established by the Guidelines – the Asset Protection Zone (APZ) Standards

(Source: Guidelines for Planning in Bushfire Prone Areas - WAPC 2017 v1.3 Appendix 4, Element 2, Schedule 1 and Explanatory Note E2.1)

Defining the Asset Protection Zone (APZ)

Description: An APZ is an area surrounding a building that is managed to reduce the bushfire hazard to an acceptable level (by reducing fuel loads). The width of the required APZ varies with slope and vegetation. For planning applications, the minimum sized acceptable APZ is that which is of sufficient size to ensure the potential radiant heat impact of a fire does not exceed 29kW/m² (BAL-29). It will be site specific.

The APZ may include public roads, waterways, footpaths, buildings, rocky outcrops, golf courses, maintained parkland as well as cultivated gardens in an urban context, but does not include grassland or vegetation on a neighbouring rural lot, farmland, wetland reserves and unmanaged public reserves.

For subdivision planning, design elements and excluded/low threat vegetation adjacent to the lot can be utilised to achieve the required vegetation separation distances and therefore reduce the required dimensions of the APZ within the lot.

Defendable Space: The APZ includes a defendable space which is an area adjoining the asset within which firefighting operations can be undertaken to defend the structure. Vegetation within the defendable space should be kept at an absolute minimum and the area should be free from combustible items and obstructions. The width of the defendable space is dependent on the space which is available on the property, but as a minimum should be 3 metres.

Establishment: The APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity.

Note: Regardless of whether an Asset Protection Zone exists in accordance with the acceptable solutions and is appropriately maintained, fire fighters are not obliged to protect an asset if they think the separation distance between the dwelling and vegetation that can be involved in a bushfire, is unsafe.

Schedule 1: Standards for APZ

Fences: within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.

Objects: within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.

Fine Fuel Load: combustible dead vegetation matter less than 6 mm in thickness reduced to and maintained at an average of two tonnes per hectare (example below).

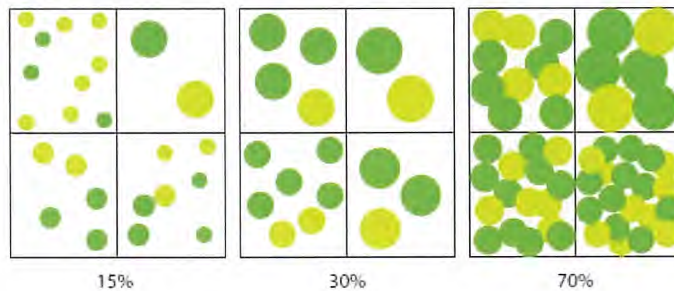
Example Fine Fuel Load of Two Tonnes per Hectare



(Image source: Shire of Augusta Margaret River’s Firebreak and Fuel Reduction Hazard Notice)

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

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



(Source: Guidelines for Planning in Bushfire Prone Areas 2017, Appendix 4)

Shrubs (0.5 metres to 5 metres in height): should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m² in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.

Ground covers (<0.5 metres in height): can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 mm in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.

Grass: should be managed to maintain a height of 100 mm or less.

The following example diagrams illustrate how the required dimensions of the APZ will be determined by the type and location of the vegetation.

Hazard on one side
APZ



Hazard on three sides
APZ



2. Requirements Established by the Local Government – the Firebreak Notice

These requirements are established by the relevant local government’s Firebreak Notice created under s33 of the Bushfires Act 1954 and issued annually (potentially with revisions). The Notice may include additional components directed at managing fuel loads, accessibility and general property management with respect to limiting potential bushfire impact.

The relevant local government’s current Firebreak Notice is available on their website, at their offices and is distributed as ratepayer’s information. It must be complied with.

If Asset Protection Zone technical requirements are defined in the Notice, the standards and dimensions may differ from the Guideline’s APZ Standards, with the intent to better satisfy local conditions. When these are more stringent than those created by the Guidelines, or less stringent and endorsed by the WAPC and DFES, they must be complied with.

When, due to the planning stage of the proposal to which this Bushfire Management Plan applies, defined APZ dimensions are known and are to be applied to existing or future buildings – then these dimensions are stated in Section 5.4.1 of this Plan.

3. Requirements Recommended by DFES – Property Protection Checklists

Further guidance regarding ongoing/lasting property protection (from potential bushfire impact) is presented in the publication ‘DFES – Fire Chat – Your Bushfire Protection Toolkit’. It is available from the Department of Fire and Emergency Services (DFES) website.

Appendix 2 - Onsite Vegetation Management – Asset Protection Zone

Proposed Onsite Vegetation Management (APZ Standards)

Assessment Comment: The onsite vegetation (Area 3 - Figure 2.1) – is proposed to be maintained in accordance with Asset Protection Zone standards (Appendix 1 & Figure 2.2). It is expected that in the future this vegetation will continue to be maintained in a Low threat state as per the AS 3959-2009 s2.2.3.2 requirements and the Shire Firebreak Order.



Photo ID: A



Photo ID: B

Proposed Onsite Vegetation Management (APZ Standards)

Assessment Comment: The onsite vegetation (Area 3 - Figure 2.1) - is proposed to be maintained in accordance with Asset Protection Zone standards (Appendix 1 & Figure 2.2). It is expected that in the future this vegetation will continue to be maintained in a Low threat state as per the AS 3959-2009 s2.2.3.2 requirements and the Shire Firebreak Order.



Photo ID: C



Photo ID: D

Proposed vegetation modification would follow the guidance provided in the Shire of Dardanup Firebreak Order and the Planning for Bushfire Guidelines (v1.3) for what constitutes an Asset Protection Zone. The objective would be to achieve a “Parkland Cleared” state focusing on the removal of the understory fuels with potential for minor tree removal (Saplings/ juveniles) to increase the canopy separation (As per the standards)



Shire of Dardanup

FIRE PREVENTION ORDER FIRST AND FINAL NOTICE

With reference to Section 33 of the Bush Fires Act 1954, you are required to carry out fire prevention work on land owned or occupied by you, in accordance with the provisions of this order.

This order is valid for the period 1 July – 30 June annually. Work must be completed by the **30 November** annually and maintained until the close of the **Restricted Burning Period**.

PLEASE READ THIS NOTICE CAREFULLY

If you do not fully understand this notice, please contact Emergency & Ranger Services during office hours on 9724 0000 or your local Fire Control Officer to discuss.

