

Job Ref: 8654
8 March 2019

Chief Executive Officer
City of Kalamunda
PO Box 42
KALAMUNDA WA 6926

Attention: Mr Chris Lodge – Senior Planning Officer

Dear Sir

Scheme Amendment No. 94

**Lot 112 (No. 280) Holmes Road and Lot 14 (No. 323) Hawtin Road,
Forrestfield**

Rowe Group acts on behalf the landowners of Lot 112 (No. 280) Holmes Road and Lot 14 (No. 323) Hawtin Road, Forrestfield ('the subject site') in relation to Scheme Amendment No. 94 to the City of Kalamunda Local Planning Scheme No. 3 ('LPS 3').

Scheme Amendment No. 94 was to be considered by Council at its Development and Asset Services Committee Meeting of 4 September 2017 and Ordinary Council Meeting of 26 September 2017. However, at our request, the matter was withdrawn to allow a subdivision application to be lodged with the Western Australian Planning Commission ('WAPC') seeking approval for the amalgamation of Lot 112 and Lot 14. The WAPC issued the subdivision approval in December 2018.

As the WAPC has now issued the subdivision approval, we request that the City of Kalamunda ('the City') recommence Scheme Amendment No. 94 and put forward a recommendation to Council.

In order to progress this matter, we attach the following:

- Five (5) copies of this request;
- Various figures, including regional and local locations and site plan; and
- Advice from a Bushfire Consultant.

Description of Subject Site

The subject site is located in the City of Kalamunda, approximately 16km east of the Perth Central Business District. Refer Figure 1 – Regional Location.



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The subject site is situated in Forrestfield and is bound by Holmes Road to the east and rural properties to the north, south and west. Holmes Road is a sealed, gazetted road. Refer Figure 2 – Local Location.

Cadastral Information

The subject site comprises two (2) land parcels, being:

- Lot 112 on Diagram 44806 Certificate of Title Volume 1378 Folio 385; and
- Lot 14 on Diagram 25434 Certificate of Title Volume 1526 Folio 935.

Refer Attachment One – Certificates of Title.

The subject site has a land area of approximately 6.56ha with a frontage to Holmes Road of approximately 210.84m and Hawtin Road of approximately 11.00m. Refer Figure 3 – Site Plan.

There are two (2) water/drainage/sewer easements registered on Title over Lot 112; one (1) registered to the City of Kalamunda (Document Ref: A644839) and one (1) registered to the Water Authority of Western Australia (Document Ref: E754093). These easements relate to a sewerage pipe which runs parallel with the north-western lot boundary and a drainage easement over the southern portion of the site.

Existing Improvements

Lot 112 is occupied by seven (7) structures associated with the existing Greek Orthodox Church. The five (5) buildings located to the north-east portion of the site are associated with the Greek Orthodox Church services. A caretakers and monks dwelling are located at the south-west portion of the site. The structures at the western portion of the site are the monks dwelling and storage sheds.

Access to Lot 112 is available via an existing crossover the northern portion of the site. Internal vehicle movements are facilitated by a central access spine. Parking is available adjoining the existing buildings. The south-eastern portion of the site is vegetated.

Lot 14 is occupied by a single dwelling towards the northern portion. The southern portion is vegetated. Access to Lot 14 is available via an existing crossover from Hawtin Road.

Servicing

The subject site is serviced by sewer, water and power. Water is connected via an access point in the south-eastern portion of the subject site. Sewer is available via a sewer access chamber in the north-western portion of the subject site. Overhead powerlines run along Holmes Road.



Approved Amalgamation

The WAPC issued a subdivision approval for the amalgamation of the subject site into a single land parcel in December 2018. Refer Attachment Two – Subdivision Approval. Therefore, this Scheme Amendment request is made in relation to both properties that form the subject site.

Environmental Characteristics

Topography

The subject site slopes up from 57m AHD to the south-west to 65m AHD the north-east. The highest portion is located in the centre of the site. This ridge slopes down from 60m AHD at the centre to 55m AHD at the north-west and 55m AHD at the south-east of the site. A small stream (associated with Whistlepipe Gully) flows through the site from west to east.

There is a small ridge on the central section of Lot 14 at a height of approximately 64m AHD. This slopes down slightly to the north west and south east of the subject site.

Acid Sulphate Soils and Contaminated Sites

Based on the Department of Water and Environment Regulation ('DWER') mapping, the subject site is classified as having no known risk of Acid Sulphate Soils ('ASS') occurring within 3m of natural soil surface. The nearest land classified as having low to moderate risk of ASS occurring within 3m of the natural soil surface is located approximately 800m to the west of the site.

A search of the DWER Contaminated Sites Database has indicated that there are no known contaminated sites at the site.

Vegetation, Flora and Fauna

The south-western portion of the subject site is vegetated. A desktop analysis of the Landgate's Locate V5 Mapping System has concluded that no existing vegetation is known to be worthy of retention or as being significant.

Heritage

A search of the Department of Aboriginal Heritage Inquiry System, the State Heritage Office database (inHerit) and the Australian Heritage Database confirms that the subject site is not a State Registered Place (Heritage Place No. 10445).

The subject site is identified on the City's Municipal Heritage Inventory (Place No. 85 – Greek Orthodox Church). The City's Municipal Heritage Inventory states the following statement of significance:

The place has social value for the members of the community who attend the church.



This proposal to insert an 'Additional Use' over the subject site will not impact the heritage place and will ensure the existing Greek Orthodox Church (and the heritage place) is retained.

Description of Proposal

This request proposes to rezone the site to the 'Special Use' zone under LPS 3 and insert additional site specific development conditions into Schedule 4. Refer Figure 4 – Proposed Scheme Amendment.

The proposal seeks to include the following development conditions within Schedule 4 of LPS 3:

- (a) Land use permissibility shall be in accordance with the provisions of the "Special Rural" zone.
- (b) Within this zone the following uses are not permitted unless approval is granted by the Council ('A'):
 - 'Ancillary Dwelling';
 - 'Caretakers Dwelling';
 - 'Community Purpose';
 - 'Residential Building'; and
 - 'Place of Worship'.

Refer Attachment Three – Proposed Scheme Amendment.

The proposal will essentially retain a base zoning consistent with the existing 'Special Rural' zoning of the subject site by way of Condition (a) of Schedule 4 of the 'Special Use (SU 20)' zone. It should be noted that there are substantial olive grove and fruit orchards at the subject site which will help retain the rural character of the area.

The existing Greek Orthodox Church was approved at the subject site prior to LPS 3 being gazetted. As a result, the existing Greek Orthodox Church is a 'non-conforming use' under Clause 4.8 of LPS 3. This proposal will make the existing Greek Orthodox Church lawful (a use that is capable of approval) under the provisions of LPS 3 and will mean that any further development will not require assessment as a 'non-conforming use' under Clause 4.8 of LPS 3.

Whilst inserting 'Place of Worship' as a discretionary use within the 'Special Use' zone will address the 'non-conforming use' issue detailed above, a number of other land uses are also proposed to be included within the 'Special Use' zone. These land uses are associated with the activities regularly undertaken by the Church and form part of the long term vision for the future use of the site.

The existing Greek Orthodox Church may, in the future, be expanded to include additional accommodation for monks, a new chapel and a library. There may also be the potential for functions relating to religious ceremonies to be held at the new facilities. Separate development applications will need to be submitted and considered by the City for any expansion of existing activities or for the establishment of new activities. To facilitate these land uses under the provisions of LPS 3, it is proposed that 'Ancillary Dwelling', 'Caretakers



Dwelling', 'Community Purpose' and 'Residential Building' be included as discretionary ('A') uses within the 'Special Use' zone.

LPS 3 defines 'Community Purpose' as follows:

community purpose means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.

The proposed library would provide educational and social facilities and services to the community. Therefore, the proposed library would be best described as 'Community Purpose' under the provisions of LPS 3.

LPS 3 refers to the R-Codes for a definition of 'Ancillary Dwelling'. It is noted that the definition of 'Ancillary Dwelling', as contained under the R-Codes, reads:

Self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house.

Based on the above definition, an 'Ancillary Dwelling' cannot be constructed at the site as long as a 'Single House' does not also exist at the site. To allow accommodation for monks at the site without the need to develop a 'Single House', it is proposed to insert 'Caretakers Dwelling' and 'Residential Building' as discretionary land uses within the 'Special Use' zone.

The Applicant and the landowner are willing to further discuss the proposed land uses and the correct designation of the land uses under LPS 3 further with the City of Kalamunda, if required.

Town Planning Considerations

Directions 2031 and Beyond

Directions 2031 and Beyond ('Directions 2031'), adopted by the Western Australian Planning Commission ('WAPC') in 2010, provides a high level spatial framework and strategic plan to guide the detailed planning and delivery of housing, infrastructure and services necessary to accommodate the anticipated population growth of the Metropolitan and Peel regions.

To support the implementation of Directions 2031 two sub-regional strategies were prepared; the Outer Metropolitan Perth and Peel Sub-Regional Strategy ('OMPPSRS'), and the Central Metropolitan Perth Sub-Regional Strategy. The subject site is situated within the OMPPSRS which refines the framework set under Directions 2031.

The OMPPSRS identifies the subject site in the north-east sub-region and as being 'Rural'. This Scheme Amendment proposal will not change the existing 'Rural' zoning under the Metropolitan Region Scheme ('MRS')



and will generally retain the existing 'Special Rural' zoning under LPS 3, with the inclusion of a number of additional discretionary land uses.

Perth and Peel @ 3.5 Million

The Perth and Peel @ 3.5 Million seeks to provide a framework for the development of the Perth and Peel regions as the population reaches an estimated 3.5 million by 2050. The document seeks to meet the targets identified under Directions 2031 and the State Planning Strategy 2050. The suite of documents include the overarching Perth and Peel @ 3.5 million report and four draft planning frameworks for the Central, North-West, North-East and South Metropolitan sub-regions.

The Perth and Peel @ 3.5 Million document identifies the subject site as 'Rural'. The Scheme Amendment proposal will not change the existing 'Rural' zoning under the Metropolitan Region Scheme ('MRS') and will retain generally retain the existing 'Special Rural' zoning under LPS 3, with the inclusion of a number of additional discretionary land uses.

North-East Metropolitan Sub-Regional Framework

Consistent with the Perth and Peel @ 3.5 Million, the North-East Metropolitan Sub-Regional Framework identifies the subject site as 'Rural'. Refer Figure 5 – Draft North-East Metropolitan Sub-Regional Framework.

The North-East Sub-Regional population is predicted to more than double by 2050, growing from 209,156 people on 2011 to over 450,500 by 2050. Therefore, it will be important to ensure services, such as those currently available at the subject site, be retained.

Draft Perth and Peel Green Growth Plan for 3.5 Million

In July 2011, the Western Australian Ministers for Planning and Environment and the Commonwealth Minister for the Environment agreed to undertake a Strategic Assessment of the Perth and Peel regions under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

This resulted in the preparation of the Draft Perth and Peel @ 3.5 Million which was released for public comment in May 2015. The Draft Perth and Peel Green Growth Plan for 3.5 Million ('Draft Green Growth Plan') has been prepared to assist in meeting the projected population growth of Perth and Peel as documented in the Draft Perth and Peel @ 3.5 Million.

The Draft Green Growth Plan seeks to secure approval under Part 10 of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 and deliver streamlined approvals processes under the Western Australian Environmental Protection Act 1986 for the following development actions or 'classes of action', including the following:

- Urban and Industrial Development;
- Rural Residential Development;



- Infrastructure Development;
- Basic Raw Materials Extraction; and
- Harvesting of Pine Plantations.

The Draft Green Growth Plan identifies the subject site as 'Rural Residential Development'. Therefore, this Amendment is consistent with the Draft Green Growth Plan as the base 'Rural' zone is generally retained.

Refer Figure 6 – Draft Green Growth Plan – Draft Classes of Action.

The Draft Green Growth Plan also identifies the western and southern portion of the subject site as having potential for important populations of threatened species and ecological communities. However, as previously discussed, the subject site does not contain any known significant or threatened flora, fauna or ecological communities.

Refer Figure 7 – Draft Green Growth Plan – Draft Commitments and Values.

Metropolitan Region Scheme

Under the provisions of the Metropolitan Region Scheme ('MRS') the subject site is zoned 'Rural'. Refer Figure 8 – MRS Zoning.

City of Kalamunda Local Planning Scheme No. 3

Under the provisions of LPS 3, the subject site is zoned 'Special Rural'. Refer Figure 9 – LPS 3 Zoning.

Subdivision and development at the subject site is required to be in accordance with the objectives of the 'Special Rural' zone contained under Clause 5.10 of LPS 3, the site requirements contained in Table 2 and any relevant Local Planning Policy.

The subject site is currently approved for use as 'Place of Worship', 'Caretakers Dwelling' and 'Ancillary Dwelling'. Table 1 of LPS 3 identifies 'Place of Worship' and 'Community Purpose' as 'X' (Prohibited) uses and 'Caretakers Dwelling' and 'Ancillary Dwelling' as 'D' uses (i.e. uses not permitted unless Council has granted planning approval) within the 'Special Rural' Zone.

Whilst the existing 'Place of Worship' land use is consistent with the provisions relating to 'non-conforming uses' under Clause 4.8 of LPS 3, a Scheme Amendment is required to provide greater certainty and longevity for the existing Greek Orthodox Church.

This proposal seeks to rezone the site to the 'Special Use' zone under LPS 3 and insert additional site specific development conditions into Schedule 4, as opposed to retaining the current 'Special Rural' zoning and adding 'Additional Uses' to the subject site under Schedule 2 of LPS 3, as was initially proposed in January of 2017.



This alternative was recommended by the City in March of 2017, as it was considered that the proposal meets Clause 5.16.1 of LPS 3, which outlines the provisions of the 'Special Use' zone. We also understand that the City is currently of the view that a re-zoning to 'Special Use' would be more consistent with the current operations of the subject site.

Given the proposed re-zoning to 'Special Use', the proposal is required to comply with Clause 5.16 of LPS 3.

Clause 5.16.1 of LPS 3 outlines the following provisions:

The intent of the Special Use zone is to allow the local government to make special provisions for a specific use or combination of uses on particular land where the provisions of the zoning table are not sufficiently sensitive or comprehensive to achieve the same objective.

The local government shall only make such special provision by the creation of a special use zone when it considers that the special provisions:

- (i) will satisfy a specific need(s) in the locality where the subject land is situated;*
- (ii) would enhance the amenity and the interest of the orderly and proper planning of the locality; and*
- (iii) would be specifically appropriate or desirable.*

The proposal is consistent with the above provisions for the following reasons:

- The proposal will not introduce new land uses to the subject site, but simply formalise those which are currently occupying the site;
- The non-conforming uses currently operating at the subject site provide a community need within the locality, through the provision of religious, educational and social services and facilities;
- The proposal will ensure the longevity of the uses currently occupying the subject site, including the associated olive grove, fruit orchards and landscaping, which contribute to the rural amenity of the area;
- The proposal is in the interest of the orderly and proper planning of the locality, as it aims to formalise non-conforming uses which have been operating at the site for up to 37 years;
- The current land uses have non-conforming use rights and are therefore considered appropriate on the subject site and within the locality; and
- Given no additional land uses are being proposed, the proposal is therefore specifically appropriate to the subject site and locality.

Clause 5.16.2 of LPS 3 outlines the following objectives:

The objectives of the zone are:

- (i) to make provision for a specific use or combination of uses on particular land where provisions of the Zoning Table would otherwise restrict this, or to prevent the establishment of a use or a combination of uses where the provisions of the Zoning Table would otherwise allow this;*



- (ii) to ensure that any use or development of land which is considered to have significant impact, takes place only after the amendment process has been undergone; and
- (iii) to allow for the inclusion of specific uses or combinations of uses on particular land with or without a base zoning (from the Zoning Table) of that land.

The proposal is consistent with the above objectives for the following reasons:

- The proposal aims to formalise a combination of non-conforming land uses in operation on the subject site, which are currently restricted by the provisions of the Zoning Table; and
- No additional uses or development are currently proposed on the subject site, as the proposal seeks only to formalise the existing uses.

Given the above, we are of the view that the proposed Scheme Amendment is consistent with the provisions and objectives of the 'Special Use' zone.

City of Kalamunda Local Planning Strategy

The City's Local Planning Strategy ('LPS') was adopted at a Special Council Meeting on 3 October 2011 and endorsed by the WAPC in February 2013.

The LPS states the following in relation to the 'Special Rural' Zone:

This zone provides for small rural lots to accommodate land use activities compatible with rural residential living. There are a number of special rural zoned lots located within the Hills orchard areas; however, the majority of the special rural zoned land is located in the Foothills providing a buffer between the urban areas of Wattle Grove, Forrestfield and Maida Vale and reserved land along the Darling Scarp. The Scheme recommends a minimum lot size of 1 ha where a reticulated water supply is available. Subdivision may be possible where the lots are larger than 2 ha but will require the Shire to prepare a subdivision guide plan and the sub divider to prepare a land capability analysis to ensure cohesive subdivision of larger undeveloped lots. Special rural areas are coming under increasing pressure from competing land use activities in the Foothills as the demand for additional urban land increases. Typically these areas are located in the Foothills localities of Maida Vale, Forrestfield and Wattle Grove with access to infrastructure and services in close proximity to Perth.

The proposed Scheme Amendment seeks to retain a base zoning of 'Special Rural' within the 'Special Use' zone. Therefore, future subdivision and development of the site would still be able to achieve the intent of the LPS.

State Planning Policies

State Planning Policy No. 1 – State Planning Framework Policy

The WAPC's State Planning Policy No. 1 – State Planning Framework Policy ('SPP 1') sets out the key principles relating to environment, community, economy, infrastructure and regional development. The main purpose of



SPP 1 is to provide a range of strategies and actions which support these principles and bring together all State and Regional policies and plans which apply to land use and development in Western Australia. Clause 5 of SPP 1 outlines the following relevant principles:

Community

- II. promoting a range of accessible community resources, including affordable housing, places of employment, open space, urban tree canopy, education, health, cultural and community services.*

Environment

- III. protecting areas and sites with significant historic, architectural, aesthetic, scientific and cultural values from inappropriate land use and development.*

The proposal will allow for the provision of important cultural and community services and facilities in an area that is expected to experience a significant amount of population growth. Therefore, the proposal is consistent with the above Community principle under Clause 5 of SPP 1.

Currently the existing use maintains 'non-conforming use' rights under Clause 4.8 of LPS 3. If the existing Greek Orthodox Church ceases operation for more than six (6) months (in accordance with Clause 4.10 of LPS 3), these 'non-conforming use' rights are lost. This could have implications on the heritage place listed on the City's Municipal Heritage Inventory. The proposal will ensure the longevity of the existing Greek Orthodox Church. Therefore, the proposal is consistent with the above Environment principle under Clause 5 of SPP 1.

State Planning Policy No. 2 – Environment and Natural Resources Policy

The WAPC's State Planning Policy No. 2 – Environment and Natural Resources Policy ('SPP 2') sets out the general measures that apply to all planning applications. SPP 2 sets out the following general measures that are relevant to the proposal:

- iv. Protect significant natural, indigenous and cultural features, including sites and features significant as habitats and for their floral, cultural, built, archaeological, ethnographic, geological, geomorphological, visual or wilderness values.*
- v. Take into account the potential for economic, environmental and social (including cultural) effects on natural resources.*
- xii. Take into account the potential for impacts from changes in climate and weather on human activities and cultural heritage including coastal and urban communities, natural systems and water resources.*

As previously discussed, the proposal will facilitate the continuation of a use that has operated from the subject site for 37 years. In addition, it will mean that a heritage place listed on the City's Municipal Heritage Inventory will not be subject to the 'non-conforming use' provisions contained under Clause 4.8 of LPS 3 (in the event that



a development application is proposed), which could have implications on the longevity of the existing Greek Orthodox Church.

It should be noted that the subject site does not contain any known significant flora, fauna or other natural assets. Therefore, the proposal is consistent with the relevant general measures of SPP 2.

State Planning Policy No. 2.4 – Basic Raw Materials

State Planning Policy No. 2.4 – Basic Raw Materials ('SPP 2.4') sets out the matters to be considered when assessing rezoning applications in the vicinity of identified basic raw materials resource areas.