PERSONS WHO FAIL TO COMPLY WITH THE REQUIREMENTS OF THE ORDER MAY BE ISSUED WITH AN INFRINGEMENT NOTICE PENALTY (\$250.00) OR PROSECUTED WITH AN INCREASED PENALTY (MAXIMUM PENALTY \$5,000).

ADDITIONALLY THE SHIRE OF DARDANUP MAY CARRY OUT THE REQUIRED WORK AT COST TO THE OWNER/OCCUPIER.

RESTRICTED BURNING PERIOD

Burning Permits Required

1 November to 13 December
annually

PROHIBITED BURNING PERIOD

No Fires Permitted

14 December to 15 March
annually
(subject to extension)

RESTRICTED BURNING PERIOD

Burning Permits Required

16 March to 26 April
annually
(subject to extension)

RESIDENTIAL, INDUSTRIAL, DEVELOPMENT, RESTRICTED USE, MIXED BUSINESS AND COMMERCIAL ZONES*

• All flammable material/vegetation (except living trees) MUST be slashed or grazed to a height that does not exceed 50 millimetres and flammable material MUST be removed.

SMALL HOLDINGS ZONE*

• BARE EARTH firebreaks of 2 metres width and 4 metres in height must be maintained within and adjacent to the lot boundary and surrounding all haystacks.

• Fire hazards on properties must be slashed to a height of no more than 50 millimetres and flammable material MUST be removed from the property. Where slashing is not possible, material/vegetation must be burnt back or sprayed with suitable herbicide to prevent growth until the end of the restricted period.

• Burn piles are approved under the following conditions:

- a burn pile is to be no closer than 10 metres to any structure; and
- a 2 metre wide and 4m in height firebreak is to be placed around the perimeter of any burn pile.

• All wood piles during the restricted and prohibited burning period are to be stored securely away from the building.

GENERAL FARMING, RESTRICTED USE AND TOURIST ZONES*

• Irrigated land is defined as land that is watered, kept fully watered and is maintained in a non-flammable state for the whole of the restricted and prohibited burning periods.

• **Non Irrigated lots** – BARE EARTH firebreaks of 2 metres width and 4 metres in height must be maintained within and adjacent to the lot boundary where it adjoins a road and/or rail reserve.

• **Irrigated lots** – firebreaks are **NOT** required on that lot of land where the lot is being **actively and regularly irrigated throughout the restricted and prohibited burning periods.**

• Irrigation channels that are situated **WITHIN** and adjacent to a lot boundary will be accepted as a firebreak provided the irrigation channel is utilised in that channel throughout the **restricted and prohibited burning periods.**

• Burn piles are approved under the following conditions:

- a burn pile is to be no closer than 10 metres to any structure; and
- a 2 metre wide and 4m in height firebreak is to be placed around the perimeter of any burn pile.

• All wood piles during the restricted and prohibited burning period are to be stored securely away from the building.

PLANTATIONS

• BARE EARTH firebreaks of 15 metres width and 4 metres in height must be maintained within and adjacent to the perimeter of plantations with 6-10 metres wide internal firebreaks between compartments.

• Where power lines pass through plantation areas, firebreaks must be in accordance with Western Power specifications.

WHERE AND HOW TO OBTAIN BURNING PERMITS

Applications for burning permits are available from your local Bush Fire Control Officer at no cost.

Garden Refuse Urban Areas (town sites):

No garden refuse is permitted to be burnt on the ground, in the open air or in outdoor incinerator within the urban areas of Dardanup, Eaton and Burekup town sites at any time of the year unless a permit to burn has first been obtained from a Fire Control Officer for special circumstances such as a large block that needs hazard reduction.

All Other Areas in Shire of Dardanup:

Pursuant to section 24G(2) and section 25(1a) of the Bush Fires Act 1954, the burning of garden refuse and camp and cooking fires is prohibited in all areas within the Shire of Dardanup during the **Prohibited Burning Period**. Furthermore, pursuant to section 24G(2) the burning of garden refuse and camp and cooking fires are prohibited within the Shire of Dardanup during the **Restricted Burning Period** unless a permit to burn has first been obtained from a Fire Control Officer.

The local Bush Fire Control Officer will note the relevant conditions you must comply with on your burning permit.

You are advised that Burning Permits are automatically invalidated on days of "very high" "severe", "extreme" or "catastrophic" fire danger.

FIREBREAK VARIATIONS/EXEMPTIONS

If it is considered impractical for any reason to clear firebreaks or remove flammable materials from any land as required by this Order, you should make written application to the Shire of Dardanup no later than 30 September each year and include a plan of your land detailing your fire prevention measures to abate fire hazards on the land. The prescribed Firebreak Variation/Exemption Forms are available from the Shire of Dardanup offices. If your request for a variation/exemption is not granted, you must comply with the requirements of this Order.

For further information please call the Shire of Dardanup 9724 0000 or your local Fire Control Officer.

For all fire emergencies, please dial "000"

*Zones defined by the Shire of Dardanup Town Planning Scheme No.3.

(Appendix ORD: 12.1D)