The subject site is located within the 'Policy Area' for SPP 2.4. The nearest identified basic raw materials resource area is located approximately 6km to the south of the subject site. Therefore, the proposal will not have any impact on the nearest identified basic raw materials resource area.

State Planning Policy No. 2.5 – Rural Planning

The purpose of State Planning Policy No. 2.5 – Rural Planning ('SPP 2.5') is to protect and preserve WA's rural zoned land due to the importance of their economic, natural resource, food production, environmental and landscape values. SPP 2.5 applies to all land zoned 'Rural' in the MRS and a Local Planning Scheme (i.e. LPS 3).

The provisions of SPP 2.5 are required to be applied to Scheme Amendments that affect or relate to 'Rural' zoned land. Therefore, the provisions of SPP 2.5 apply to this proposal.

The following policy measures are relevant to this proposal:

5.1 Protection of Rural Land and Land Uses

The WAPC will seek to protect rural land as a State resource by:

- b) retaining land identified as priority agricultural land in a planning strategy or scheme for that purpose;*
- d) protecting land, resources and/or primary production activities through the State's land use planning framework;*

5.2 Rural land in the Perth and Peel planning regions

WAPC policy for rural land in the Perth and Peel planning regions is:

- d) priority agricultural land is to be preserved for that purpose due to its proximity to major population centres;*
- e) conversion of land from priority agriculture to other uses must be appropriately planned in strategies or schemes, where such conversion is required as a matter of State significance.*

6.3 Rural land in local planning schemes



When local planning schemes are prepared or reviewed, planning decision-makers shall:

- b) in rural zones, limit the introduction of land uses that may constrain existing or potential future rural land uses;*
- c) only categorise land uses as permissible in rural zones if they are consistent with the objectives of this policy and a local planning strategy;*

6.4 Zoning proposals affecting rural land

In contemplating zoning proposals or amendments to region or local planning schemes, planning decision-makers shall consider:

- a) the suitability of the site to be developed for the proposed use;*
- b) the siting of the zone/land use in the context of surrounding zones/land uses (existing and proposed);*
- c) the capacity of the site to accommodate the proposed zone/land use and associated impacts and:

 - i. only support proposals which are consistent with endorsed planning strategies, or in exceptional circumstances, where the proposal meets the objectives and intent of WAPC policy;*
 - iii. that the continuation of existing rural land uses are taken into account;**

The proposal is consistent with the above policy measures for the following reasons:

- The subject site is not identified as 'Agricultural Priority Management Area' by SPP 2.5. The nearest 'Agricultural Priority Management Area' is located approximately 3km to the east of the subject site;
- The proposal will not change the 'Rural' zoning of the subject site under the MRS or the underlying 'Special Rural' zoning under LPS 3, which is enforced through Condition (a) of the 'Special Use (SU20)' provisions. The subject Amendment seeks to include the existing "non-confirming" land uses as 'A' (discretionary) land uses at the subject site, therefore removing the 'non-confirming use' rights that currently apply to the subject site.
- The proposal does not prevent the subject site from being used for land uses that are permissible within the 'Special Rural' Zone under LPS 3;
- The proposal will allow for the provision of important cultural and community services and facilities in an area that is expected to experience a significant amount of population growth;
- The proposal will have minimal impact on the surrounding 'Special Rural' zoned land; and
- The proposal is consistent with the objectives of SPP 2.5 for the reasons listed above.

State Planning Policy No. 2.8 – Bushland Policy for the Perth Metropolitan Region

The WAPC's State Planning Policy No. 2.8 – Bushland Policy for the Perth Metropolitan Region ('SPP 2.8') seeks to protect significant bushland and Bush Forever sites within the Perth Metropolitan Region.

The subject site is not identified within a Bush Forever site under SPP 2.8 and therefore does not contain any known regionally significant vegetation.



State Planning Policy No. 3.5 – Historic Heritage Conservation

The WAPC's State Planning Policy No. 3.5 – Historic Heritage Conservation ('SPP 3.5') sets out principles of for the conservation and protection of Western Australia's historic heritage.

Clause 4 of SPP 3.5 states the following objectives:

- To conserve places and areas of historic heritage significance.
- To ensure that development does not adversely affect the significance of heritage places and areas.
- To ensure that heritage significance at both the State and local levels is given due weight in planning decision-making.
- To provide improved certainty to landowners and the community about the planning processes for heritage identification, conservation and protection.

As previously discussed, the existing use maintains 'non-conforming use' rights under Clause 4.8 of LPS 3. If the existing Greek Orthodox Church ceases operation for more than six (6) months, these 'non-conforming use' rights are lost. This could have implications on the heritage place listed on the City's Municipal Heritage Inventory. The proposal will ensure the longevity of the existing Greek Orthodox Church. Therefore, this proposal is consistent with the above objectives of SPP 3.5.

State Planning Policy No. 3.7 – Planning in Bushfire Prone Areas

The WAPC's State Planning Policy No. 3.7 – Planning in Bushfire Prone Areas ('SPP 3.7') provides the foundation for land use planning to address bushfire risk management in Western Australia.

To address the requirements of SPP 3.7 Green Start Consulting has been engaged to prepare a Bushfire Management Plan ('BMP'). Therefore, the proposal is consistent with the requirements of SPP 3.7.

Refer Attachment Four – Bushfire Management Plan (Scheme Amendment).

The BMP meets the intent of SPP 3.7, the Guidelines for Planning in Bushfire Prone Areas and any relevant provisions contained in the City's Local Planning Strategy and LPS 3 relating to bushfire risk management and the standard fire break orders for the locality.

As demonstrated in the BMP, the proposal is consistent with the bushfire protection criteria contained in the Guidelines for Planning in Bushfire Prone Areas.

The BMP recommends the following:

1. A notice is to be placed on title by the local government alerting future landowners to this BMP.
2. An asset protection zone is to be created and maintained in accordance with siting requirements of element 2 of the Guidelines for Planning in Bushfire Prone Areas.
3. Existing road network to be maintained in accordance with element 3 of the Guidelines for Planning in Bushfire Prone Areas.



4. Landowner to thoroughly read this BMP. If there are any items which require clarification it is recommended that they contact the author of this report.
5. Implementation and enforcement schedule to be actively adhered to.

Furthermore, a BMP was prepared in support of the subdivision application to amalgamate the subject site. The BMP demonstrates compliance with the requirements of SPP 3.7. Refer Attachment Five – Bushfire Management Plan (Subdivision Application).

On the basis of the above, the proposal is consistent with the policy measures and requirements of SPP 3.7.

Local Planning Policies

Flood and Stream Management Policy

The City's Flood and Stream Management Policy applies to land identified as 'Flood Stream Management Area' and attempts to prevent uncoordinated and unplanned land development which may affect creeks and drainage ways within the City. The subject site is not identified as 'Flood Stream Management Area'. However, there is a drainage easement over the southern portion of the subject site.

Any future development at the subject site may need to be assessed against the provisions of the City's Flood and Stream Management Policy.

Signage on Private Property Policy

The City's Signage on Private Property Policy applies to all proposed signage on private property.

Any future proposed signage at the subject site will need to be assessed against the relevant provisions of the City's Signage on Private Property Policy.

Places of Worship Policy

The City's Places of Worship Policy applies to all proposals seeking approval for a 'Place of Worship' land use. This includes development applications and scheme amendments.

Clause 5.9(c) of the City's Places of Worship Policy states the following in relation to scheme amendments:

The Scheme provides the ability for landowners to apply for additional uses. In many cases, in particular in Rural Zones, "Place of Worship" is an "X" land use which means that it is prohibited within that zone. LPS 3 provides an ability for an applicant to apply for a Local Planning Scheme Amendment for an Additional or Special Use which provides the City with the ability to assess the merits of that particular use.

An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.



Therefore, the proposal is contemplated by the City's Places of Worship Policy and should be considered.

In addition, the City's Places of Worship Policy contains site requirements that apply to development applications and scheme amendment requests that propose to create an additional use or special use. In this regard, it should be noted that in this instance, the proposal seeks to create an additional use for an existing place of worship operation at the subject site. The existing place of worship use was approved under a previous local planning scheme and this proposal will formalise its continued operation at the subject site, without the need to consider future applications as a non-conforming use under the relevant provisions of LPS 3. Therefore, we are of the view that the proposal should be supported by the City.

Conclusion

This Amendment request seeks to rezone the site to the 'Special Use' zone under LPS 3 and include the following development conditions within Schedule 4 of LPS 3:

- (a) Land use permissibility shall be in accordance with the provisions of the "Special Rural" zone.
- (b) Within this zone the following uses are not permitted unless approval is granted by the Council ('A'):
 - 'Ancillary Dwelling';
 - 'Caretakers Dwelling';
 - 'Community Purpose';
 - 'Residential Building'; and
 - 'Place of Worship'.

The Scheme Amendment is appropriate and justified for the following reasons:

- The subject site is identified as 'Rural' by the OMPPSRS, Perth and Peel @ 3.5 Million and North-East Metropolitan Sub-Regional Framework. This proposal will retain the existing 'Rural' base-zoning under the MRS and generally retain the underlying 'Special Rural' zoning of LPS 3;
- Future development and subdivision would still be able to achieve the intent of the LPS;
- The proposal is consistent with the relevant policy measures of SPP 1, SPP 2, SPP 2.5, SPP 3.5 and SPP 3.7;
- The proposal will not have any impact on the nearest identified basic raw materials resource area and therefore satisfies the requirements of SPP 2.4;
- The proposal will not impact on the surrounding area;
- The subject site is not identified within a Bush Forever site under SPP 2.8 and therefore does not contain any known regionally significant vegetation; and
- If the existing Greek Orthodox Church ceases operation for more than six (6) months, the 'non-conforming use' rights are lost. This could have implications on the heritage place listed on the City's Municipal Heritage Inventory. The proposal will ensure the longevity of the existing Greek Orthodox Church.



Should you require any further information or clarification in relation to this matter, please contact the undersigned on 9221 1991.

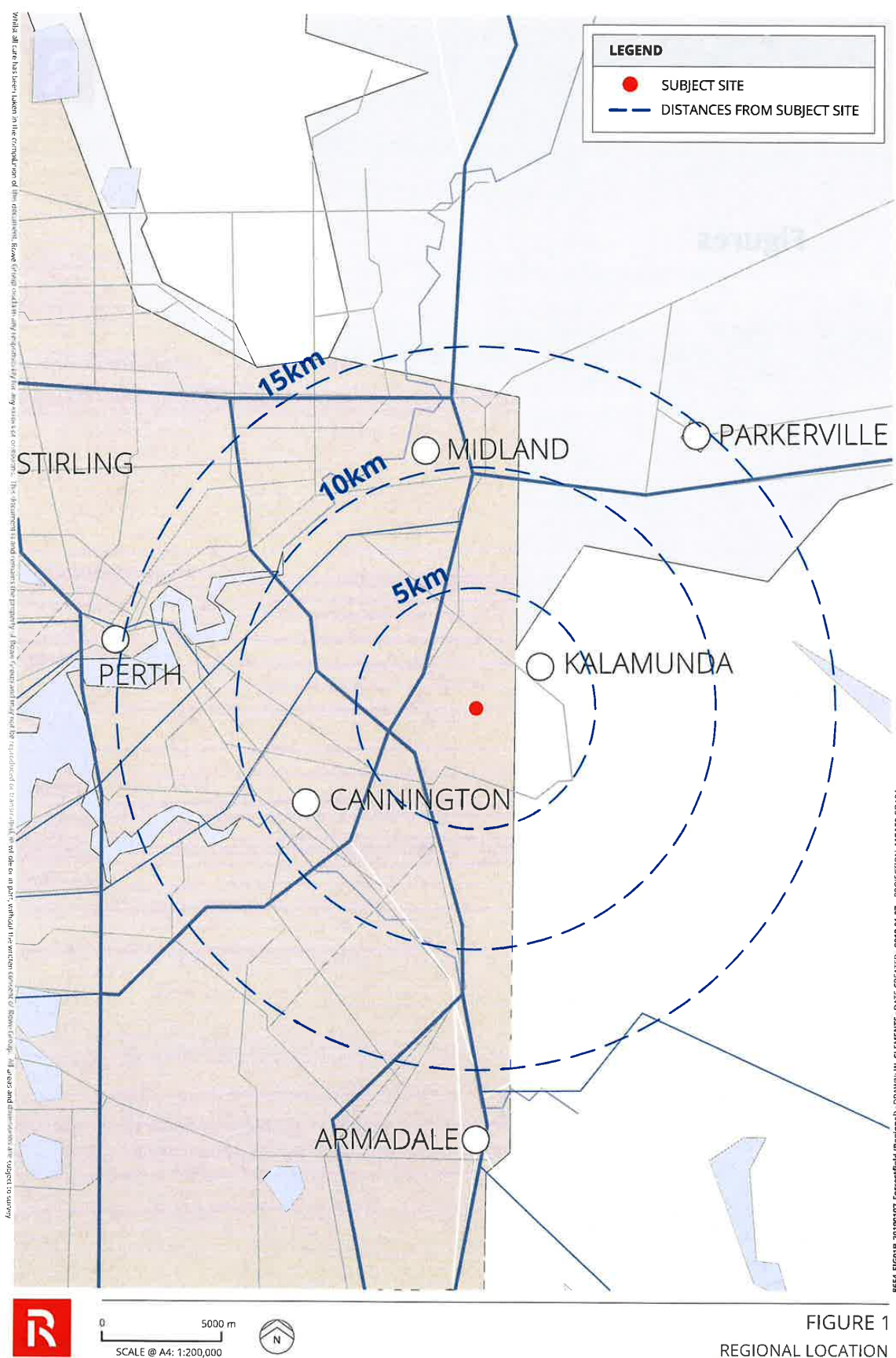
Yours faithfully,

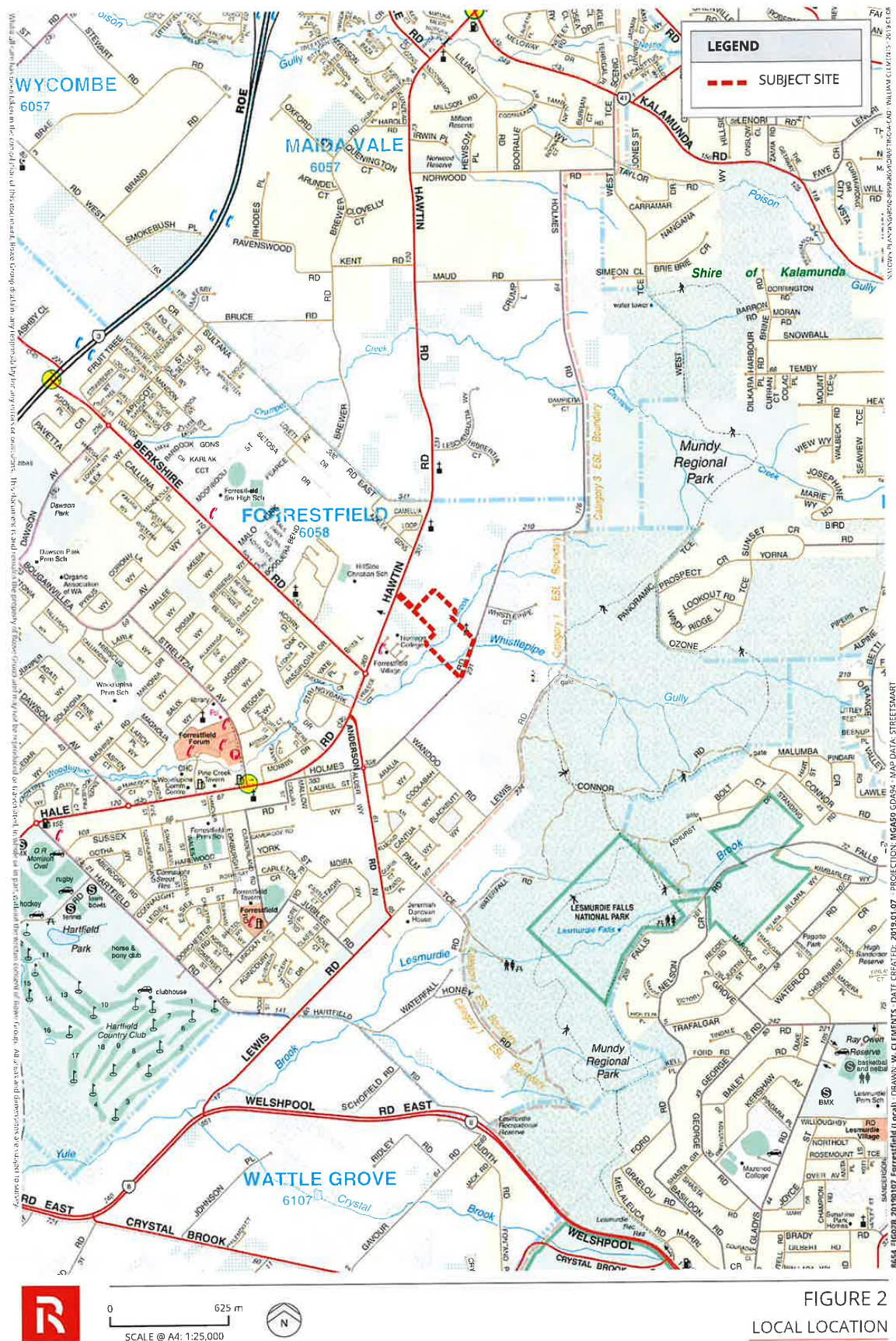


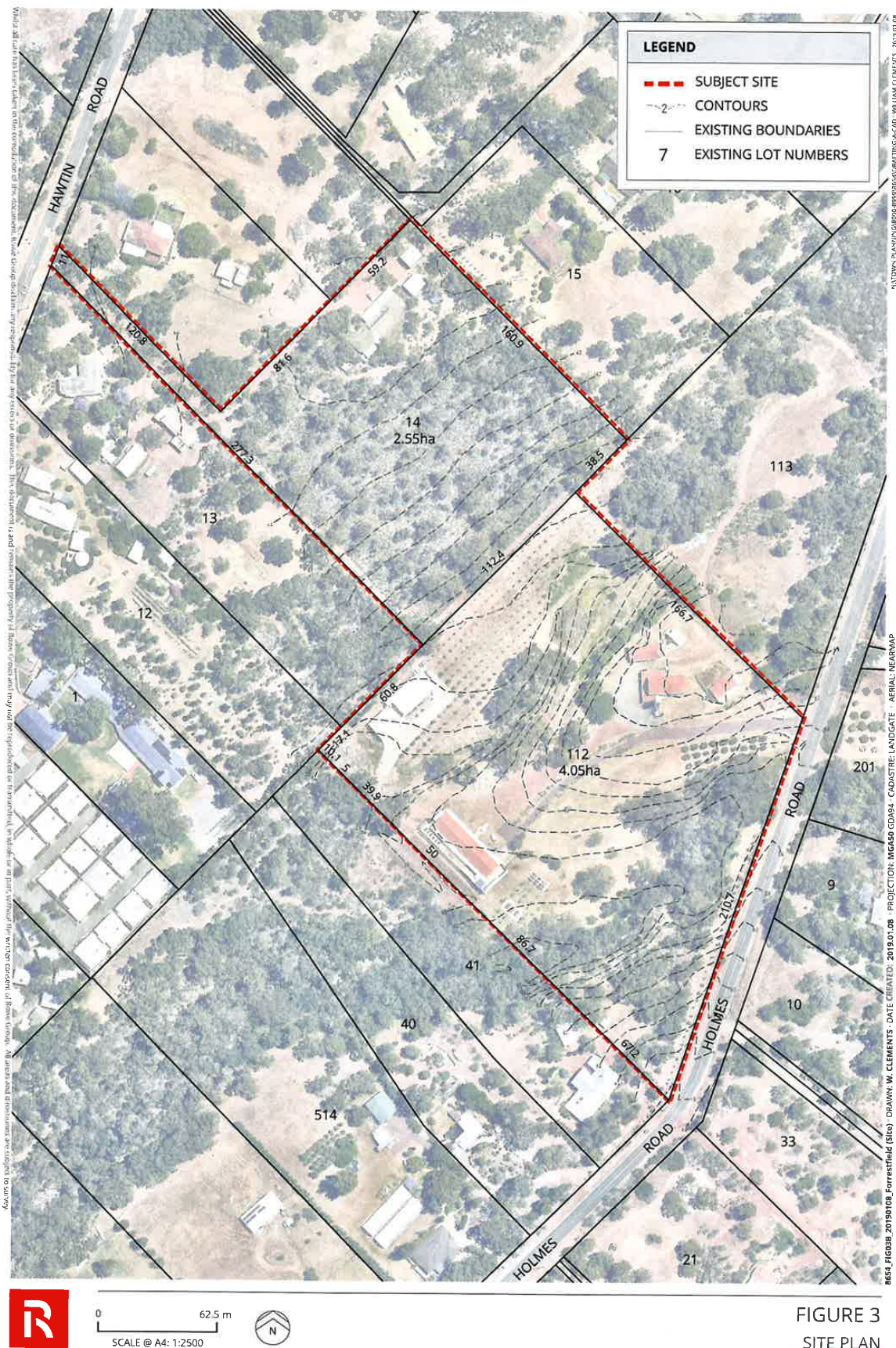
Nathan Stewart
Rowe Group



Figures







SHIRE OF KALAMUNDA TOWN PLANNING SCHEME No.3 AMENDMENT No. __



LEGEND
 --- SUBJECT SITE
 --- EXISTING BOUNDARIES
 7 LOT NUMBERS
ZONES
 SPECIAL RURAL
 DEVELOPMENT

ADOPTION/REFUSAL

ADOPTED by resolution of the Council of the Shire of Kalamunda at the Ordinary Meeting of the Council held on the ____th day of ____, 201__.