HOLDROYD GDNS



ISAAC COURT



MILLARS CREEK RESERVE

ALICE COURT



LOT 96 (6) ALICE COURT

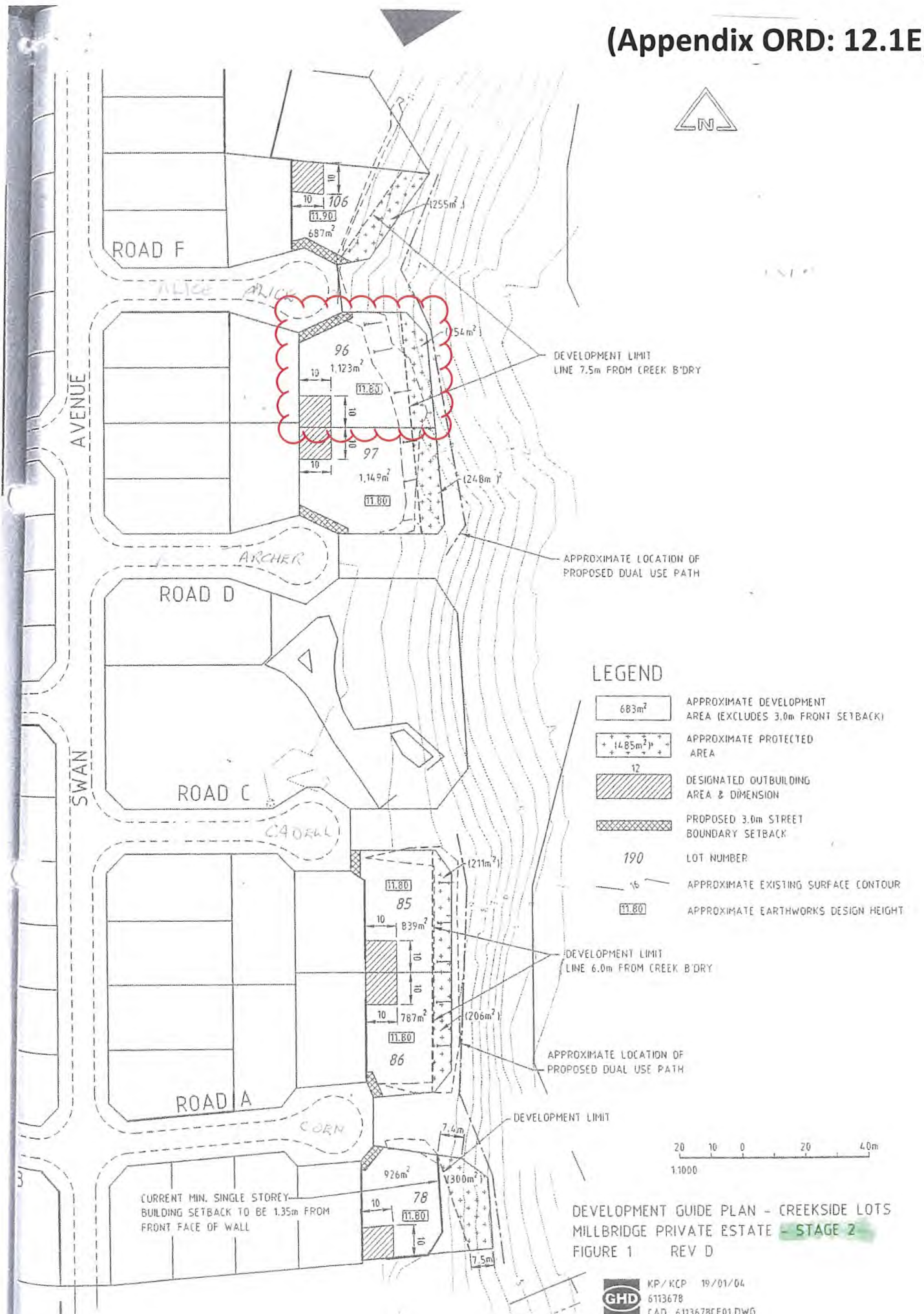
LOT 98 (5) ARCHER VIEW

ARCHER VIEW

COEN CLOSE



(Appendix ORD: 12.1E)



- LEGEND**
- 683m² APPROXIMATE DEVELOPMENT AREA (EXCLUDES 3.0m FRONT SETBACK)
 - + 1485m² + APPROXIMATE PROTECTED AREA
 - 12 DESIGNATED OUTBUILDING AREA & DIMENSION
 - 190 PROPOSED 3.0m STREET BOUNDARY SETBACK
 - 190 LOT NUMBER
 - APPROXIMATE EXISTING SURFACE CONTOUR
 - 11.80 APPROXIMATE EARTHWORKS DESIGN HEIGHT

DEVELOPMENT LIMIT LINE 6.0m FROM CREEK B'DRY

DEVELOPMENT LIMIT LINE 7.5m FROM CREEK B'DRY

DEVELOPMENT LIMIT

DEVELOPMENT GUIDE PLAN - CREEKSIDE LOTS
MILLBRIDGE PRIVATE ESTATE - **STAGE 2**
FIGURE 1 REV D

**Regional Road Group 5-Year Program
2020/2021 to 2024/2025**

LGA	Road Name	LGA Number	Road Number	SLK Start	SLK Finish	Work Description	Work Type**	Preservation***					Improvement / Expansion***				
								2020/21	2021/22	2022/23	2023/24	2024/25	2020/21	2021/22	2022/23	2023/24	2024/25
Shire of Dardanup	Pile Road	208	0022	0.05	16.78	Widen, reconstruct and seal.	I						500,000	500,000	500,000		
Shire of Dardanup	Eaton Drive	208	0202	2.97	4.25	Construct first and second carriageway.	I							500,000	500,000		
Shire of Dardanup	Eaton Drive	208	0202	0.40	1.70	Road and intersection modifications along Eaton Drive.	I						500,000	200,000	500,000		
Shire of Dardanup	Martin Pelusey Drive	208	0023		3.03	Survey and design, land matters, service relocations and traffic study. Widen, reconstruct and strengthen.	I								180,000	500,000	500,000
Shire of Dardanup	Harris Road	208	0002		2.00	Survey and design, land matters, service relocations and traffic study. Widen, reconstruct and strengthen.	I						500,000	500,000			
Shire of Dardanup	Ferguson Road	208	0001	14.89	19.93	Survey and design, land matters, service relocations. Widen, reconstruct and seal.	I						35,000	50,000	500,000	500,000	
Shire of Dardanup	Ferguson Road	208	0001	0.27	2.29	Reconstruct pavement and seal.	P					480,000					
Shire of Dardanup	Moore Road	208	0024	0.60	1.60	Reconstruct pavement and seal.	P	486,667									
Shire of Dardanup	Dardanup West Road* (subject to RRG approval)	208	0043		2.97	Widen, reconstruct and seal.	I							500,000	150,000		
Shire of Dardanup	Garvey Road* (subject to RRG approval)	208	0010		2.50	Widen, reconstruct and seal.	I									500,000	200,000

Financial Year Total RRG Pool Contribution																		
Financial Year Total LGA Contribution								486,667					480,000	1,535,000	2,250,000	2,330,000	1,500,000	700,000
Grand Total								730,000					720,000	2,302,500	3,375,000	3,495,000	2,250,000	1,050,000

Total Annual LGA Funding Request	2020/21	2021/22	2022/23	2023/24	2024/25
	2,302,500	4,105,000	3,495,000	2,250,000	1,770,000

Preservation as % of Total Program	17.78%				40.68%
Improvement/Expansion as % of Total Program	100.00%	82.22%	100.00%	100.00%	59.32%

**P Preservation
 **I Improvement
 *** Enter \$ amounts as RRG Pool Contribution
 Calculated Cells

Funding Agreement

between the

**DEPARTMENT OF FIRE AND EMERGENCY
SERVICES**

and

Shire of Dardanup

Natural Disaster Resilience Program 2018-19

Shire of Dardanup Alternative Power Supply in Emergencies

NDRP1819-34

Funding Agreement

Natural Disaster Resilience Program 2018-2019

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Funding Agreement – NDRP1819-34

Once completed, this document, together with each set of Grant Details and the General Grant Conditions (Schedule 1), forms an Agreement between the Department of Fire and Emergency Services and the Grantee.