MAYOR

CHIEF EXECUTIVE OFFICER

EXISTING ZONING



LEGEND
 --- SUBJECT SITE
 --- EXISTING BOUNDARIES
 7 LOT NUMBERS
OTHER
 A53 ADDITIONAL USES

FINAL APPROVAL

1. FINAL ADOPTION BY COUNCIL

Adopted for Final Approval by Resolution of the Shire of Kalamunda at the ____ Meeting of Council held on the day of ____ The Common Seal of the Shire of Kalamunda was hereunto affixed by authority of a resolution of the Council in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

2. RECOMMENDED / SUBMITTED FOR FINAL APPROVAL:

DELEGATED UNDER S.16 OF PD ACT 2005

DATE: _____

3. FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

DATE: _____

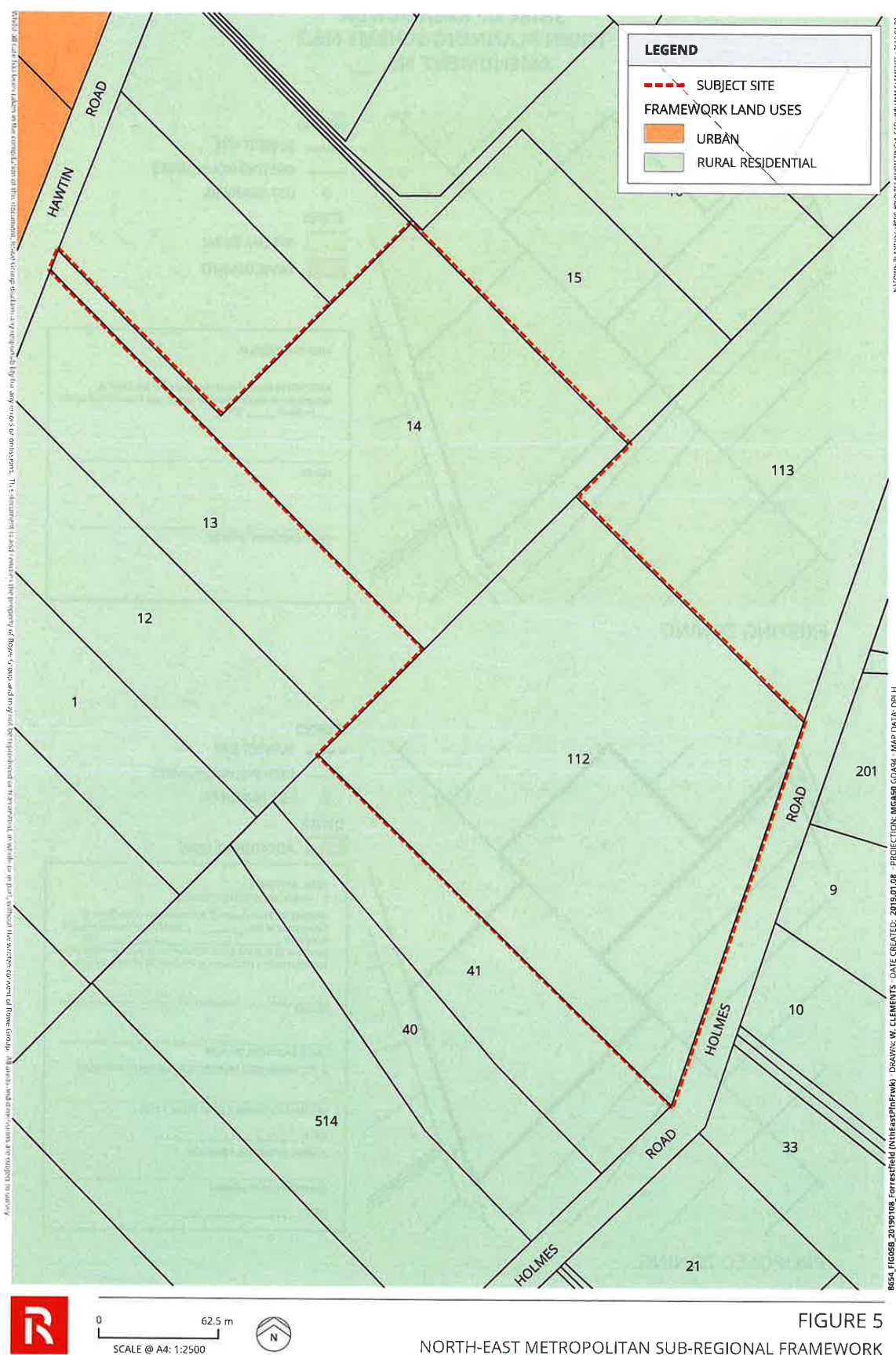
PROPOSED ZONING

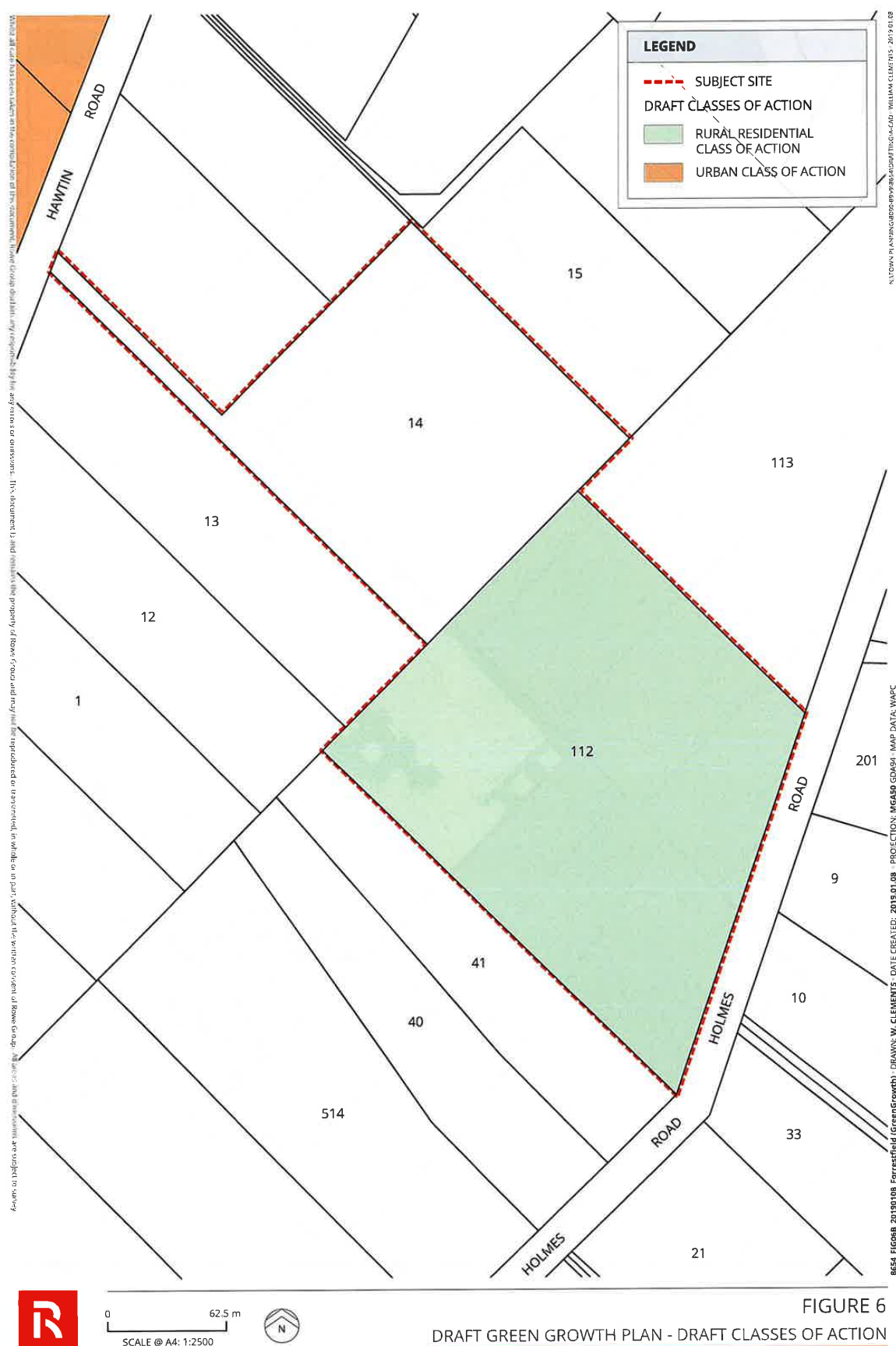


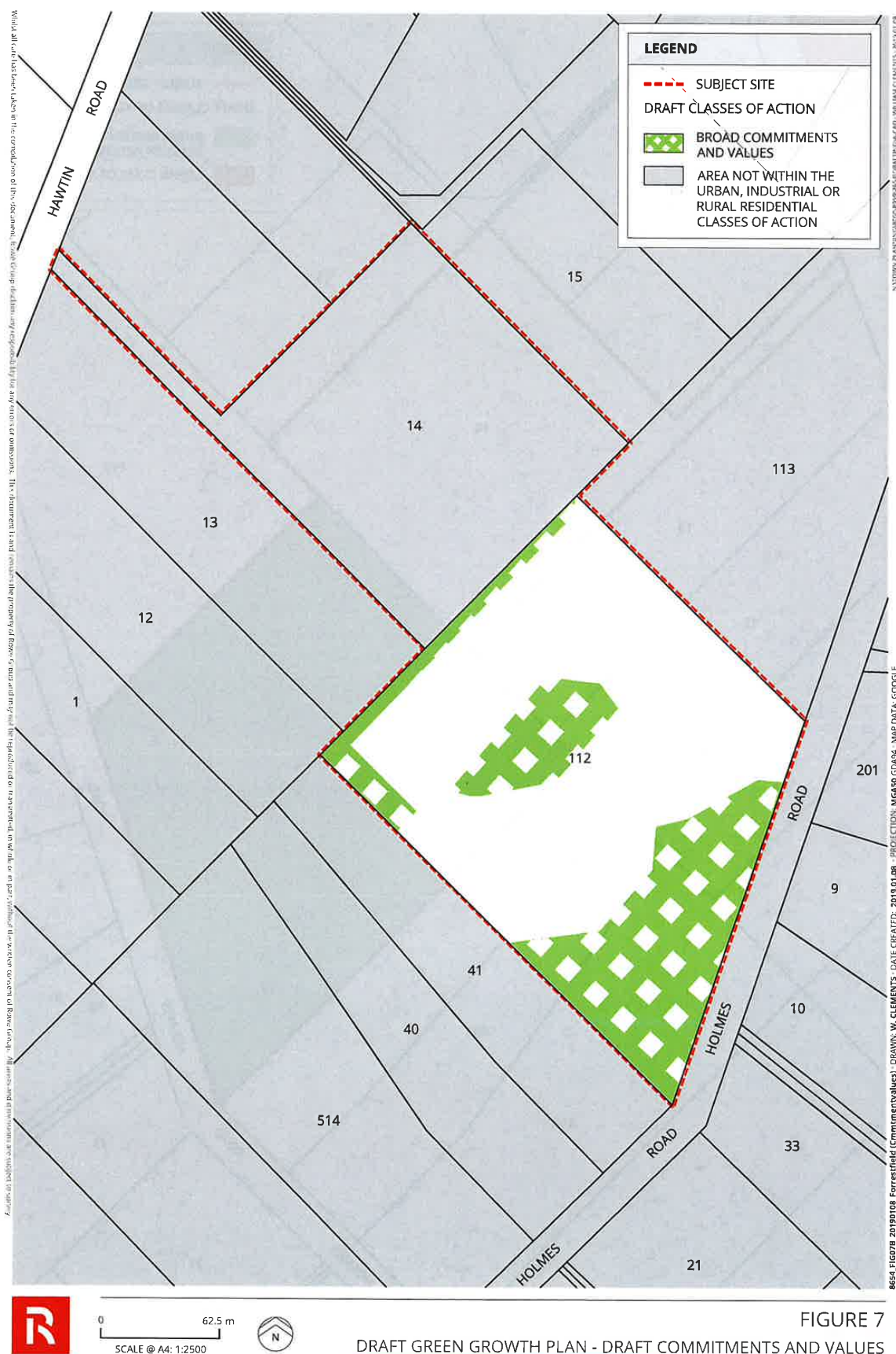
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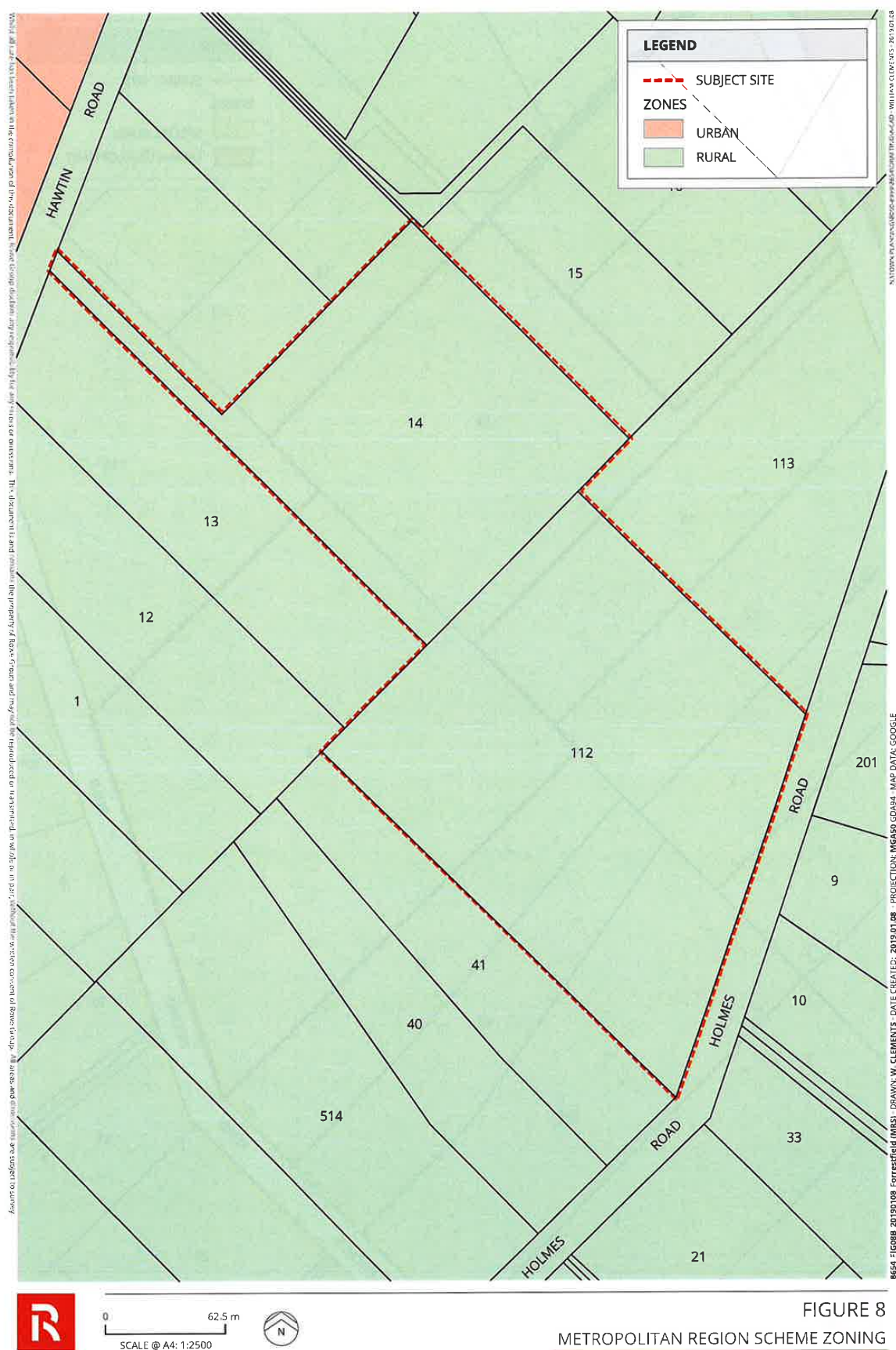


FIGURE 4
PROPOSED SCHEME AMENDMENT













Attachment One

Certificates of Title

REGISTER NUMBER 112/D44806	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

WESTERN  AUSTRALIA

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

VOLUME **1378** FOLIO **385**

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 112 ON DIAGRAM 44806

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST OF 185 WILLIAM STREET, PERTH
(T G941625) REGISTERED 2/11/1998

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

1. A644839 EASEMENT (FOR/INCLUDES WATER/DRAINAGE/SEWERAGE PURPOSE) TO SHIRE OF KALAMUNDA. REGISTERED 27/3/1973.
2. E754093 EASEMENT (FOR/INCLUDES WATER/DRAINAGE/SEWERAGE PURPOSE) TO THE WATER AUTHORITY OF WESTERN AUSTRALIA. REGISTERED 27/11/1991.
3. *G970968 CAVEAT BY THE REGISTRAR OF TITLES LODGED 7/12/1998.