Parties to this Agreement

The Grantee

Full legal name of Grantee	Shire of Dardanup
Legal entity type	Local Government Entity
Trading or business name	Shire of Dardanup
Any relevant licence, registration or provider number	N/A
Australian Business Number (ABN)	57 305 829 653
Registered office (physical/postal)	PO Box 7013, EATON WA 6232
Relevant business place (if different)	1 Council Drive, EATON WA 6232
Telephone	08 9724 0000
Email	records@dardanup.wa.gov.au

The Department of Fire and Emergency Services

Department of Fire and Emergency Services

Emergency Services Complex
20 Stockton Bend
Cockburn Central WA 6164

ABN: 39 563 851 304

Background

The Department of Fire and Emergency Services has agreed to enter this Agreement where DFES will provide the Grantee with one Grant for the purpose of assisting the Grantee to undertake the associated Activity.

The Grantee agrees to use each Scope of this Agreement

This Agreement comprises:

- (a) this document;
- (b) the Supplementary Terms (if any);
- (c) the General Grant Conditions (Schedule 1);
- (d) the Grant Details;
- (e) any other document referenced or incorporated in the Grant Details.

Each set of Grant Details, including Supplementary Terms (if any), only applies to the particular Grant and Activity covered by that set of Grant Details and a reference to the 'Agreement' in the Grant Details or the Supplementary Terms is a reference to the Agreement in relation to that particular Grant and Activity. If there is any ambiguity or inconsistency between the documents comprising this Agreement in relation to a Grant, the document appearing higher in the list will have precedence to the extent of the ambiguity or inconsistency.

This Agreement represents the Parties' entire agreement in relation to each Grant provided under it and the relevant Activity and supersedes all prior representations, communications, agreements, statements and understandings, whether oral or in writing.

Certain information contained in or provided under this Agreement may be used for public reporting purposes.

Grant Details – Shire of Dardanup Alternative Power Supply in Emergencies

A. Purpose of the Grant

The purpose of the Natural Disaster Resilience Program is to enhance Western Australian communities' resilience to natural disasters, to contribute towards safer, more sustainable communities that are better able to withstand the effects of natural disasters.

Projects must be working to achieve at least one of the seven priority outcome categories of the National Strategy for Disaster Resilience, including:

- Leading change and coordinating effort
- Understanding risk
- Communicating with and educating people about risks
- Partnering with those who effect change
- Empowering individuals and communities to exercise choice and take responsibility
- Reducing risks in the built environment
- Supporting capabilities for disaster resilience

Applications for funding must be requesting funds for projects that are evidence-based, with funding attributed to:

- projects that address risks identified in the State Emergency Management Committee (SEMC) State Risk Project (state, district or local level risks) and/or
- reducing capability gaps identified through the SEMC's emergency preparedness reporting process and/or
- resilience building projects informed by other objective, scientifically validated and documented analysis.

This Grant is being provided under, and these Grant Details form part of, the National Partnership Agreement on Natural Disaster Resilience between the Commonwealth and DFES (formally the SEMC Secretariat and the Office of Emergency Management), as outlined in WA's 2015-2018 Implementation Plan.

This Grant is being provided as part of the Natural Disaster Resilience Program.

B. Activity

Project Title

Shire of Dardanup Alternative Power Supply in Emergencies

Summary

The Shire of Dardanup seeks to enhance its own and the community's resilience and functionality in times of an emergency incident by providing a transportable, alternative power supply and modifying selected

buildings within the Shire to enable the alternative power supply to be used during extended electricity outages.

Electricity supply disruption was one of the Shire's hazards identified through the Shire's participation in the State Risk Project. The Shires buildings, as well as the majority of equipment within them, are run solely on electricity. If there was to be a disruption to the electricity supply, the operations and functions of many departments would be incapacitated or severely restricted. There would be no access to a vast number of records, communication and software programs to ensure business continuity.

The Eaton administration building also houses our primary data centre in terms of server and network infrastructure that all holds the corporate data, which is critical to all of the Shires operations. While we have an uninterruptible power supply (UPS), it only carries us for approximately 40 minutes before power is lost. This alternative power supply and building modifications will also enable the Shire offices to continue to operate as both the Emergency Coordination Centre (ECC), and source of information and leadership within our community in the event of a power outage during an emergency incident.

Strategic Priorities

This project will work towards achieving the following priority outcomes of the National Strategy for Disaster Resilience:

- Leading change and coordinating effort
- Understanding risk
- Supporting capabilities for disaster resilience

Outcomes

- To treat risks identified through the State Risk Project – Local Level
- To provide the operational capability for the Shire Administration Centre to function as the Emergency Operations Centre, as outlined in the Local Emergency Management and Recovery Arrangements, during an extended power outage in an emergency incident
- To strengthen the recovery and welfare centre operations of the Shire in times of emergency
- To have a flexible alternative power supply capable of being easily transported from one facility to another
- To provide enhanced support for community volunteers performing their roles in emergency incidents
- To continue to provide essential services, as outlined in the Business Continuity Plan, to the whole of the community during an extended power outage in an emergency incident

Project Outputs

- An independent and portable source of power

Key Performance Indicators

1. Project completed within budget
2. Project completed within agreed timeline
3. Proven functional capability of the project for its intended purpose
4. Ongoing testing and maintenance schedule developed and implemented
5. 80% success rate when testing reverting to back up power
6. Training of at least 3 staff members on operation of generator

C. Duration of the Activity

The Activity starts in July 2019 and ends in July 2020, the Completion Date.