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

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

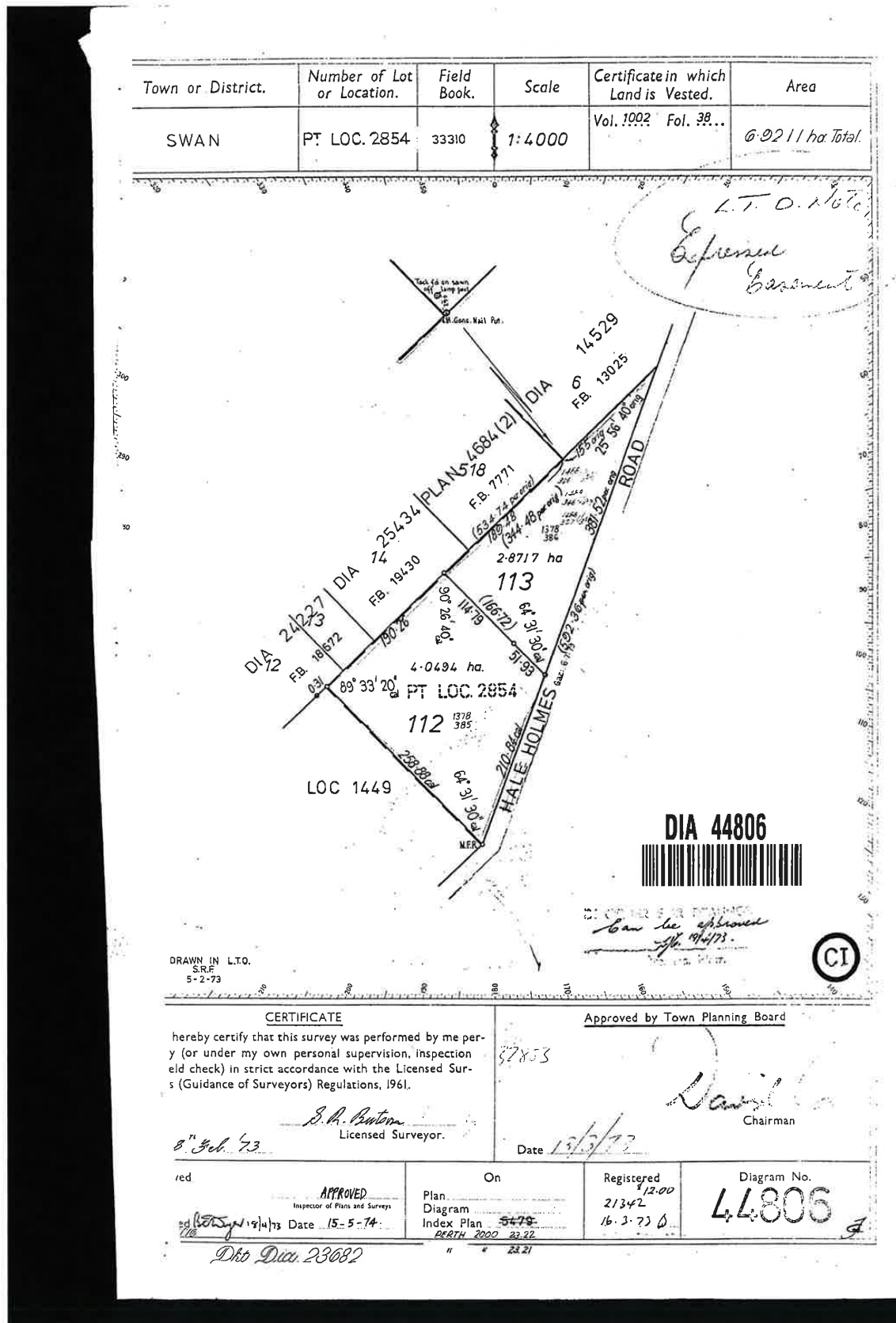
STATEMENTS:

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

SKETCH OF LAND: 1378-385 (112/D44806)
PREVIOUS TITLE: 1002-38
PROPERTY STREET ADDRESS: 280 HOLMES RD, FORRESTFIELD.
LOCAL GOVERNMENT AUTHORITY: CITY OF KALAMUNDA

LANDGATE COPY OF ORIGINAL NOT TO SCALE Wed Mar 14 10:10:42 2018 JOB 56219572


Landgate
www.landgate.wa.gov.au



LANDGATE COPY OF ORIGINAL NOT TO SCALE Wed Mar 14 10:10:42 2018 JOB 56219572

Landgate
www.landgate.wa.gov.au

D44806

<u>Lot Number</u>	<u>Part</u>	<u>Register Number</u>	<u>Section</u>
112		1378/385	
113		1488/348	

<u>Lot Number</u>	<u>Part</u>	<u>Register Number</u>	<u>Section</u>
113		1488/326	
113		1488/357	

LANDGATE COPY OF ORIGINAL NOT TO SCALE Wed Mar 14 10:10:42 2018 JOB 56219572



Landgate
www.landgate.wa.gov.au


REGISTER NUMBER 14/D25434	
DUPLICATE EDITION 2	DATE DUPLICATE ISSUED 26/9/2017

WESTERN  AUSTRALIA

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

VOLUME **1526** FOLIO **935**

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 14 ON DIAGRAM 25434

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

PETER NICHOLAS KAKULAS OF 9 TARONGO WAY CITY BEACH WA 6015

(T N725817) REGISTERED 22/9/2017

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

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

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

STATEMENTS:

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

SKETCH OF LAND:	1526-935 (14/D25434)
PREVIOUS TITLE:	1243-734
PROPERTY STREET ADDRESS:	323 HAWTIN RD, FORRESTFIELD.
LOCAL GOVERNMENT AUTHORITY:	SHIRE OF KALAMUNDA

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Nov 14 16:30:29 2017 JOB 55336805


Landgate
www.landgate.wa.gov.au



Landgate
www.landgate.wa.gov.au

D25434

<u>Lot Number</u>	<u>Part</u>	<u>Register Number</u>	<u>Section</u>
14		1526/935	

<u>Lot Number</u>	<u>Part</u>	<u>Register Number</u>	<u>Section</u>
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LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Nov 14 16:30:29 2017 JOB 55336805



Landgate
www.landgate.wa.gov.au



Attachment Two

Subdivision Approval



Your Ref : 8753

Rowe Group
Level 3/369 Newcastle Street
NORTHBRIDGE WA 6003

**Approval Subject To Condition(s)
Freehold (Green Title) Subdivision (Amended Plan)**

Application No : 156393

Planning and Development Act 2005

Applicant	:	Rowe Group Level 3/369 Newcastle Street NORTHBRIDGE WA 6003
Owner	:	Greek Orthodox Archdiocese Of Australia 185 William Street NORTHBRIDGE WA 6003; Peter Nicholas Kakulas 9 Taronga Way CITY BEACH WA 6015
Application Receipt	:	14 March 2018

Lot Number	:	112
Diagram / Plan	:	Diagram 44806, 25434
Location	:	-
C/T Volume/Folio	:	1378/385, 1526/935
Street Address	:	Lot 112 Holmes Road & Lot 14 Hawtin Road, Forrestfield
Local Government	:	City of Kalamunda

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the amended plan date-stamped **15 October 2018** once the condition(s) set out have been fulfilled.

This decision is valid for **three years** from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by **19**

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: info@dplh.wa.gov.au; web address <http://www.dplh.wa.gov.au>
ABN 35 482 341 493



December 2021 or this approval no longer will remain valid.

Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 section 251 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Deposited plan

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

Condition(s)

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infotline: 1800 626 477
e-mail: info@dph.wa.gov.au; web address <http://www.dph.wa.gov.au>
ABN 35 482 341 493



written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the deposited plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with the accompanying advice, are:

CONDITION(S):

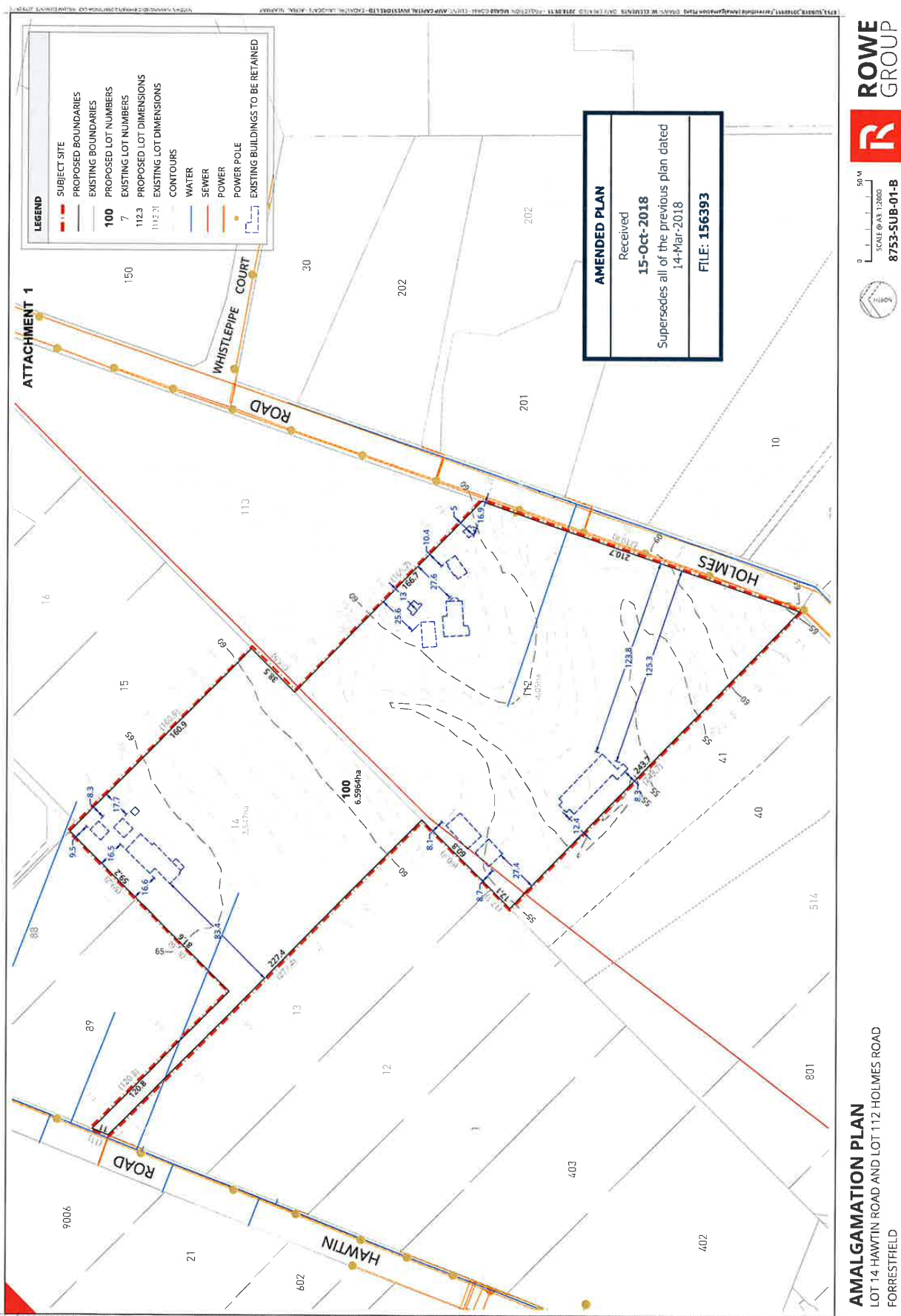
1. Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the *Planning and Development Act 2005*. (Local Government)

A handwritten signature in black ink, appearing to read "Sam Fagan".

Ms Sam Fagan
Secretary
Western Australian Planning Commission
19 December 2018

Enquiries : Jemma Douglas (Ph 6551 9036)

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: info@dph.wa.gov.au; web address <http://www.dph.wa.gov.au>
ABN 35 482 341 493





Attachment Three

Proposed Scheme Amendment



Form 1C

PLANNING AND DEVELOPMENT ACT, 2005 (AS AMENDED)**RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME****CITY OF KALAMUNDA****LOCAL PLANNING SCHEME NO. 3****AMENDMENT NO. XX**

Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005* (as amended), amend the above Local Planning Scheme by:

1. Rezoning Lot 112 (No. 280) Holmes Road and Lot 14 (No. 323) Hawtin Road, Forrestfield from 'Special Rural' to 'Special Use';
2. Amending Schedule 4 of the Scheme to include the following additional conditions relating to the 'Special Use (SU 20)' zone:

No.	Description of Land	Special Use	Conditions
SU 20	Lot 112 (No. 280) Holmes Road and Lot 14 (No. 323) Hawtin Road, Forrestfield	Place of Worship	<p>a) Land use permissibility shall be in accordance with the provisions of the 'Special Rural' zone.</p> <p>b) Within this zone the following uses are not permitted unless approval is granted by the Council ('A')</p> <ul style="list-style-type: none"> › Ancillary Dwelling; › Caretaker's Dwelling; › Community Purpose; › Residential Building; and › Place of Worship. <p>c) The term 'Residential Building' shall have meaning</p>



			given to it in the Residential Design Codes, as amended.
--	--	--	--

3. Amending the Scheme Maps accordingly.

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

1. The Amendment will not change the underlying 'Special Rural' zoning that is currently in place under the provisions of LPS 3 and therefore future development and subdivision will still be able to achieve the intent of the LPS;
2. The Amendment will not impact on the surrounding area; and
3. The subject site does not contain any known significant or threatened flora, fauna or ecological communities.

Dated this _____ day of _____ 20__

CHIEF EXECUTIVE OFFICER



Attachment Four

Bushfire Management Plan (Scheme Amendment)

Bushfire Managment Plan



Report Details

Project:	Proposed Scheme Amendment	
Project Address:	280 Holmes Road, Forrestfield WA, 6058	
Prepared by:	James Terenciuk, BPAD Accredited Level 2 Assessor, BPAD36529, MAIBS, AIMM.	
Report / Job Number 6309	Report Version 1	Assessment Date: 24 February 2017



Bushfire Management Plan



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Address: Suite 12, 734 Albany Highway, East Victoria Park, WA 6101 **Phone:** (08) 6114 9356
Email: admin@greenstartconsulting.com.au, **Web:** www.greenstartconsulting.com.au

Bushfire Management Plan



Executive Summary

The aim of this report is to support a scheme amendment proposal that inserts additional uses which require conformity with a strategic ability to assess bushfire risk. This document takes a detailed look into the implications of bushfire risk to existing structures and bushfire management strategies to reduce the risk to future development on the subject site. Therefore, development of the land is consistent with the principles of orderly and proper planning and is not considered to impact the safety of future residents.

1. Background Information

This Bushfire Management Plan was prepared to provide guidance for the planning and management of potential bushfire threat for any future developments on site. The standards and recommendations within this plan are based on the performance criteria as set out in Guidelines for Planning in Bushfire Prone Areas (2015).

This Bushfire Management Plan meets the requirements of SPP 3.7 and the Guidelines for Planning in Bushfire Prone Areas

James Terenciuk
Level 2 BPAD Practitioner

1.1 Purpose of Plan

The purpose of this Plan is to highlight the bushfire threat to the existing development as well as minimise the occurrence and impact of bushfires and their devastating effects to life, property and the environment, and to document fire prevention requirements at the Site. By showing compliance with the Bushfire Protection Criteria, the impact on the bushfire can be controlled and any future developments on site are to exhibit an acceptable BAL level.

1.2 Proposal at Site

The proposal at 280 Holmes Road, Forrestfield seeks approval for an existing Greek Orthodox Church that is currently deemed a 'non-conforming use' under Clause 4.8 of LPS3. A scheme amendment is proposed for the site which inserts the following 'Additional use' over the subject site under the Shire's Local Planning Scheme No.3:

- Ancillary dwelling
- Monks/Pilgrims accommodation
- Caretakers dwelling
- Place of worship
- Community purpose
- Reception centre

As the site has been identified as being located within a bushfire prone area according to the most recent map published by the Department of Fire and Emergency Services, it requires a successful application of the relevant policies of SPP 3.7, identification of the bushfire risk and consideration of the bushfire protection criteria.

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Email: admin@greenstartconsulting.com.au, **Web:** www.greenstartconsulting.com.au

Bushfire Management Plan



1.3 Objectives

The objectives of this Plan are to:

- Define existing areas where values are located
- Define and rank hazard areas
- Identify individuals and organizations responsible for fire management and associated works within the area of the plan
- Develop fire management strategies for future developments with regard to life, property and the environment
- Nominate an assessment procedure that evaluates the effectiveness and impact of proposed and existing fire prevention work and strategies
- Identify performance criteria and acceptable solutions for all fire management works, including acceptable solutions for fire breaks and low fuel areas.

This Plan will achieve the objectives by:

- Assessing the bushfire hazard areas
- Assessing the bushfire attack level
- Determining bushfire management requirements
- Determining ongoing management responsibilities

1.4 Site Details and Overview

The Site address is 280 Holmes Road, Forrestfield, located approximately 16 km East of the Perth CBD. The Site lot area is approximately 40494 m² with a frontage to Holmes road. The subject site is occupied by seven structures associated with the existing Greek Orthodox Church. The five buildings located to the north-east portion of the site are associated with the Greek Orthodox Church services. A caretakers and monks dwelling is located at the south-west portion of the site. The structures at the western portion of the site are the monks dwelling and storage sheds. There is no Local Natural Area and no existing vegetation is known to be worthy of retention or as being significant. The site is identified as being located in a bushfire prone region.

1.5 Bushfire Risk Assessment

Risk	Impact	Pre BMP Risk Level	Strategy	Post Development Risk Level
The potential of bushfire to cause injury or death.	People	Moderate	Egress available in 2 directions. Road network in place	Low
The potential of bushfire to cause damage to the proposed buildings.	Buildings	Moderate	Site to be maintained in a low fuel state and APZ to be created wherever applicable.	Low
The potential of bushfire to cause damage to the environment	Environment	Low	No significant clearing proposed.	Low

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Email: admin@greenstartconsulting.com.au, **Web:** www.greenstartconsulting.com.au

Bushfire Management Plan



1.6 Solutions applied

The Guidelines for Planning in Bushfire Prone Areas require a statement of which Acceptable Solutions are proposed, and where applicable, a summary of any alternative solutions proposed and in what sections of the Bushfire Management Plan they are documented.

Applicable Acceptable Solutions addressed in Part 4 of this Bushfire Management Plan: A1.1, 2.1, A3.1, A3.5, A4.3. Alternative Solutions forming part of this report: Nil.

2. Spatial Considerations of Bushfire Threat

The location and extent of the classifiable vegetation in relation to the proposed scheme amendment have been assessed and recorded in the attached BAL Contour Map extract. The indicative BAL is given in the table below. Exemptions in Clause 2.3.2 of AS3959 have been utilized, all hazards have been mapped in Contour Map to follow and where appropriate, compliance with the Guidelines to Planning in Bushfire Prone Areas is achieved.

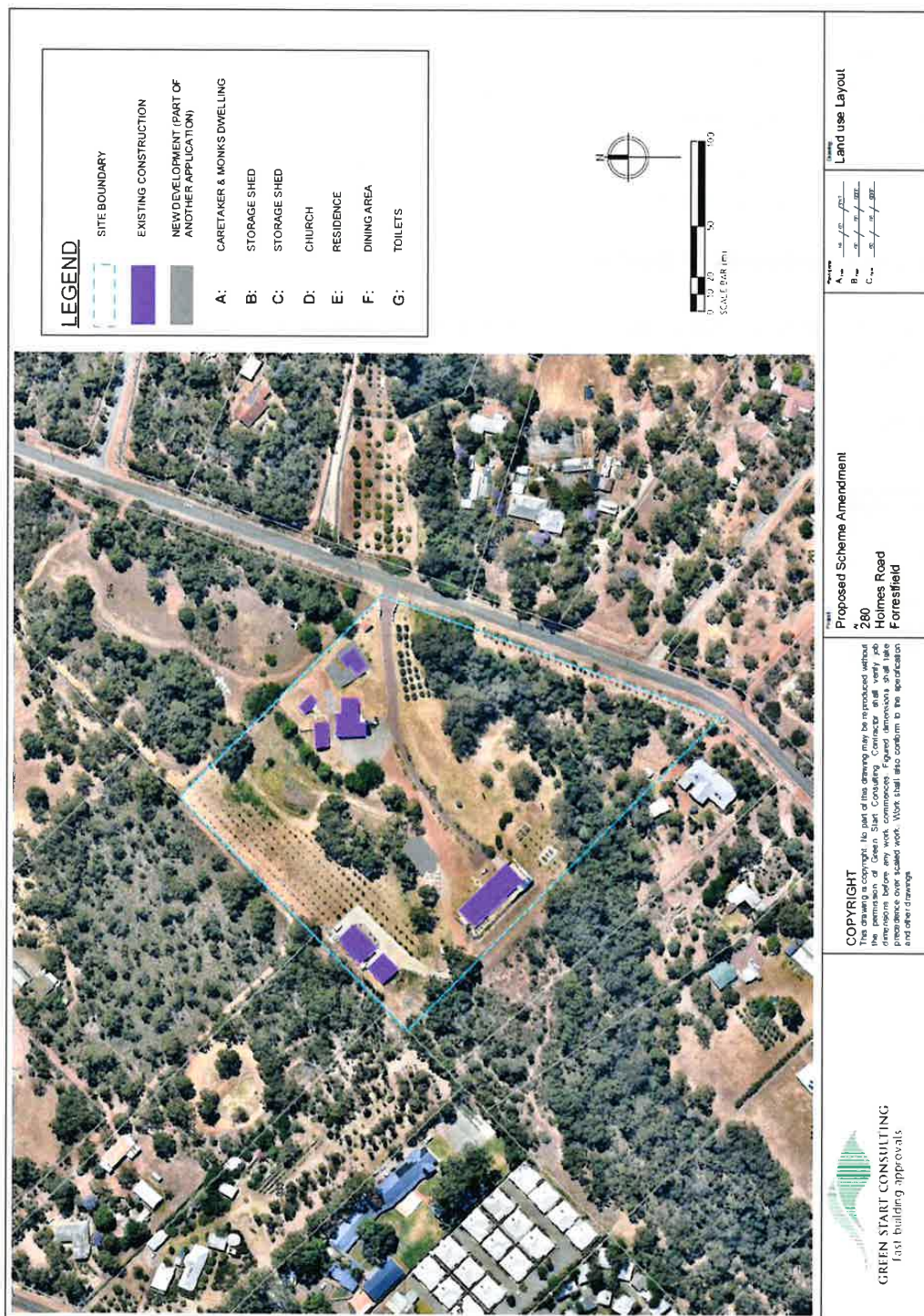
Existing Building	Vegetation Classification	Effective Slope	Separation Distance	Determined BAL Rating
Caretakers & Monks Dwelling	Group B Woodland	Upslope	16.1 m	BAL-29
Storage Shed	Group B Woodland	Upslope	8.0 m	BAL-FZ
Storage Shed	Group B Woodland	Upslope	5.5 m	BAL-FZ
Dining Area	Class G Grassland	Upslope	33.4 m	BAL-12.5
Toilet Area	Class G Grassland	Upslope	19.2 m	BAL-12.5
Single unit residence	Class G Grassland	Upslope	8.7 m	BAL-29
Church	Class G Grassland	Upslope	31.4 m	BAL-12.5

Address: Suite 12, 734 Albany Highway, East Victoria Park, WA 6101 **Phone:** (08) 6114 9356
Email: admin@greenstartconsulting.com.au, **Web:** www.greenstartconsulting.com.au

Bushfire Management Plan



2.1 Proposed Additional Use Layout:

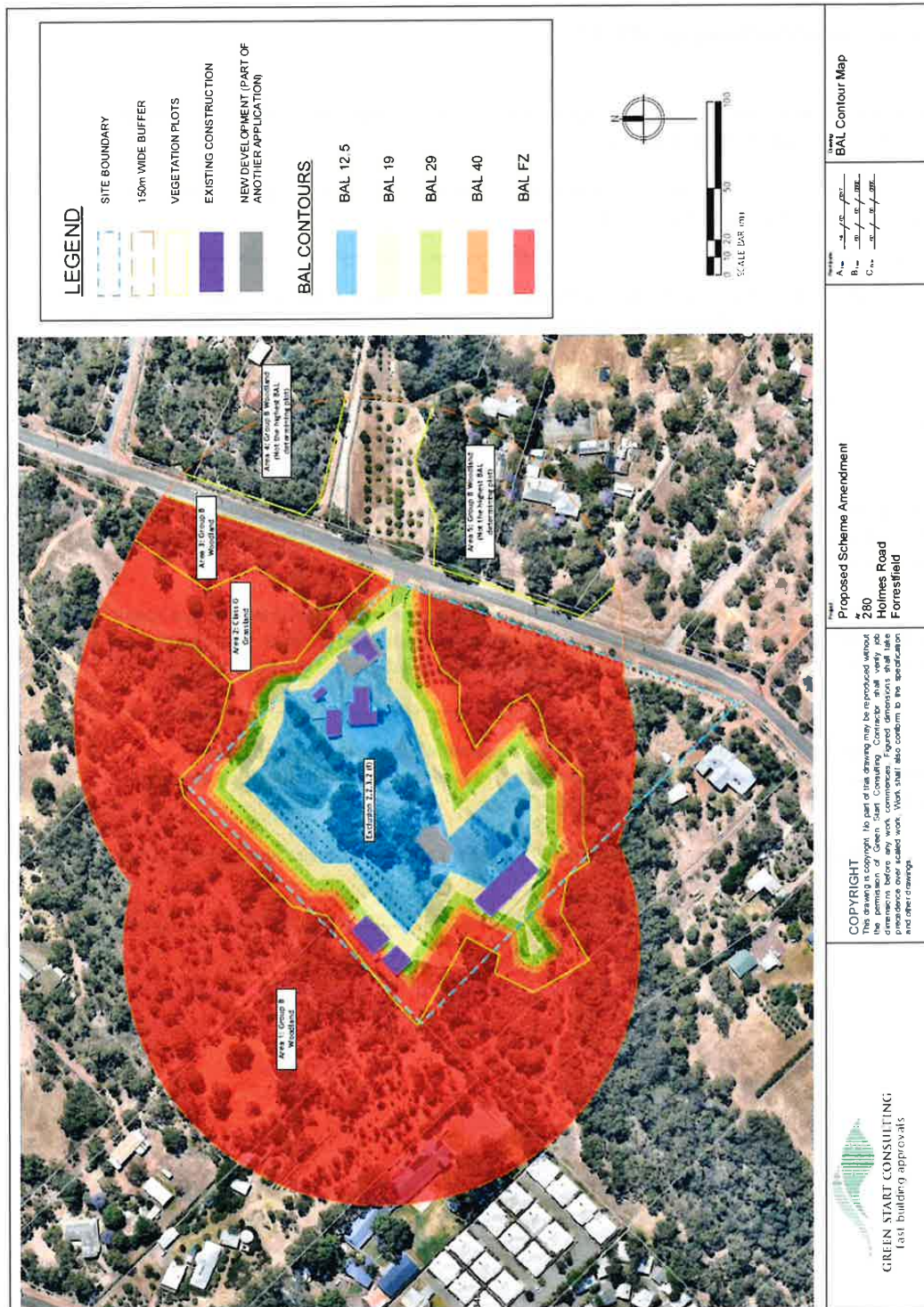


Address: Suite 12, 734 Albany Highway, East Victoria Park, WA 6101 Phone: (08) 6114 9356
Email: admin@greenstartconsulting.com.au, Web: www.greenstartconsulting.com.au

Bushfire Management Plan



2.2 BAL Contour Map



Address: Suite 12, 734 Albany Highway, East Victoria Park, WA 6101 Phone: (08) 6114 9356
Email: admin@greenstartconsulting.com.au, Web: www.greenstartconsulting.com.au

Bushfire Management Plan



3. Proposal Compliance and Justification

3.1 Meeting the Objectives of SPP3.7

<p>Objective 5.1 Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.</p> <p>Objective 5.1 is satisfied by the fact that the rezoning will not increase the bushfire risk of the area and that no alterations are proposed to the existing structures.</p>
<p>Objective 5.2 Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.</p> <p>Objective 5.2 is satisfied by identifying the bushfire risks present to this particular site and considering them in the attached BAL Contour Map and ensuring no future development is proposed in an extreme BAL region.</p>
<p>Objective 5.3 Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures</p> <p>Objective 5.3 is satisfied by the compliance with the bushfire protection criteria listed in section 4 of this report. Since the SPP 3.7 is not retrospectively applied, it offers compliance to the best of its abilities and urges that all future developments to remain within the guidelines mentioned in this document.</p>
<p>Objective 5.4 Achieve an appropriate balance between bushfire risk management measures and, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.</p> <p>Objective 5.4 is satisfied by no clearing proposed in this document and hence, maintaining the amenity valued in the area.</p>

Bushfire Management Plan



3.2 Policy Measures Which Apply To This Proposal

<p>6.1 Higher order strategic planning documents in bushfire prone areas</p> <p>Not Applicable.</p>
<p>6.2 Strategic planning proposals, subdivision and development applications</p> <p>Site has been identified as being rated above BAL-LOW therefore Policy Measures 6.3, 6.4 and 6.5 are triggered.</p>
<p>6.3 Information to accompany strategic planning proposals</p> <p>This Bushfire Management Plan contains all of the required elements to support the proposed scheme amendment at the subject site. The BAL Contour map identifies all the hazards that are within the context of the site and compliance with the bushfire protection criteria is satisfied in section 4 of this document.</p>
<p>6.4 Information to accompany subdivision applications</p> <p>Not applicable.</p>
<p>6.5 Information to accompany development applications</p> <p>Not Applicable.</p>
<p>6.6 Vulnerable or high-risk land uses</p> <p>Not Applicable.</p>
<p>6.7 Strategic planning proposals, subdivision or development applications in areas where an extreme BHL and/or BAL-40 or BAL-FZ applies</p> <p>Not applicable.</p>
<p>6.8 Advice of State/relevant authority/s for emergency services to be sought</p> <p>Not Applicable.</p>
<p>6.9 Advice of State/relevant agencies/authorities for environmental protection to be sought</p> <p>Not applicable.</p>
<p>6.10 Bushfire conditions may be imposed</p> <p>Notice on title to be enforced by Local Government notifying future owners of Bushfire Management Plan and requirement to areas of property in low fuel conditions.</p>
<p>6.11 Precautionary principle</p> <p>The precautionary principle is a fundamental part of bushfire planning and has been incorporated in all aspects of this Bushfire Management Plan.</p>

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Bushfire Management Plan



3.3 How Does the Proposal Address the Bushfire Protection Criteria

The local planning scheme for this site has already been endorsed in the past by the Western Australian Planning Commission prior to the publication of SPP 3.7 and did not aim to contain bushfire risk management measures at the time it was proposed. Since the SPP 3.7 and the guidelines are not to be applied retrospectively, the bushfire risk is mitigated by applying both the precautionary principle as well as the bushfire protection criteria to the best of the abilities of the site allowances. The Bushfire Protection Criteria are addressed in Part 4 of this Bushfire Management Plan.

3.4 Statement Against Other Relevant Documents

This Bushfire Management Plan meets the intent of:

1. State Planning Policy 3.7,
2. Guidelines for Planning in Bushfire Prone Areas,
3. Local planning strategy references to bushfire risk management,
4. Local planning scheme provisions relating to bushfire risk management,
5. Applicable structure plans, special control area provisions, previous planning approvals or similar referencing bushfire risk management applicable to the subject site,
6. Standard fire break orders of the area; and

A Bushfire Management Plan has been prepared for the subject site and supplied to local government authority for assessment for the proposed buildings. However, no noncomplying areas have been identified.

4. Bushfire Risk Management Measures

The 4 elements of bushfire protection criteria to follow have been provided to assist in the design and development of strategic planning proposals, subdivision applications and development applications in bushfire prone areas.

4.1 Element 1: Location

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.

Performance Principle P1: The strategic planning proposal, subdivision and development application is located in an area where the bushfire hazard assessment is or will, on completion, be moderate or low, or a BAL-29 or below, and the risk can be managed.

Acceptable Solution A1.1 Development location: The strategic planning proposal, subdivision and development application is located in an area that is or will, on completion, be subject to either a moderate or low bushfire hazard level, or BAL-29 or below.

Response: Since SPP 3.7 and the guidelines are not be applied retrospectively, this existing development need not be subject to further bushfire planning requirements, especially since rezoning does not intensify the bushfire threat. Despite compliance not required for existing buildings, it is still important to note that the two buildings with the FZ rating i.e. the storage sheds are exempt under Clause 3.2.3 (a) of the AS3959 as they are greater than 6 m away from any building hence not posing a threat to the rest of the establishment. On the other hand, the proposed buildings (which are part of another application) have a rating of BAL-29 and any future developments are to have an acceptable BAL rating of BAL-29 or below.

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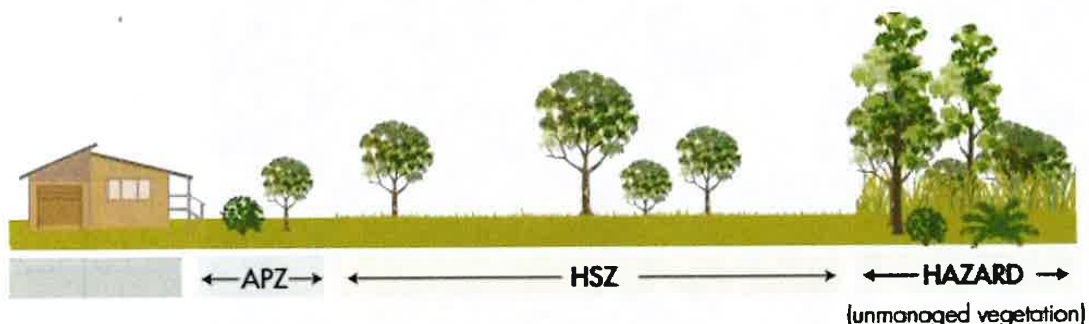
4.2 Element 2: Siting

Intent: To ensure that the siting and design of development minimises the level of bushfire impact.

Performance Principle P2: The siting and design of the strategic planning proposal, subdivision or development application, including roads, paths and landscaping, is appropriate to the level of bushfire threat that applies to the site. That it minimises the bushfire risk to people, property and infrastructure, including compliance with AS 3959.

Acceptable Solution A2.1 Asset Protection Zone (APZ): Every building is surrounded by an Asset Protection Zone (APZ), depicted on submitted plans, which meets the following requirements:

- Width: 20 metres measured from any external wall of the building or building envelope. Where the slope increases above 10 degrees, the APZ should be increased to ensure the potential radiant heat impact of a fire does not exceed 29kW/m^2 . Where a full 20 metre APZ is not possible, the APZ should be sufficient enough to ensure the potential radiant heat impact of a fire does not exceed 29kW/m^2 ;
- Location: within the boundaries of the lot on which the building is situated;
- Fine Fuel load: reduced to and maintained at two tonnes per hectare;
- Trees (crowns) are a minimum distance of ten metres apart. A small group of trees within close proximity to one another may be treated as one crown provided the combined crowns do not exceed the area of a large or mature crown size for that species;
- No tall shrubs or trees located within two metres of a building;
- No tree crowns overhang the building;
- Fences within the APZ are constructed using non-combustible materials (e.g. iron, brick, limestone, metal post and wire); and
- Sheds within the APZ should not contain flammable materials.



4.2.1 Diagram of Asset Protection Zone and Hazard Separation Zone

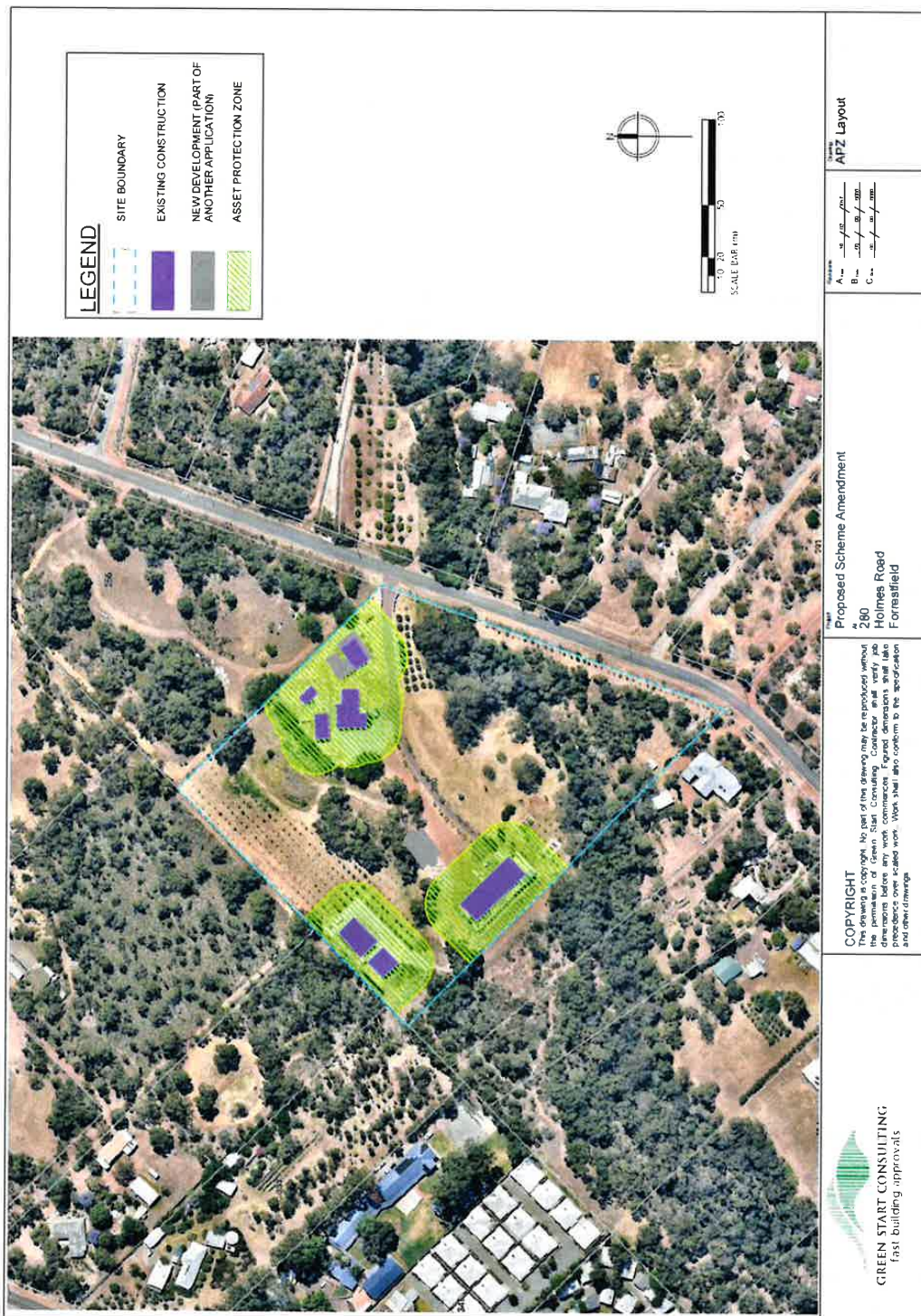
Response: APZs are to be incorporated into the regular vegetation management scheme of the site to ensure reduction of bushfire threat for existing and future developments. Although the vegetation of the site is currently in a low fuel state, these APZs around each building are to be maintained throughout the life of the buildings. It is the responsibility of the landowner to maintain the APZs in all directions around the building to a distance of 14 m or as the boundary allows. The APZ layout below highlights this further. This will be combined with the legally required management of vegetation for the rest of the site as per the Fire Break and Fuel Load Notice 2016/17 from the Shire of Kalamunda (attached as an appendix to this document).

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4.2.2 APZ Layout

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4.3 Element 3: Vehicular Access

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

Performance Principle P3: The internal layout, design and construction of public and private vehicular access and egress in the subdivision/ development allow emergency and other vehicles to move through it easily and safely at all times.

Acceptable Solution A3.1 Two access routes: Two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions

E3.2 Public road

Trafficable surface

Widths quoted for access routes refer to the width of the trafficable surface. A six metre trafficable surface does not necessarily mean paving width. It could, for example, include four metre wide paving one metre wide constructed road shoulders.

In special circumstances, where eight lots or less are being serviced, a public road with a minimum trafficable surface of four metres for a maximum distance of 90 metres may be provided subject to the approval of both the local government and Department of Fire and Emergency Services.

Public road design

All roads should allow for two-way traffic to allow conventional two-wheel drive vehicles and fire appliances to travel safely on them.

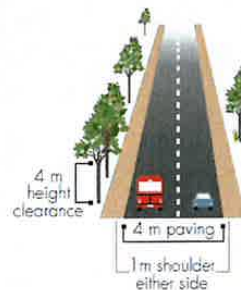


Figure 17: Minimum design requirements for a public road

Response: Access to will primarily be provided to Holmes Road giving a choice of two safe egress destinations to the north-east and south-west, which are available to all people at all times.

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4.3.1 Egress Plan

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Acceptable Solution A3.5 Private Driveway longer than 50 metres: A private driveway is to meet all of the following requirements:

- Requirements in Table 4, Column 3;
- Required where a house site is more than 50 metres from a public road;
- Passing bays: every 200 metres with a minimum length of 20 metres and a minimum width of two metres (i.e. the combined width of the passing bay and constructed private driveway to be a minimum six metres);
- Turn-around areas designed to accommodate type 3.4 fire appliances and to enable them to turn around safely every 500 metres (i.e. kerb to kerb 17.5 metres) and within 50 metres of a house; and
- Any bridges or culverts are able to support a minimum weight capacity of 15 tonnes.
- All-weather surface (i.e. compacted gravel, limestone or sealed).