Activity Schedule	
Milestone	Due Date
Obtain 3 quotes for the generator ATS switchboard and mains power connection to the Eaton Administration Building to allow for the connection to GENSET	31/08/2019
Obtain 3 quotes for the generator ATS switchboard and mains power connection to the Eaton Recreation Centre to allow for the connection to GENSET	31/08/2019
Obtain 3 quotes for 100 KVA GENSET	31/08/2019
Obtain 3 quotes for GENSET trailer	31/08/2019
Obtain 2 quotes for the supply and installation of concrete pad	31/08/2019
Obtain 2 quotes for the supply and installation of fencing	31/08/2019
Evaluate quotations and engage successful contractors to provide generator ATS switchboard and mains connection to the Eaton Administration Building	30/09/2019
Evaluate quotations and engage successful contractors to provide generator ATS switchboard and mains connection to the Eaton Recreation Centre	30/09/2019
Evaluate quotations and order 100 KVA GENSET	30/09/2019
Evaluate quotations and order GENSET trailer	30/09/2019
Evaluate quotations and engage contractor for the supply and installation of concrete pad	30/09/2019
Evaluate quotations and engage contractor for the supply and installation of fencing	30/09/2019
Install GENSET	30/11/2019
Purchase fire extinguisher	30/11/2019
Run emergency exercise to test the effectiveness of the GENSET during electricity supply disruption to the Eaton Administration Building	31/05/2020
Run emergency exercise to test the effectiveness of the GENSET during electricity supply disruption to the Eaton Recreation Centre	31/05/2020
Emergency Management Arrangements and Business Continuity Plan updated to reflect any recommended changes	31/05/2020
Final acquittal to DFES	31/07/2020

D. Payment of the Grant

The total amount of the Grant is \$44,250 (\$0 GST applied).

(Appendix ORD: 12.11)

The Grantee must ensure that the Grant is held in an account in the Grantee's name and which the Grantee controls, with an authorised deposit-taking institution authorised under the *Banking Act 1959* (Cth) to carry on banking business in Australia.

The Grant will be paid in two instalments by DFES upon completion of the agreed Milestones, and compliance by the Grantee with its obligations under this Agreement.

The first payment will be for 50% of the agreed grant with the final instalment to be no more than 50% of actual total project cost and is only payable upon delivery of the Project Outputs in a form and quality satisfactory to DFES.

Part	Criteria	Anticipated date	Amount (excl. GST)	GST	Total (incl. GST)
1.	<ul style="list-style-type: none">Milestones mutually agreedFunding Agreement signed and returnedSatisfactory evidence of project commencementMilestone 1 achievedTax invoice received	August 2019	\$ 22,125	\$ 0	\$ 22,125
2.	<ul style="list-style-type: none">Project completedMilestones, objectives and KPI's achievedFinal report submittedProject satisfactorily acquittedTax invoice received	July 2020	\$ 22,125	\$ 0	\$ 22,125
	Total Amount			\$ 0	\$ 44,250

Invoicing

Once approved, each payment will be made following submission by the Grantee of a correctly rendered invoice. The Grantee is to ensure that the invoice contains all bank account details into which the Grant is to be paid. The invoice must include the organisation's ABN, and the following reference:

NDRP1819-34 First / Final Claim

E. Reporting

Progress reports

The Grantee agrees to submit suitably certified progress reports in the form specified to DFES's representative within 15 days of the end of each quarter (or as requested) using the following schedule:

Reporting period	Report due
January to March	15 April
April to June	15 July
July to September	15 October
October to December	15 January

Progress reports will include:

- the progress of the project based on milestones, outputs and outcomes
- a statement of income and expenditure to date, certified by the Chief Executive Officer or nominated representative
- details of any possible variations requested
- promotional activities undertaken

- project specific deliverables achieved during reporting period (for example surveys, reports, evidentiary photos)

Final report

The Grantee will submit a final report upon delivery of the Project Outputs and completion of the project which must include:

- project outcomes and outputs and evaluation against key performance indicators
- a final statement of income and expenditure (exclusive of GST) signed by the Chief Executive Officer or accountable officer, detailing estimated and actual expenditure, and a record of all income and in-kind contributions
- evidence of acknowledgement including media and promotion

DFES has a right to request independently audited financial acquittal reports and will advise if this is the case.

F. Party representatives and address for notices

Grantee's representative and address

Grantee's representative name	Erin Hutchins
Position	Coordinator – Emergency and Ranger Services
Postal/physical address(es)	1 Council Drive, EATON WA 6232
Business hours telephone	08 9724 0346
E-mail	erin.hutchins@dardanup.wa.gov.au

DFES representative and address

Name of representative	Bec Pianta
Position	Grants Manager
Postal/physical address(es)	Emergency Services Complex, Stockton Bend COCKBURN CENTRAL WA 6164
Business hours telephone	08 9395 9512
E-mail	Bec.Pianta@DFES.wa.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Supplementary Terms

G1. Other Contributions

G1.1 'Other Contributions' means the financial or in-kind contributions other than the Grant set out below:

Contributor	Nature of Contribution	Amount (excl. GST)
Shire of Dardanup	Cash	35,000
Shire of Dardanup	In-kind	9,250
TOTAL		\$ 44,250

G1.2 The Grantee agrees to provide, or to ensure the provision of, the Other Contributions and to use them to undertake the Activity. If the Other Contributions are not provided in accordance with this clause, then DFES may:

- (a) suspend payment of the Grant until the Other Contributions are provided; or

(b) terminate this Agreement in accordance with clause 18 of the General Grant Conditions.

G2. Activity budget

G2.1 The Grantee agrees to use the Grant [and any Other Contributions] and undertake the Activity consistent with the following budget:

Expenditure Item	Total Cost
Generator ATS switchboard and mains connection to Eaton Administration Building	15,000
Generator ATS switchboard and mains connection to Eaton Recreation Centre	15,000
100 KVA GENSET supply and install	45,000
GENSET trailer	5,000
Oil and fuel	2,500
Concrete pad	2,000
Fencing	3,500
Fire extinguisher	500
TOTAL	\$ 88,500

G3. Record keeping

G3.1 The Grantee agrees to maintain the following records:

- (a) identify the receipt and expenditure of the Grant [and any Other Contributions] separately within the Grantee's accounts and records so that at all times the Grant is identifiable; and
- (b) keep financial accounts and records relating to the Activity so as to enable all receipts and payments related to the Activity to be identified and reported; and

G3.2 The Grantee agrees to maintain the records for five years after the Completion Date and provide copies of the records to DFES representative upon request.

G3.3 Term G3 survives the termination, cancellation or expiry of the Agreement.

G4. Audit

G4.1 If requested to do so, the Grantee agrees to provide DFES with independently audited financial acquittal reports verifying that the Grant was spent in accordance with this Agreement.