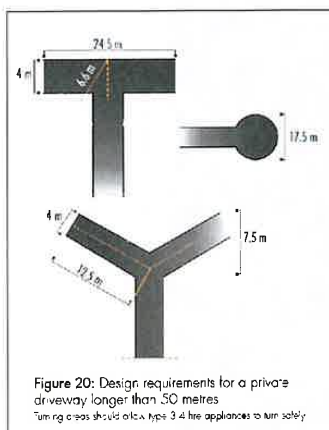


Table 4: Vehicular access technical requirements

TECHNICAL REQUIREMENTS	1 Public road	2 Cul-de-sac	3 Private driveway	4 Emergency access way	5 Fire service access routes
Minimum trafficable surface (m)	6*	6	4	6*	6*
Horizontal clearance (m)	6	6	6	6	6
Vertical clearance (m)	4.5	N/A	4.5	4.5	4.5
Maximum grade <50 metres	1 in 10	1 in 10	1 in 10	1 in 10	1 in 10
Minimum weight capacity (t)	15	15	15	15	15
Maximum crossfall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33
Curves minimum inner radius (m)	8.5	8.5	8.5	8.5	8.5

*Refer to E3.2 Public roads: Trafficable surface

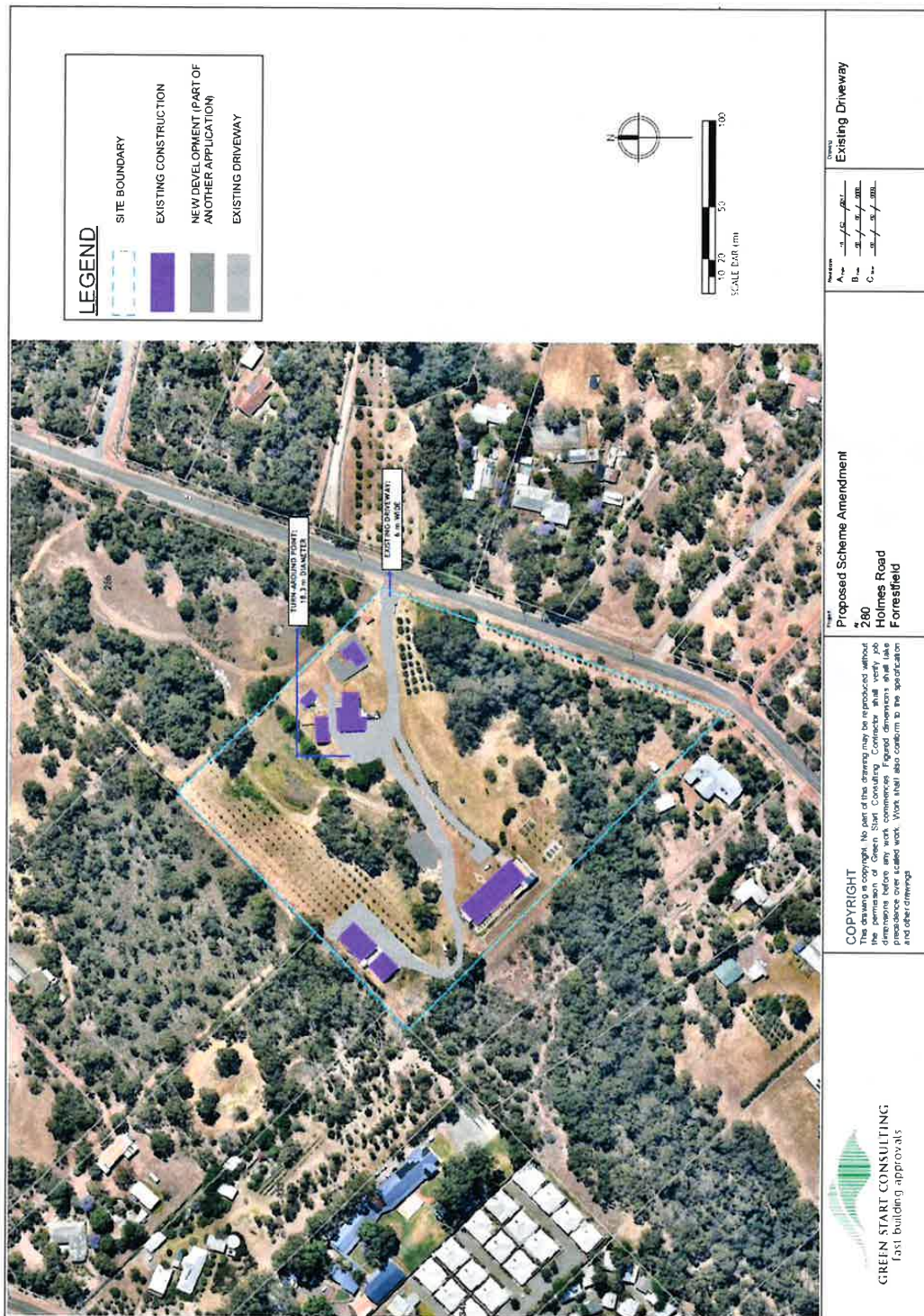
Response: Access to Lot 250 will be provided by a private driveway through the existing crossover (as shown on plan)

- Existing private driveway meets the requirements of Table 4, Column 3.
- Existing private driveway provides access to all existing buildings.
- The width of the road is 6 m so allows two-way traffic eradicating the need for a passing bay.
- Turnaround point already on site as per existing driveway plan.
- No bridges or culverts on site.
- All weather surface is provided and to be maintained.

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4.3.2 Existing Driveway Plan

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4.4 Element 4: Water

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

Performance Principle P4: The subdivision, development or land use is provided with a permanent and secure water supply that is sufficient for firefighting purposes.

Acceptable Solution A4.3 Individual lots within non-reticulated areas: Single lots above 500 square metres need a dedicated static water supply on the lot that has the effective capacity of 10,000 litres.

Response:

A water tank is to be supplied as per the recommendations of the Bushfire Management Plan already submitted for the proposed extension and chapel application. The existing buildings do not require any additional water access, the same tank recommended for the proposed may be used to supply the existing as well, as long as the requirements of Acceptable Solution A4.3 are met.

5. Implementation and Enforcement

Task	Upfront tasks needing to be completed		Individuals and/or Organisations *	
	Responsible Party	Time Frame	Responsible Party	Time Frame
Asset Protection Zone	Landowner	Upon scheme amendment approval.	Land owner	Ongoing
Fuel reduction and Fire Break Notice	Landowner	Ongoing	Local Government	Annually
Private driveway	Landowner	Upon scheme amendment approval.	Land owner	Ongoing
Firefighting Response	DFES and Local Volunteer Brigade	Ongoing	DFES and Local Volunteer Brigade	Ongoing
Inspection and Enforcement			Local Government	Ongoing

* Responsible for ongoing fire management and works proposed in the Bushfire Management Plan (e.g. local government for land vested in it and private property owners for freehold land)

To ensure that the above individuals/organisations are able to comply with the Bushfire Management Plan they are to be notified of their responsibilities by the landowner and be given a copy of the endorsed Bushfire Management Plan.

This Bushfire Management Plan relates to a specific planning approval and should be referred to periodically as part of the owner's fire mitigation strategy. As time passes any items found to require review due to changing circumstances are to be brought to the attention of the local government and the Bushfire Management Plan author.

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6. Recommendations

1. A notice is to be placed on title by the local government alerting future landowners to this BMP.
2. An asset protection zone is to be created and maintained in accordance with siting requirements of element 2 of the Guidelines for Planning in Bushfire Prone Areas.
3. Existing road network to be maintained in accordance with element 3 of the Guidelines for Planning in Bushfire Prone Areas.
4. Landowner to thoroughly read this BMP. If there are any items which require clarification it is recommended that they contact the author of this report.
5. Implementation and enforcement schedule to be actively adhered to.

7. References

Standards Australia. (2009). AS 3959:2009 Construction of buildings in bushfire prone areas: SAI Global.

WAPC. (2006). State Planning Policy 3.4 Natural Hazards and Disasters. State Law Publisher.

WAPC. (2015). State Planning Policy 3.7 Planning in Bushfire Prone Areas. Western Australian Planning Commission & Department of Planning.

WAPC. (2015). Guidelines for Planning in Bushfire Prone Areas. Western Australian Planning Commission, Department of Planning & Department of Fire and Emergency Services.

WAPC. (2015). Guidelines for Planning in Bushfire Prone Areas Appendices. Western Australian Planning Commission, Department of Planning & Department of Fire and Emergency Services.

WAPC. (2015). Planning Bulletin 111/2015 Planning in Bushfire Prone Areas. Western Australian Planning Commission.

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8. Appendix 3– Shire of Kalamunda Firebreak & Fuel Load Notice 2016/17

IMPORTANT NOTICE
(Please keep in a safe place)

Shire of Kalamunda 2016/2017 FIREBREAK AND FUEL LOAD NOTICE

Bush Fires Act 1954

**Notice to Owners and/or Occupiers of land
situated within the Shire of Kalamunda.**

As a measure to assist in the control of bushfires and pursuant to the powers contained in section 33 of the *Bushfires Act 1954* (as amended), as the property owner or occupier of land within the Shire of Kalamunda, you are hereby required on or before 1 November 2016, or within 14 days of becoming an owner or occupier of land if after that date, to comply with the requirements set out in this notice.

The applicable works outlined below, other than the requirements set out in Part 10 of this notice, must be completed before 1 November 2016 and maintained up to and including 31 March 2017. The requirements set out in Part 10 of this notice will apply from 1 October 2016 until 30 September 2017.

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 KALAMUNDA MAY CARRY OUT THE REQUIRED WORK AT COST TO THE OWNER/OCCUPIER.

1. Land with a building on it with an area greater than 5,000m²

You are required to:

- Have all inflammable matter except living trees, shrubs, plants under cultivation and lawns, slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property.
- The requirement set out above will not apply until 1 January if the land is stocked and an authorised officer has, before 17 October, given written permission to allow the grass to be grazed down to a height no greater than 50mm across the entire property by 31 December.
- Install bare earth firebreaks three (3) metres wide immediately inside and along all boundaries of land in a continuous form, including on boundaries adjacent to roads, rail and drain reserves and all public open space reserves, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum height of four (4) metres. Driveways must also be maintained to these conditions.
- Ensure the roofs, gutters and walls of all buildings on the land are free of inflammable matter.
- Install and maintain a building protection zone in accordance with the requirements set out in Part 11 of this notice.

2. Land with a building on it with area less than 5,000 m²

You are required to:

- Have all inflammable matter except living trees, shrubs, plants under cultivation and lawns, slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property.
- Install a firebreak immediately inside all external boundaries of the property unless the property is maintained clear of inflammable matter by slashing and mowing or maintaining living garden beds or lawn.
- Ensure the roofs, gutters and walls of all buildings on the land are free of inflammable matter.
- Install and maintain a building protection zone in accordance with the requirements set out in Part 11 of this notice.

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3. All Vacant land

You are required to:

- Have all inflammable matter except living trees, shrubs, plants under cultivation and lawns, slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property.
- Install bare earth firebreaks three (3) metres wide immediately inside and along all boundaries of land in a continuous form, including on boundaries adjacent to roads, rail and drain reserves and all public open space reserves, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum height of four (4) metres. Driveways must also be maintained to these conditions.

4. Firebreak variations

If it is considered for any reason impractical to clear firebreaks as required by this Notice, or if natural features render firebreaks unnecessary, you may apply in writing to the Shire of Kalamunda or its duly authorised officers, not later than 1 October 2016, for alternative positions, or other methods of fire prevention on your land. If permission is not granted, you must comply with the requirements of the Notice.

This application must be approved by the Senior Bushfire Safety Officer to signify agreement to the variation. Until and unless the Shire or its duly authorised officer grants a variation in accordance with this Part 4, you must continue to comply with the requirements of this notice. The Chief Bush Fire Control Officer reserves the right to review and revoke any variation granted.

5. Fuel Dumps and Depots

You are required to remove all inflammable matter within 10 metres of where fuel drums, fuel ramps or fuel dumps are located, and where fuel drums, whether containing fuel or not, are stored.

6. Garden Refuse

Pursuant to the powers contained in section 24G (2) of the Bush Fires Act 1954, the Shire of Kalamunda prohibits the burning of all garden refuse within its district during the Prohibited Burning Times set out below. This prohibition applies to all persons within the Shire's district. Failure to comply with this prohibition is an offence with a maximum penalty of \$3,000.

7. Restricted and Prohibited Burning times

Restricted burning Times (PERMITS REQUIRED) may be varied due to seasonal condition.	Between 1 October and 30 November in each year inclusive, and between 1 April and 31 May in each year, both dates inclusive.
Prohibited Burning Times. Dates may be varied due to seasonal conditions.	Between 1 December in each year and 31 March in the following year, both dates inclusive.

8. Permits to burn

- Applications for Permits are available from the Shire of Kalamunda at no cost.
- You must comply with all conditions imposed by the Shire or an Authorised Officer in respect of any Permit issued by the Shire.
- Permits will not be valid on days of "very high", "severe", "extreme" or "catastrophic" fire danger.
- Permits may also be revoked if in the opinion of an authorised officer the conditions are not deemed suitable for prescribed burns.

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9. Additional Requirements

In addition to the requirements noted above, regardless of land size and location, the Shire of Kalamunda or its duly authorised officer may require you to undertake additional works on your property to improve access and or undertake further hazard removal and/or reduction works, where in the opinion of that authorised officer, it is to be necessary to prevent the outbreak and/or the spread of a bush fire.

10. Bushfire or Emergency Management Plans

(compliance is required throughout the year, each and every year)

- All properties with a Fire Management Plan shall comply with the plan in its entirety.
- Any requirements identified in a Fire Management Plan are in addition to the requirements of this notice.

11. Building Protection Zones

The Building Protection Zone for habitable buildings and related structures, as defined within this Notice, must meet the following requirements, unless varied under an approved 'Alternative Fire Management Arrangement' as defined within this Notice, and applies only within the boundaries of the lot on which the habitable building is situated:

- Building Protection Zones for habitable buildings must extend a minimum of 20 metres out from any external walls of the building, attached structures, or adjacent structures within 6 metres of the habitable building.
- On sloping ground the Building Protection Zone distance shall increase at least 1 metre for every degree in slope on the sides of the habitable building that are exposed to down slope natural vegetation.
- Building Protection Zones must consist of non-flammable managed vegetation, reticulated lawns and gardens and other non-flammable features.
- All grass in Building Protection Zones must be maintained to or under 5cm in height.
- Fuel loads within Building Protection Zones must be maintained at 2 tonnes per hectare or lower.
- The crowns of trees must be separated to create a clear separation distance between adjoining or nearby tree crowns. The separation distance between tree crowns is not required to exceed 10 metres.
- A small group of trees within close proximity to one another may be treated as one crown provided the combined crowns do not exceed the area of a large or mature crown size for that species.
- Trees are to be low pruned (or under pruned) to at least a height of 2 metres from ground.
- No tree, or shrub over 2 metres high are to be within 2 metres of a habitable building.
- Trees and shrubs over 2 metres high must not be planted in groups close to the habitable building and there must be a gap of at least 3 times the height (at maturity) of the shrub away from the habitable building.
- There must be no tree crowns or branches hanging over habitable buildings.
- Paths and non-flammable features must be present immediately adjacent to the habitable building.
- Wood piles and flammable materials must be stored a safe distance from habitable buildings.

12. Hazard Reduction Burning

- During the prohibited fire season, you cannot undertake any bush or garden refuse burning activities at any time within the Shire of Kalamunda.
- During the restricted fire season, residents of the Shire may burn the bush for fire mitigation purposes by following the conditions of a valid permit to burn issued by an Authorised Officer.
- During the restricted fire season only, it is permissible for owners/occupiers to undertake the burning of garden refuse (dry leaves, small branches, off cuts, etc.) in separate piles on the ground no larger than 1.0 m³ between the hours of 18:00 (6pm) and 23:00 (11pm) by complying with all the conditions of section 24F (3) in the Bush Fires Act 1954.
- Any other methods of burning of garden refuse such as incineration shall not be undertaken within the Shire of Kalamunda.



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Bushfire Management Plan

**DEFINITIONS:****Act**

Means Bush Fires Act 1954 (as amended).

Authorised Officer

Means an officer appointed as a Shire of Kalamunda Fire Control Officer.

Building Protection Zone

Means the area within a distance of 20 metres from a dwelling (As defined in the Residential Design Codes of WA and in AS 3959) that has a reduced bush fire fuel load, measured from the external walls within the boundaries of the lot on which the dwelling is situated.

Firebreak

Means a strip or area of trafficable ground, which is at least three (3) metres wide with a minimum height of four (4) metres, which is kept and maintained totally clear of all inflammable matter. Any living or dead trees, scrub or any other material encroaching within the minimum height of the firebreak must be pruned or removed.

Fire Management Plan

Means a bushfire management plan, emergency management plan or an approved Bushfire attack level (BAL) assessment that has been developed and approved by the Shire of Kalamunda to reduce and mitigate fire hazards as part of a Town Planning Scheme, subdivision approval, development approval or a building permit.

Habitable Buildings

Means a dwelling, workplace, place of gathering or assembly, a building used for the storage or display of goods or produce for sale by wholesale in accordance with classes 1-9 of the Building Code of Australia. The term habitable building includes attached and adjacent structures like garages, carports, verandahs or similar roofed structures that are attached to, or within 6 metres of, the dwelling or primary building.

By order of the Shire of Kalamunda

Rhonda Hardy

CHIEF EXECUTIVE OFFICER

Inflammable Matter

Means any dead or dry grass, vegetation, substance, object, thing or material that may catch fire and burn.

Minimum Height

Means a continuous vertical uninterrupted line at a right angle to the horizontal line of the firebreak to a minimum height of 4 metres from the ground.

Permit

Means a "Permit to Burn the Bush" as issued by an Authorised Officer under section 18 of the Bush Fires Act 1954.

Prohibited Fire Times

Means the time period of each year where it is unlawful to set fire to the bush at any time.

Restricted Fire Times

Means the time period of each year where it is unlawful to set fire to the bush without a valid Permit to Burn the bush issued by an Authorised Officer.

Trafficable

Means to be able to travel from one point to another in a 4x4 vehicle on a clear surface, without any obstruction that may endanger fire fighters and their resources. A Firebreak is not to terminate in a dead end.



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Attachment Five

Bushfire Management Plan (Subdivision Application)

Bushfire Management Plan



Report Details

Project:	Proposed amalgamation of two lots	
Project Address:	Lot 14 Hawtin Road and Lot 112 Holmes Road, Forrestfield	
Prepared by:	James Terenciuk, BPAD Accredited Level 2 Assessor, BPAD36529, MAIBS, AIMM.	
Report / Job Number 8756	Report Version 2	Assessment Date: 14 September 2018



Bushfire Management Plan



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Bushfire Management Plan



1. Background Information

This Bushfire Management Plan was prepared to provide guidance for the planning and management of potential bushfire threat. The standards and recommendations within this plan are based on the performance criteria as set out in Guidelines for Planning in Bushfire Prone Areas (Version 1.3, Dec-2017).

This Bushfire Management Plan meets the requirements of SPP 3.7 and the Guidelines for Planning in Bushfire Prone Areas.

James Terenciuk
Level 2 BPAD Practitioner

1.1 Purpose of Plan

The purpose of this Plan is minimise the occurrence and impact of bushfires and their devastating effects to life, property and the environment, and to document fire prevention requirements at the Site. By providing acceptable solutions the BAL level can be managed to an acceptable level.

1.3 Objectives

The objectives of this Plan are to:

- Define areas where values are located
- Define and rank hazard areas
- Identify individuals and organizations responsible for fire management and associated works within the area of the plan
- Develop fire management strategies for all land with regard to life, property and the environment
- Nominate an assessment procedure that evaluates the effectiveness and impact of proposed and existing fire prevention work and strategies
- Identify performance criteria and acceptable solutions for all fire management works, including acceptable solutions for fire breaks, low fuel areas and building construction standards.

This Plan will achieve the objectives by:

- Assessing the bushfire attack level
- Determining bushfire management requirements
- Determining ongoing management responsibilities

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Bushfire Management Plan



1.4 Statement against Other Relevant Documents

This Bushfire Management Plan meets the intent of:

1. State Planning Policy 3.7,
2. Guidelines for Planning in Bushfire Prone Areas,
3. Local planning strategy references to bushfire risk management,
4. Local planning scheme provisions relating to bushfire risk management,
5. Applicable structure plans, special control area provisions, previous planning approvals or similar referencing bushfire risk management applicable to the subject site,
6. Standard fire break orders of the area; and
7. AS3959 Construction of Buildings in Bushfire-Prone Areas.

1.5 Proposal details

The Site is located approximately 23 km South-East of the Perth CBD. The Site lot area is about 6.59 ha, is located in a bushfire prone region. There is no known Local Natural Area on site. An amalgamation is proposed at the Site (refer to Figure 1: Subdivision plan). It has been identified as being located within a bushfire prone area according to the most recent map published by the Department of Fire and Emergency Services (refer to Figure 2).

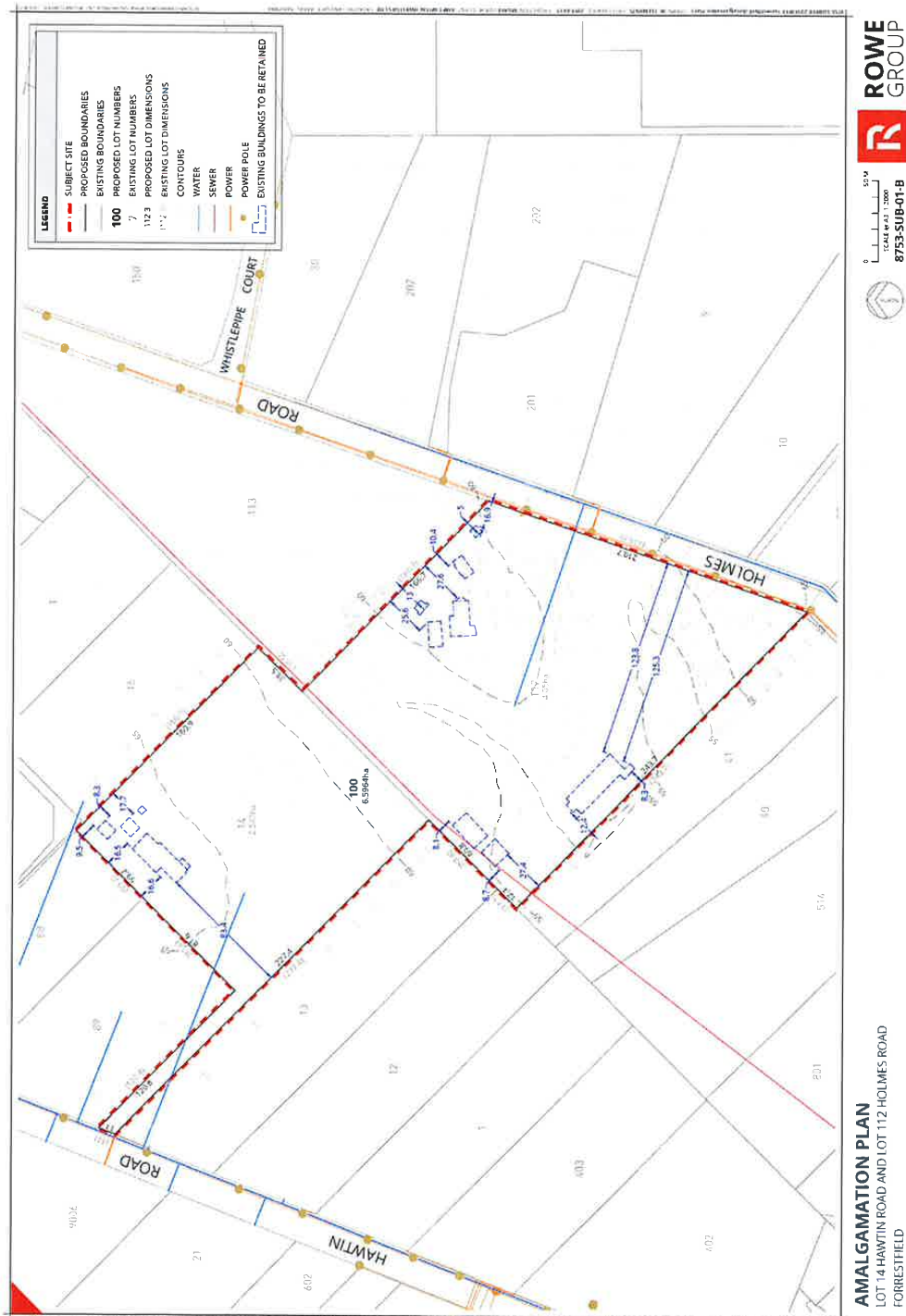
A BMP was prepared for a proposed Chapel, an extension and carpark on Lot 112 Holmes Road, Forrestfield. The BMP is dated on August 8, 2017 and demonstrates how to meet the requirements in order to comply with the four elements of Bushfire Protection Criteria (excerpt are attached as appendix).

No non complying areas have been identified.

Bushfire Management Plan



1.5.1 Figure 1: Subdivision plan

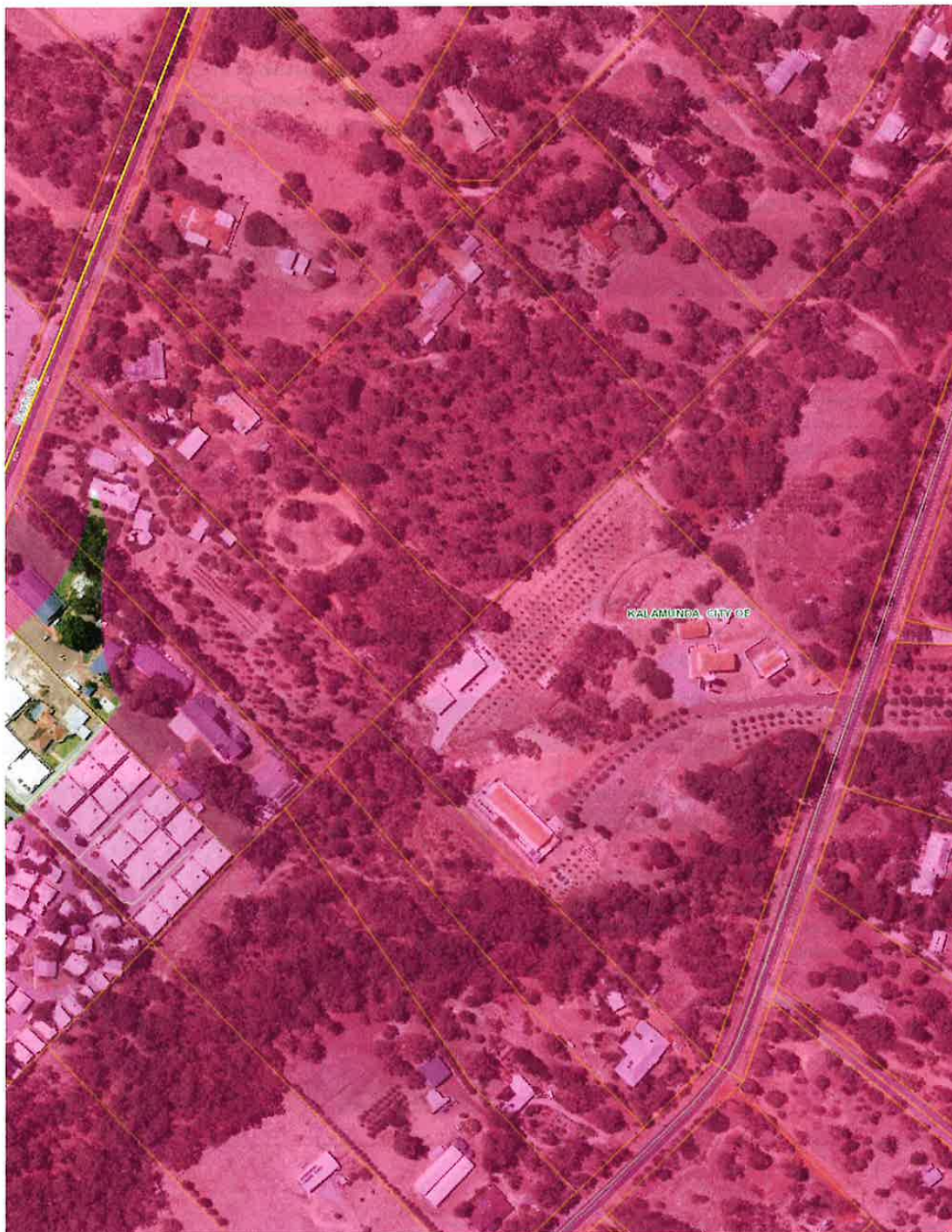


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1.5.2 Figure 2: Map of Bushfire Prone Areas for the subject site



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2. Bushfire assessment Results

2.1 Assessment Inputs


The location and extent of the classifiable vegetation in relation to the proposed developments have been assessed and recorded in the attached BAL Assessment Report extract. The BAL Assessment Report is produced based on a methodology 1 assessment, with the vegetation being assessed "as is" in accordance with AS3959. The initial BAL rating is given in the table below.

Table 2A: Worst case BAL that applies to the site

Method 1				
Plot	Vegetation Classification	Effective Slope	Separation (m)	BAL
1	Class B Woodland	Upslope	22	BAL – 19
2	Class G Grassland	Upslope	6.90	BAL – 40
3	Class B Woodland	Flat land/Upslope	0	BAL – FZ
4	Excludable – Clause 2.2.3.2(f)	-	-	BAL – LOW
5	Class B Woodland	Downslope 0 to 5°	0	BAL – FZ
6	Class B Woodland	Downslope 0 to 5°	20	BAL – 29
7	Class G Grassland	Flat land	0	BAL – FZ
8	Excludable – Clause 2.2.3.2(e)	-	-	BAL – LOW
9	Excludable – Clause 2.2.3.2(f)	-	-	BAL – LOW
10	Excludable – Clause 2.2.3.2(f)	-	-	BAL – LOW

Table 2B: Determined Bushfire Attack Level (BAL)

The Determined Bushfire Attack Level (highest BAL) for the proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2009 using the above analysis.

Determined Bushfire Attack Level				BAL – FZ
Photo ID:	8	Plot:	3	
Vegetation Classification or Exclusion Clause				
Class B Woodland - Low woodland B-07				
Description / Justification for Classification				
Low trees and shrubs 2–10 m high; foliage cover less than 10%. Dominated by eucalypts and Acacias. Often have a grassy understorey or low shrubs. Acacias and Casuarina woodlands grade to Atriplex shrublands in the arid and semi-arid zones.				

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2.1.1 Figure 3: Vegetation Classification Map



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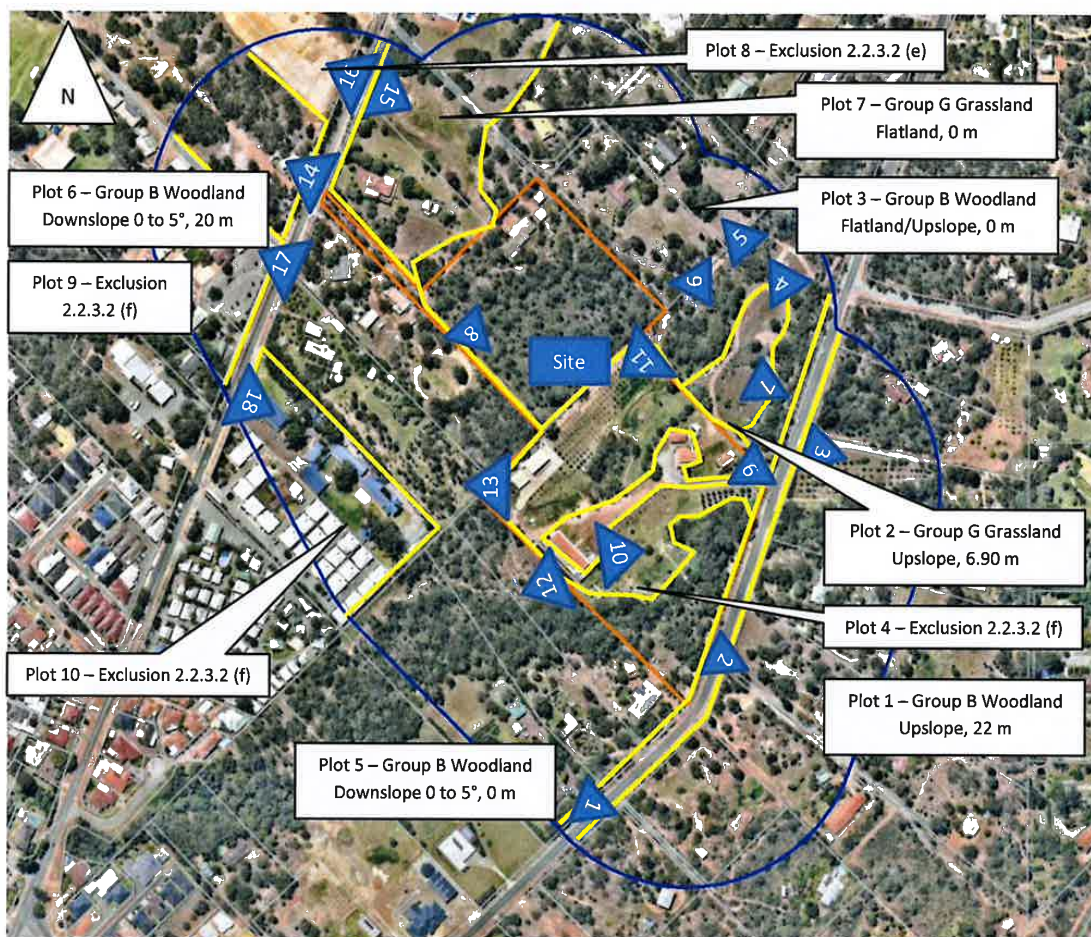
Bushfire Management Plan



2.2 Preliminary BAL Assessment

2.2.1 Site Assessment & Site Plans

The assessment of this site was undertaken by a BPAD Accredited Practitioner for the purpose of determining the Bushfire Attack Level in accordance with AS 3959 - 2009 Simplified Procedure (Method 1).



Legend

- = Photo location
- = 150m wide buffer
- = Vegetation plots
- = Site boundary

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**2.2.2 Vegetation Classification**

All vegetation within 100m of the site development was classified in accordance with Clause 2.2.3 of AS 3959-2009. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below.

Photo ID: 1 Plot: 1 Vegetation Classification or Exclusion Clause Class B Woodland - Woodland B-05 Description / Justification for Classification Trees 10-30m high; 10-30% foliage cover dominated by eucalypts; understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.	
Photo ID: 2 Plot: 1 Vegetation Classification or Exclusion Clause Class B Woodland - Woodland B-05 Description / Justification for Classification Trees 10-30m high; 10-30% foliage cover dominated by eucalypts; understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.	
Photo ID: 3 Plot: 1 Vegetation Classification or Exclusion Clause Class B Woodland - Woodland B-05 Description / Justification for Classification Trees 10-30m high; 10-30% foliage cover dominated by eucalypts; understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.	

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Photo ID: 4 Plot: 2 Vegetation Classification or Exclusion Clause Class G Grassland – Tussock grassland G-22 Description / Justification for Classification All forms, including situations with shrubs and trees, if the overstorey foliage cover is less than 10%.	
Photo ID: 5 Plot: 3 Vegetation Classification or Exclusion Clause Class B Woodland - Open woodland B-06 Description / Justification for Classification Trees 10-30m high; 10-30% foliage cover dominated by eucalypts; understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.	
Photo ID: 6 Plot: 3 Vegetation Classification or Exclusion Clause Class B Woodland - Low open woodland B-08 Description / Justification for Classification Low trees and shrubs 2–10 m high; foliage cover less than 10%. Dominated by eucalypts and Acacias. Often have a grassy understorey or low shrubs. Acacias and Casuarina woodlands grade to Atriplex shrublands in the arid and semi-arid zones.	

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Photo ID:	7	Plot:	3
Vegetation Classification or Exclusion Clause			
Class B Woodland - Woodland B-05			
Description / Justification for Classification			
Trees 10-30m high; 10-30% foliage cover dominated by eucalypts; understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.			
			



Photo ID:	8	Plot:	3
Vegetation Classification or Exclusion Clause			
Class B Woodland - Low woodland B-07			
Description / Justification for Classification			
Low trees and shrubs 2–10 m high; foliage cover less than 10%. Dominated by eucalypts and Acacias. Often have a grassy understorey or low shrubs. Acacias and Casuarina woodlands grade to Atriplex shrublands in the arid and semi-arid zones.			
			

Photo ID:	9	Plot:	4
Vegetation Classification or Exclusion Clause			
Excludable - 2.2.3.2(f) Low Threat Vegetation			
Description / Justification for Classification			
Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivated gardens, commercial nurseries, nature strips and windbreaks.			
			

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Photo ID: 10 Plot: 4 Vegetation Classification or Exclusion Clause Excludable - 2.2.3.2(f) Low Threat Vegetation Description / Justification for Classification Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivated gardens, commercial nurseries, nature strips and windbreaks. Plot 5 in the background.	
Photo ID: 11 Plot: 4 Vegetation Classification or Exclusion Clause Excludable - 2.2.3.2(f) Low Threat Vegetation Description / Justification for Classification Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivated gardens, commercial nurseries, nature strips and windbreaks.	
Photo ID: 12 Plot: 5 Vegetation Classification or Exclusion Clause Class B Woodland - Woodland B-05 Description / Justification for Classification Trees 10-30m high; 10-30% foliage cover dominated by eucalypts: understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.	

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Photo ID: 13 Plot: 5 Vegetation Classification or Exclusion Clause Class B Woodland - Woodland B-05 Description / Justification for Classification Trees 10-30m high; 10-30% foliage cover dominated by eucalypts: understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.	
Photo ID: 14 Plot: 6 Vegetation Classification or Exclusion Clause Class B Woodland - Open woodland B-06 Description / Justification for Classification Trees 10-30m high; 10-30% foliage cover dominated by eucalypts: understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.	
Photo ID: 15 Plot: 7 Vegetation Classification or Exclusion Clause Class G Grassland – Open herbfield G-27 Description / Justification for Classification Trees 10-30m high; 10-30% foliage cover dominated by eucalypts: understorey or low trees to tall shrubs typically dominated by Acacia, Callitris or Casuarina.	

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Photo ID: 16 Plot: 8 Vegetation Classification or Exclusion Clause Excludable - 2.2.3.2(e) Non Vegetated Areas Description / Justification for Classification Non-vegetated areas, including waterways, roads, footpaths, buildings and rocky outcrops.	
Photo ID: 17 Plot: 9 Vegetation Classification or Exclusion Clause Excludable - 2.2.3.2(f) Low Threat Vegetation Description / Justification for Classification Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivated gardens, commercial nurseries, nature strips and windbreaks.	
Photo ID: 18 Plot: 10 Vegetation Classification or Exclusion Clause Excludable - 2.2.3.2(f) Low Threat Vegetation Description / Justification for Classification Low threat vegetation, including grassland managed in a minimal fuel condition, maintained lawns, golf courses, maintained public reserves and parklands, vineyards, orchards, cultivated gardens, commercial nurseries, nature strips and windbreaks.	

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Bushfire Management Plan



3. Assessment against the Bushfire Protection Criteria

3.1 Compliance

The four elements of Bushfire Protection Criteria to follow have been provided to assist in the design and development of strategic planning proposals, subdivision applications and development applications in bushfire prone areas.