G4.2 Independently audited financial acquittal reports must be audited by:

- (a) a Registered Company Auditor under the *Corporations Act 2001* (Cth); or
- (b) a certified Practising Accountant; or
- (c) a member of the National Institute of Accountants; or
- (d) a member of the Institute of Chartered Accountants;

who is not a principal member, shareholder, officer or employee of the Grantee or a related body corporate.

G5. Access

Not Applicable

G6. Equipment and assets

Not Applicable

G7. Relevant qualifications or skills

G8.1 The Grantee agrees to ensure that personnel performing work in relation to the Activity are appropriately qualified to perform the tasks required.

G8. Activity specific legislation, policies and industry standards

G9.1 The Grantee agrees to comply with the requirements of the following legislation, policies and industry standards when undertaking the Activity:

- (a) A project risk assessment process using an internationally recognised standard (such as AS/NZS ISO 31000:2018)
- (b) *Building and Construction Industry (Improving Productivity) Act 2016*, including ensuring that builders are accredited under the Australian Government Building and Construction WHS Accreditation Scheme
- (c) *Code for the Tendering and Performance of Building Works 2016*, including compliance with the Building Code 2016

G9. DFES Material, facilities and assistance

Not Applicable

G10. Jurisdiction

G11.1 This Agreement is governed by the law of Western Australia.

G11. Grantee trustee of a Trust

Not Applicable

G12. Activity Material

G12.1 The Grantee agrees, on request from DFES, to provide DFES with a copy of any Activity Material in the format reasonably requested by DFES.

G12.2 The Grantee provides DFES a permanent, non-exclusive, irrevocable, royalty-free licence (including a right to sub licence) to use, reproduce, publish, and adapt the Activity Material.

G12.3 The Grantee warrants that the provision and use of Activity Material in accordance with the Agreement will not infringe any third party's Intellectual Property Rights.

G12.4 Term G12 survives the termination, cancellation or expiry of the Agreement.

Signatures

Executed as an agreement:

Department of Fire and Emergency Services:

Signed for and on behalf of the Department of Fire and Emergency Services, ABN: 39 563 851 304	
Name:	.....
Position:	.....
Signature:	.....
Date:	.....
Witness Name:	.....
Signature:	.....
Date:	.....

Grantee:

Shire of Dardanup	
Name:	.....
Position:	.....
Signature:	.....
Date:	.....
Witness Name:	.....
Signature:	.....
Date:	.....

1. Undertaking the Activity

The Grantee agrees to undertake the Activity in accordance with this Agreement.

2. Acknowledgements

The Grantee agrees to acknowledge the Commonwealth and DFES's support in Material published in connection with this Agreement and agrees to use any form of acknowledgment DFES reasonably specifies.

3. Notices

3.1 The Parties agree to notify the other Party of anything reasonably likely to affect the performance of the Activity or otherwise required under this Agreement.

3.2 A notice under this Agreement must be in writing, signed by the Party giving notice and addressed to the other Party's representative.

4. Relationship between the Parties

A Party is not by virtue of this Agreement the employee, agent or partner of the other Party and is not authorised to bind or represent the other Party.

5. Subcontracting

5.1 The Grantee remains responsible for compliance with this Agreement, including in relation to any tasks undertaken by subcontractors.

5.2 The Grantee agrees to make available to DFES the details of any of its subcontractors engaged to perform any tasks in relation to this Agreement upon request.

6. Conflict of interest

The Grantee agrees to notify DFES promptly of any actual, perceived or potential conflicts of interest which could affect its performance of this Agreement and agrees to take action to resolve the conflict.

7. Variation

This Agreement may be varied in writing only, signed by both Parties.

8. Payment of the Grant

8.1 DFES agrees to pay the Grant to the Grantee in accordance with the Grant Details.

8.2 DFES may by notice withhold payment of any amount of the Grant where it reasonably believes the Grantee has not complied with this Agreement or is unable to undertake the Activity.

8.3 A notice under clause 8.2 will contain the reasons for any payment being withheld and the steps the Grantee can take to address those reasons.

8.4 DFES will pay the withheld amount once the Grantee has satisfactorily addressed the reasons contained in a notice under clause 8.2.

9. Spending the Grant

9.1 The Grantee agrees to spend the Grant for the purpose of undertaking the Activity only.

9.2 The Grantee agrees to provide a statement signed by the Grantee verifying the Grant was spent in accordance with the Grant Details.

10. Repayment

10.1 If any of the Grant has been spent other than in accordance with this Agreement or any amount of the Grant is additional to the requirements of the Activity, the Grantee agrees to repay that amount to DFES unless agreed otherwise.

10.2 The amount to be repaid under clause 10.1 may be deducted by DFES from subsequent payments of the Grant.

11. Record keeping

The Grantee agrees to maintain records of the expenditure of the Grant.

12. Intellectual Property

12.1 Unless otherwise agreed between DFES and the Grantee in writing, title to and Intellectual Property Rights in Activity Material provided to DFES as part of the Grant Outputs will, upon payment, vest in State of Western Australia.

12.2 The Grantee must insert a copyright notice into the Grant Outputs in accordance with the form and instructions in Schedule 2. The Consultant must particularise Activity Material and Existing Material, as specified in the instructions in Schedule 2.

12.3 The Grantee must work with DFES (including signing all required documents) to ensure that the Intellectual Property Rights in all Activity Material are legally transferred, assigned and vested in the State of Western Australia.

12.4 The Grantee warrants that the supply of the Project Outputs by the Grantee to DFES under the Grant will not infringe the Intellectual Property Rights of any third-party.

12.5 The Grantee shall, when reproducing third-party intellectual property in the Project Outputs, use its best endeavours to source and prefer Existing Material from a third-party that is licensed under a Creative Commons Attribution Licence, or any other type of Creative Commons Licence, in that order. The Grantee must specify this third-party Existing Material in the Table of References in accordance with the instructions in Schedule 2.

12.6 To the extent that the Grantee will reproduce the State of Western Australia's and or the Grantee's Existing Material as part of the Project Outputs, both DFES (for and on behalf of the State of Western Australia) and or the Grantee shall supply, and each is taken to have supplied that material under a Creative Commons Attribution 4.0 Licence. The Grantee must specify this Existing Material in the Table of References in accordance with the instructions in Schedule 2.

13. Privacy

When dealing with Personal Information in carrying out the Activity, the Grantee agrees not to do anything which, if done by DFES, would be a breach of an Australian Privacy Principle.

14. Confidentiality

The Parties agree not to disclose each other's confidential information without prior written consent unless required or authorised by law or Parliament.

15. Insurance

The Grantee agrees to maintain adequate insurance for the duration of this Agreement and provide DFES with proof when requested.

16. Indemnities

16.1 The Grantee indemnifies DFES, its officers, employees and contractors against any claim, loss or damage arising in connection with the Activity.

16.2 The Grantee's obligation to indemnify DFES will reduce

General Grant Conditions

(Appendix ~~ORD~~ 12.11)

proportionally to the extent any act or omission involving fault on the part of DFES contributed to the claim, loss or damage.

17. Dispute resolution

17.1 The Parties agree not to initiate legal proceedings in relation to a dispute unless they have tried and failed to resolve the dispute by negotiation.

17.2 The Parties agree to continue to perform their respective obligations under this Agreement where a dispute exists.

17.3 The procedure for dispute resolution does not apply to action relating to termination or urgent litigation.

18. Termination for default

DFES may terminate this Agreement by notice where it reasonably believes the Grantee:

- (a) has breached this Agreement; or
- (b) has provided false or misleading statements in their application for the Grant; or
- (c) has become bankrupt or insolvent, entered into a scheme of arrangement with creditors, or come under any form of external administration.

19. Cancellation for convenience

19.1 DFES may cancel this Agreement by notice, due to:

- (a) a change in government policy; or
- (b) a Change in the Control of the Grantee, which DFES believes will negatively affect the Grantee's ability to comply with this Agreement.

19.2 The Grantee agrees on receipt of a notice of cancellation under clause 19.1 to:

- (a) stop the performance of the Grantee's obligations as specified in the notice; and
- (b) take all available steps to minimise loss resulting from that cancellation.

19.3 In the event of cancellation under clause 19.1, DFES will be liable only to:

- (a) pay any part of the Grant due and owing to the Grantee under this Agreement at the date of the notice; and
- (b) reimburse any reasonable expenses the Grantee unavoidably incurs that relate directly to the cancellation and are not covered by 19.3(a).

19.4 DFES liability to pay any amount under this clause is subject to:

- (a) the Grantee's compliance with this Agreement; and
- (b) the total amount of the Grant.

19.5 The Grantee will not be entitled to compensation for loss of prospective profits or benefits that would have been conferred on the Grantee.

20. Survival

Clauses 10, 12, 13, 14, 16, 20 and 21 survive termination, cancellation or expiry of this Agreement.

21. Definitions

In this Agreement, unless the contrary appears:

- **Activity** means the activities described in the Grant Details.
- **Activity Material** means any Material, created or developed by the Grantee as a result of the Activity, but

does not include Reporting Material.

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Department of Planning,
Lands and Heritage



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Western Australia.*

Draft Position Statement:

Fibre Ready Telecommunications Infrastructure

May 2019

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(Appendix ORD: 12.12A)

1. Policy intent

To clarify the relevant planning requirements for fibre ready facilities and telecommunications infrastructure consistent with *Model Subdivision Conditions Schedule*, particularly for subdivision and development applications where the Commonwealth *Telecommunications Act 1997* (Telecommunications Act) applies.

2. Telecommunications in Western Australia

The provision of fibre ready telecommunications infrastructure and access to the internet is important for increasing the connectivity and social mobility of communities, especially in a vast region such as Western Australia.

Access to the internet allows access to employment and job opportunities, access to social services, online education and health support, and social networks.

The implications of not having access to fibre ready telecommunications infrastructure could include additional delays and increased costs from retrofitting developments.

3. Application of this policy

This position statement applies to greenfield and infill subdivision and development applications of land for residential, commercial and industrial purposes.

The position statement does not apply where:

- the development is exempted by the Federal Minister for Communications by legislative instrument under the exemptions provisions in Part 20A of the Telecommunications Act.
- a development has met the requirements for an exemption in line with the *Telecommunications (Fibre ready facilities – Exempt Real Estate Development Projects) Instrument 2016* and published on the register maintained by the Department of Communications and the Arts.
- subdivision in a rural zone or equivalent if the Western Australian Planning Commission (WAPC) or relevant local government is satisfied that connection to fixed line telecommunications services is not warranted.
- the strata title of an existing building is already connected to telecommunications services.

- situations where there is no material 'on-the-ground' change, for example boundary realignments and amalgamations; and.
- infill residential development for single and grouped dwellings where the telecommunications infrastructure is already in place.

4. Policy objectives

New lots created as a result of subdivision under the *Planning and Development Act 2005* are to be provided with suitable telecommunications infrastructure in keeping with the Telecommunications Act.

Telecommunications infrastructure is to be addressed as follows:

1. Greenfields subdivisions are generally expected to be provided with fibre ready facilities to enable fixed line connections, that is, Fibre to the Premises (FTTP), Fibre to the Curb (FTTC), Fibre to the Node (FTTN).
2. Infill subdivision proposals are expected to demonstrate that telecommunication infrastructure is available to the proposed lots.
3. Multiple dwellings and apartments are generally required to be provided with fibre ready facilities.

For development approvals for multi-unit developments, it is recommended that the provision of fibre ready facilities be considered at the earliest possible stage in the planning and design process. This will prevent expensive retrofitting in the future.

In areas where fixed line services are not available or planned, telecommunication services may be possible at development stage through the use of fixed wireless or satellite services.

5. Policy measures

It is recommended the following conditions be applied at subdivision stage:

- Greenfields - Arrangements being made to the satisfaction of the local government and to the specification of a suitably qualified person for the provision of fibre ready facilities to enable future connection to a telecommunications service.
- Infill or rural/regional - Arrangements being made to the satisfaction of the local government and to the specification of a suitably qualified person for the provision of suitable telecommunications infrastructure.

Or alternatively, the following advice note:

- Applicants are reminded of their obligations under the Telecommunications Act 1997 to provide suitable telecommunications infrastructure to the proposed lot.

In considering development applications, no specific policy measures are identified in this Position Statement. These measures will be identified in future policy guidance with respect to the built environment and apartments.

6. Implementation

Carriers that install fibre have their own specifications for installing fibre ready facilities including pit and pipe, spaces and pathways. The Communications Alliance has published a guideline that may be referred to: *Fibre Ready Pit and Pipe Specification for Real Estate Development Projects Industry Guideline (G645:2011)*

Specifications may also be set on legislative instruments under the Telecommunications Act such as conditions specified under Part 20A of the Telecommunications Act, and technical specifications under Part 21 of the Telecommunications Act and/or applicable industry codes or industry standards (including those made by the Australian Communications and Media Authority).

Refer to Appendix 1 for diagrams of differing examples of subdivision.

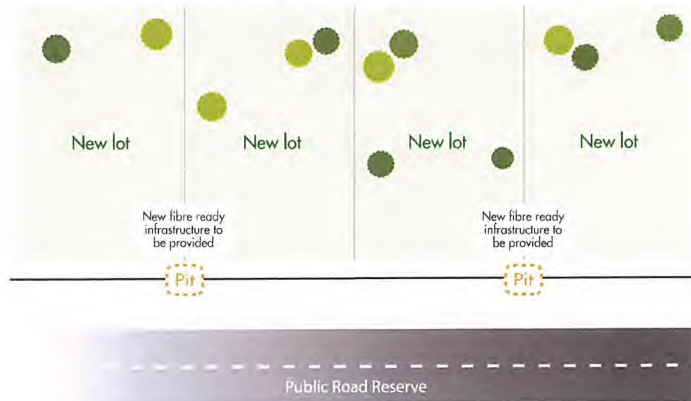
7. Definitions

- Fibre ready facility (for subdivision) – the provision of underground ducting or pit and pipe infrastructure or poles that are designed and installed close enough to all individual lots as to enable fibre to be ready for connection.
- Fibre ready facilities (for multiple dwellings and apartments) – the provision of pathway works to and within dwellings to enable fibre to be ready for connection.
- Telecommunications infrastructure – refers to any solution, including fibre, fixed wireless or satellite, that provides the capability to deliver a telecommunications services.
- Suitably qualified person – eligible for membership for the Institution of Engineers Australia

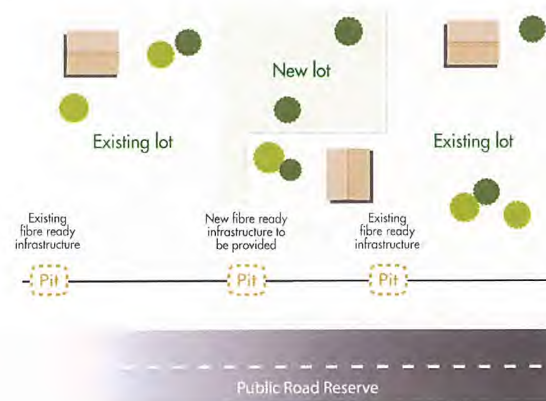
Appendix 1

Diagrams of differing examples of subdivision

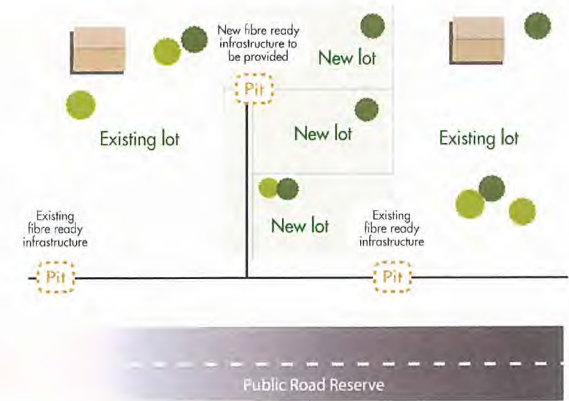
1. Example of a subdivision with no existing network that meets fibre ready requirements



2. Example of a Freehold or Survey-Strata subdivision



3. Example of a Survey-Strata subdivision with common property



For more detailed references please consult *Fibre-Ready Pit and Pipe Specification for Real Estate Development Projects Industry Guideline (G645:2017)*

Our Ref:

BS:db

☎: 9724 0349

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18 July 2019

Telecommunications Infrastructure
Department of Planning, Lands and Heritage
Locked Bag 2506
PERTH WA 6001

Attn: Ms Sam Fagan

Dear Ms Fagan

**RE: SUBMISSION ON THE DRAFT FIBRE READY TELECOMMUNICATIONS INFRASTRUCTURE
POSITION STATEMENT**

I refer to the call for submissions in regards to the draft Fibre Ready Telecommunications Infrastructure Position Statement, which closes on the 22 July 2019. The Shire of Dardanup hereby provides its submission in regards to the position statement.

The Shire of Dardanup wishes to acknowledge the work undertaken by the Department of Planning, Lands & Heritage in regards to the position statement. The Shire of Dardanup are supportive of the position statement and have strongly advocated for the provision of fibre telecommunications infrastructure in new developments particularly for the subdivision of the Wanju Urban Area.

In review and consideration of the draft position statement, the Shire provides the following comments as part of its submission of support.

The draft position statement outlines that carriers that install fibre have their own specifications for installing fibre ready facilities including pit and pipe, spaces and pathways. The position statement also refers to guidelines published by the Communications Alliance that may be referred to, and there may be specifications set on legislative instruments under the Telecommunications Act in regards to the installation of fibre facilities.

Additionally, the position statement recommends the introduction of subdivision conditions which require arrangements being made to the satisfaction of Local Government and to the specification of a suitably qualified person for the provision of suitable telecommunications infrastructure.

Given the position statement identifies that carriers may have varying requirements and specifications for the installation of fibre facilities, the Shire holds concern regarding local

government being identified as the clearing agency for the telecommunications facilities condition of subdivision. Due to each fibre carrier potentially having different specifications for the installation of fibre facilities, it could lead to local government being liable for any additional works required if the facilities installed and cleared as part of the subdivision process does not meet a particular carrier's specifications and standards. This poses a substantial financial risk to local government should it remain the clearing agency for this condition. In the opinion of the Shire, the most appropriate clearing agency for the telecommunications conditions should be the Western Australian Planning Commission and to the specifications of the NBN Co.

In regards, to the above the Shire propose the following modifications to the recommended conditions of subdivision approval:

For Greenfields subdivision - Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of the NBN Co. for the provision of fibre ready facilities to enable future connection to a telecommunications service.

For Infill or rural/regional subdivision - Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of the NBN Co. for the provision of suitable telecommunications infrastructure.

In conclusion, the Shire of Dardanup wishes to emphasise its support for the draft position statement and trust that the comments provided in this submission will be considered through the consultation process.

Should you wish to discuss or clarify any of the matters above, please do not hesitate to contact Manager Development Services Mr Brenton Scambler by telephone on 97240349 or email on brenton.scambler@dardanup.wa.gov.au.

Yours sincerely

MR ANDRÉ SCHÖNFELDT
Chief Executive Officer