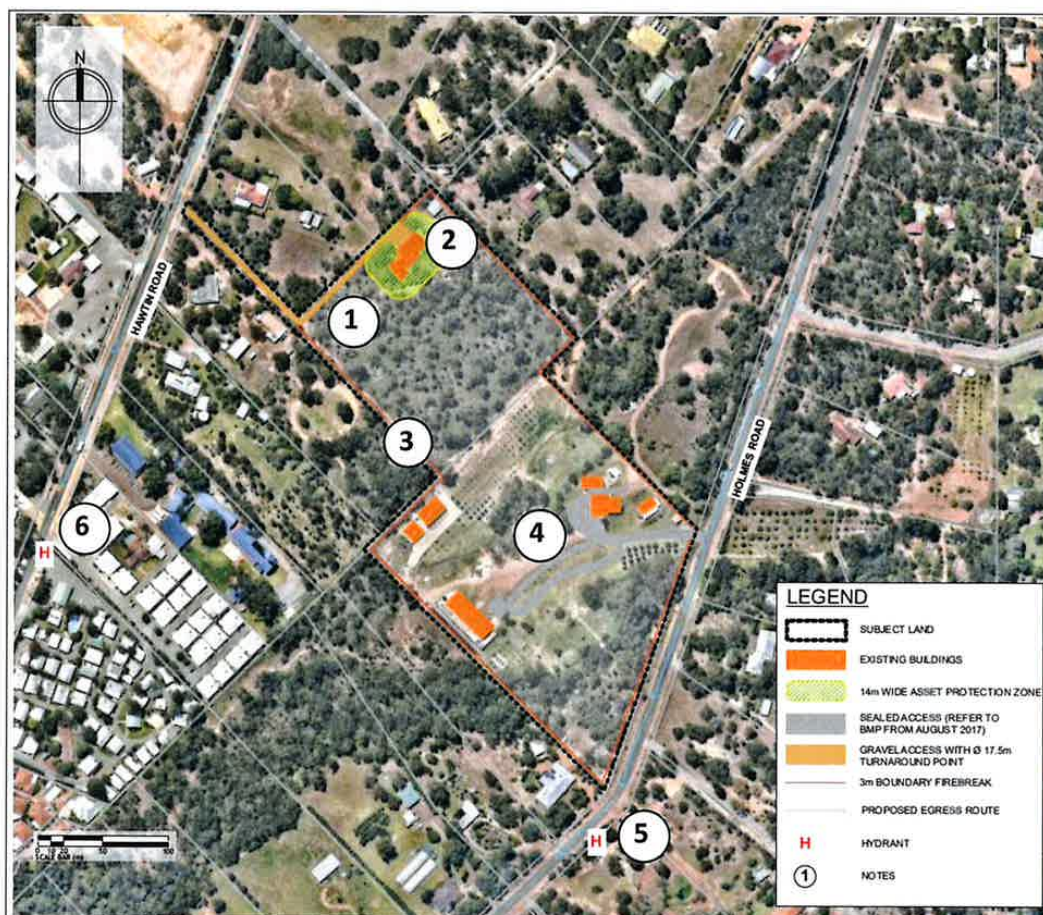
Bushfire protection criteria	Method of Compliance/Acceptable Solutions	Proposed bushfire management strategies
Element 1: Location	A1.1 Development location	It is demonstrated in this document that the risk around the existing property on Lot 14 Hawtin Road can be managed to achieve BAL-29. A BMP from August 2017 has been carried out for Lot 112 Holmes Road in order to achieve BAL-29. (BAL Contour Map attached as appendix)
Element 2: Siting and design of development	A2.1 Asset Protection Zone	All areas within a BAL-29 are required to be managed entirely as an APZ. As no construction is proposed, the APZ applies only for the existing residence in Lot 14 Hawtin Road. Figure 4 illustrates the area that is to be managed as an APZ.
Element 3: Vehicular access	A3.1 Public access routes	Access will be provided to Hawtin Road and Holmes Road giving a choice of two safe egress destinations for both roads to the north and south-west, which are available to all people at all times. Figure 4 illustrates access available to the site.
	A3.2 Public road	All public roads are to be designed and construction to meet the requirements of Table 6 column 1 (attached as appendix).
	A3.3 Cul-de-sac (including dead-end-road)	N/A
	A3.4 Battle-axe	N/A
	A3.5 Private driveway longer than 50m. A private driveway is to meet detailed requirements contained within the Guidelines.	Lot 14 Hawtin Road: the site's driveway is 118m long with a proposed turnaround point. It has to comply with the requirements of Table 6, Column 3 (attached as appendix) as demonstrated on Figure 4. Lot 112 Holmes Rd: addressed in BMP from August 2017 (excerpt attached as appendix).
	A3.6 Emergency access way	N/A
	A3.7 Fire services access routes (perimeter roads)	N/A
	A3.8 Firebreak width	Install a legally required trafficable fire break of a minimum width of 3 m as per the City of Kalamunda's "Firebreak and fuel load notice" (attached as appendix). Refer to Figure 4.
Element 4: Water	A4.1 Reticulated areas	Both sites have access to reticulated water.
	A4.2 Non-reticulated areas	N/A
	A4.3 Individual lots within non-reticulated areas (Only for use if creating 1 additional lot and cannot be applied cumulatively)	N/A

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Bushfire Management Plan



3.1.1 Figure 4: Spatial representation of the bushfire management strategies

**NOTES:**

1. Woodland vegetation is the primary vegetation plot.
2. 14m Asset Protection zone to comply with Schedule 1 Element 2 of the Guidelines.
3. Firebreak is 3m wide with a minimum of 4m vertical clearance.
4. Refer to Bushfire Management Plan from August 2017.
5. Lot 112 Holmes Rd: distance to nearest hydrant approximately 338m.
6. Lot 14 Hawtin Road: distance to nearest hydrant is approximately 500m.

Prepared by:
James Terenciuk,
BPAD Accredited Level 2 Assessor,
BPAD36529, MAIBS, AIMM.



Project:
Proposed subdivision layout

Location details:
Lot 14 Hawtin Road
and Lot 112 Holmes Road
Forestfield

Assessment Date:
24/01/2018

Data aerial photo:
December 2017

**Spatial representation of
the bushfire management
strategies**

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4. Responsibilities for Implementation and Management of the Bushfire Measures

LANDOWNER/OCCUPIER – ONGOING MANAGEMENT	
No.	Management Action
1	A notice is to be placed on title by the local government alerting future landowners to this BMP.
2	Maintain the Asset Protection Zone (APZ) to the dimensions and standard stated in the BMP.
3	Comply with the relevant local government annual firebreak notice issued under s33 of the Bush Fires Act 1954.
4	Maintain vehicular access routes within the lot to the required surface condition and clearances.
5	Install the firebreaks to the dimensions and standard stated in the BMP.
6	Landowners/occupiers to thoroughly read this BMP. If there are any items which require clarification it is recommended that they contact the author of this report.

To ensure that the above individuals/organisations are able to comply with the Bushfire Management Plan they are to be notified of their responsibilities by the developer and be given a copy of the endorsed Bushfire Management Plan.

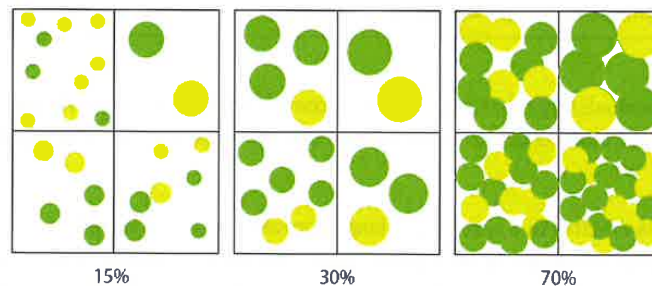
This Bushfire Management Plan relates to a specific planning approval and should be referred to periodically as part of the owner's fire mitigation strategy. As time passes, any items found to require review due to changing circumstances are to be brought to the attention of the local government and the Bushfire Management Plan author.

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5. Appendix 1: Schedule 1: Standard for Asset Protection Zones (Appendix 4 of the Guidelines)

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

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



- **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 millimetres 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 millimetres or less.

Bushfire Management Plan



6. Appendix 2: Table 6 – Vehicular access technical requirements

TECHNICAL REQUIREMENTS	1 Public road	2 Cul-de-sac	3 Private driveway	4 Emergency access way	5 Fire service access routes
Minimum trafficable surface (m)	6*	6	4	6*	6*
Horizontal clearance (m)	6	6	6	6	6
Vertical clearance (m)	4.5	N/A	4.5	4.5	4.5
Maximum grade <50 metres	1 in 10	1 in 10	1 in 10	1 in 10	1 in 10
Minimum weight capacity (t)	15	15	15	15	15
Maximum crossfall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33
Curves minimum inner radius (m)	8.5	8.5	8.5	8.5	8.5
*Refer to E3.2 Public roads: Trafficable surface					

E3.1 Two access route

Two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions.

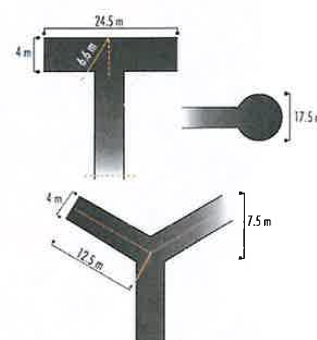
E3.2 Public road

Trafficable surface: Widths quoted for access routes refer to the width of the trafficable surface. A six metre trafficable surface does not necessarily mean paving width. It could, for example, include four metre wide having one metre wide constructed road shoulders. In special circumstances, where eight lots or less are being serviced, a public road with a minimum trafficable surface of four metres for a maximum distance of 90 metres may be provided subject to the approval of both the local government and Department of Fire and Emergency Services.

E3.5 Private Driveway longer than 50 metres

A private driveway is to meet all of the following requirements:

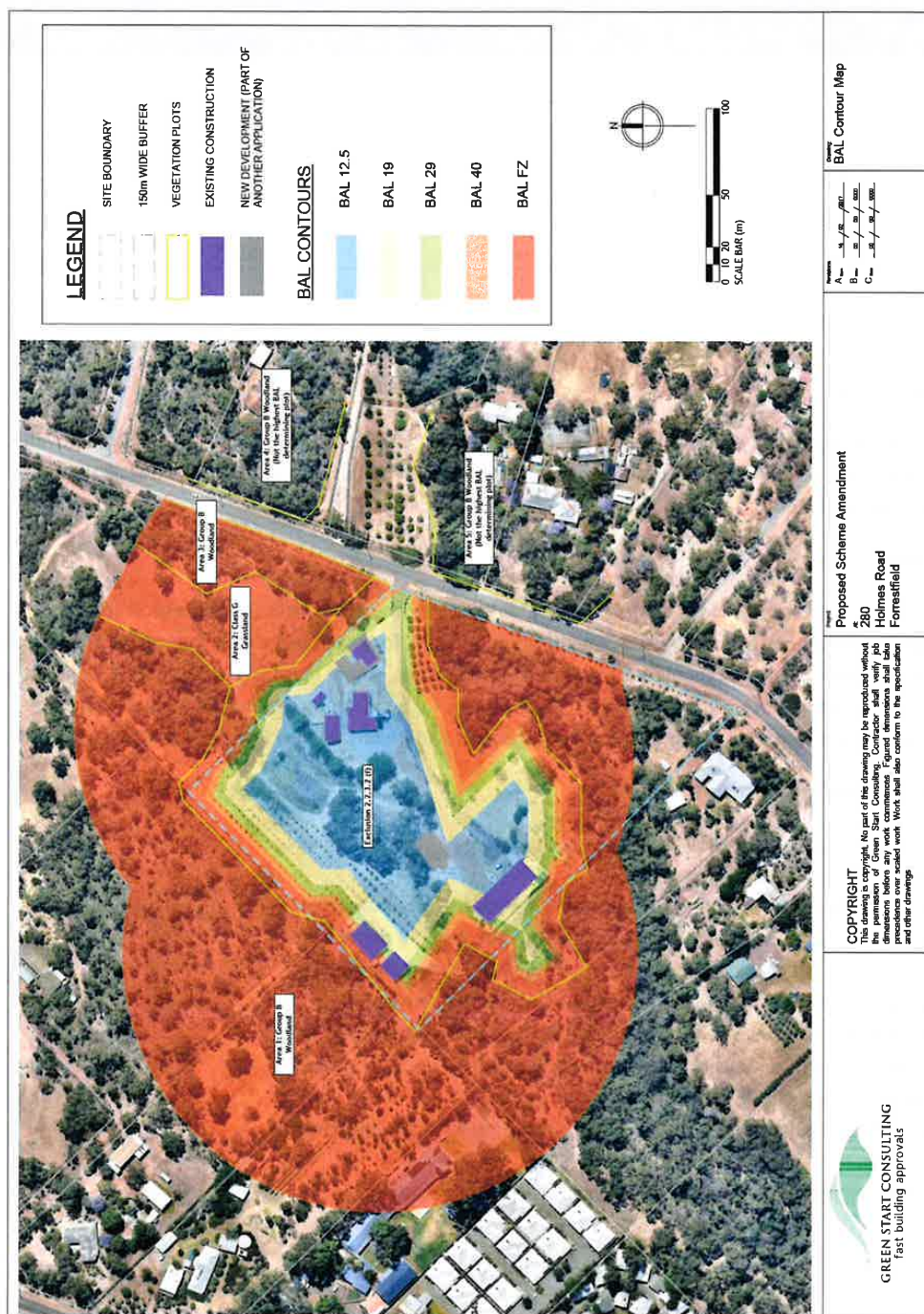
- Requirements in Table 4, Column 3;
- Required where a house site is more than 50 metres from a public road;
- Passing bays: every 200 metres with a minimum length of 20 metres and a minimum width of two metres (i.e. the combined width of the passing bay and constructed private driveway to be a minimum six metres);
- Turn-around areas designed to accommodate type 3.4 fire appliances and to enable them to turn around safely every 500 metres (i.e. kerb to kerb 17.5 metres) and within 50 metres of a house; and
- Any bridges or culverts are able to support a minimum weight capacity of 15 tonnes.
- All-weather surface (i.e. compacted gravel, limestone or sealed).



Bushfire Management Plan



7. Appendix 3: Excerpts of Bushfire Management report from August 2017 for Lot 112 (#280) Holmes Road (report Version 4) – BAL Contour MAP

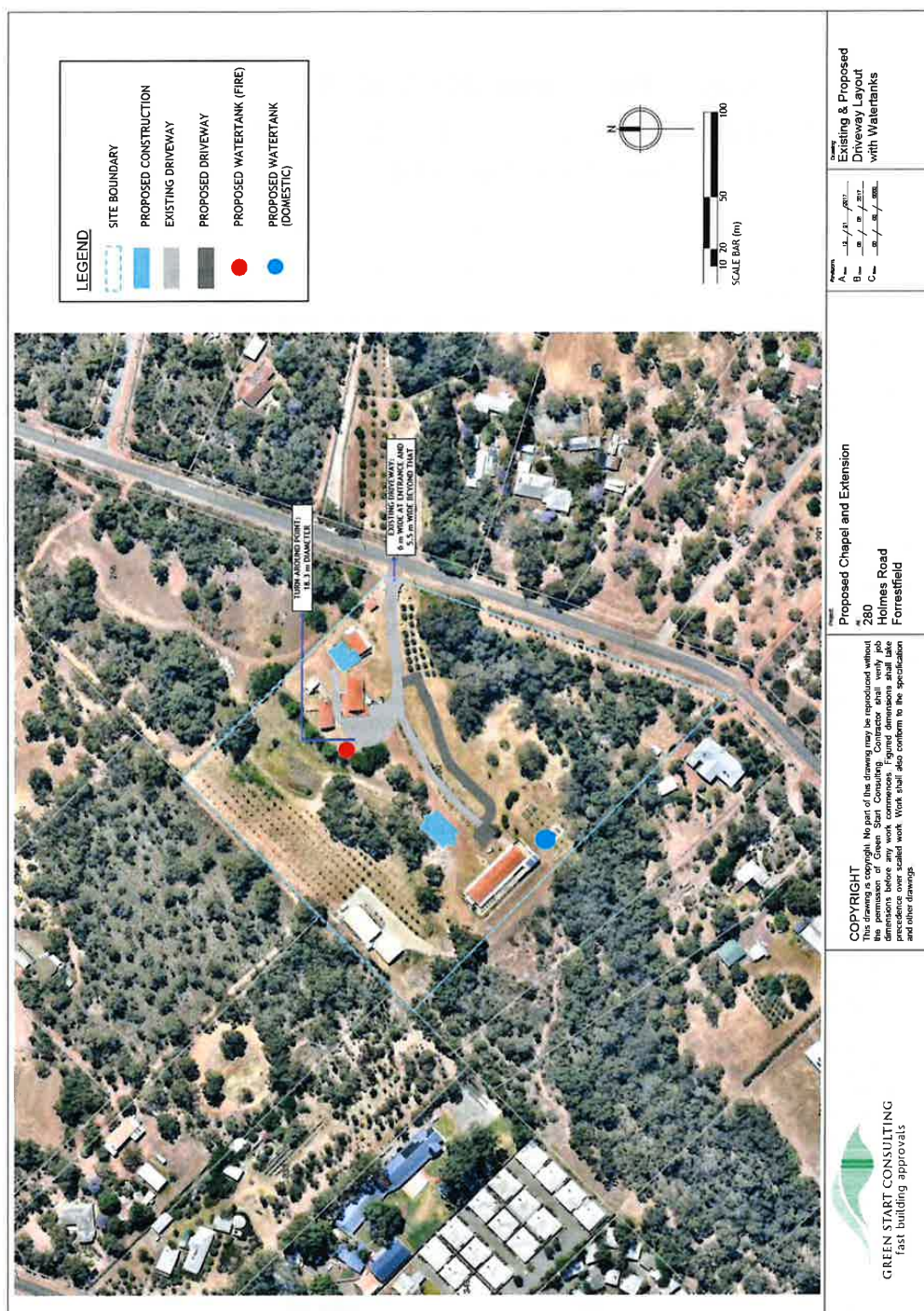


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8. Appendix 4: Excerpts of Bushfire Management report from August 2017 for Lot 112 (#280) Holmes Road (report Version 4) – Driveways



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9. Appendix 5: City of Kalamunda's "Firebreak and fuel load notice"

City of Kalamunda 2017/2018

FIREBREAK AND FUEL LOAD NOTICE

Bush Fires Act 1954

Notice to Owners and/or Occupiers* of Land situated within the City of Kalamunda.

As a measure to assist in the control of bushfires and pursuant to the powers contained in section 33 of the *Bush Fires Act 1954* (as amended), as the property owner or occupier of land within the City of Kalamunda, you are hereby required before 1 November 2017, or within 14 days of becoming an owner or occupier of land if after this date, to comply with the requirements set out in this notice.

The applicable works outlined below must be completed before 1 November 2017 and maintained up to and including 31 March 2018.

Persons who fail to comply with the requirements of this notice may be issued with an infringement notice penalty (\$250) or prosecuted with an increased penalty (maximum penalty \$5,000). Additionally, the City of Kalamunda may carry out the required work at cost to the owner/occupier.

1. Land, with a building on it, with an area *greater than 5,000m²*

You are required to:

- ☐ Have all flammable matter slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property (living trees, shrubs, plants and lawn under cultivation are excepted).
- ☐ Install bare earth firebreaks three (3) metres wide immediately inside and along all boundaries of land in a continuous form, including on boundaries adjacent to roads, rail and drain reserves and all public

open space reserves, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area from ground level to a minimum height of four (4) metres. Driveways must also be maintained to these conditions.

- ☐ Ensure the roofs, gutters and walls of all buildings on the land are free of flammable matter.
- ☐ Install and maintain an Asset Protection Zone in accordance with the requirements set out in Part 4 of this Notice.

2. Land, with a building on it, with an area *less than 5,000 m²*

You are required to:

- ☐ Have all flammable matter slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property (living trees, shrubs, plants and lawn under cultivation are excepted).
- ☐ Install a firebreak immediately inside all external boundaries of the property unless the property is maintained clear of flammable matter by slashing and mowing or maintaining living garden beds or lawn.
- ☐ Ensure the roofs, gutters, walls of all buildings on the land are free of flammable matter. Driveways must also be maintained to these conditions.
- ☐ Install and maintain an Asset Protection Zone in accordance with the requirements set out in Part 4 of this Notice.

* Please note that the *Bush Fires Act 1954* (WA) requires the owner or occupier of land to attend to all requirements in this Notice. The City may take action against either the owner or occupier of land for a failure to comply with this Notice at its absolute discretion.



**city of
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3. All Vacant Land

You are required to:

- ☐ Have all flammable matter slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property (living trees, shrubs, plants under and lawn under cultivation excepted).
- ☐ On vacant land larger than 1,000 m², install bare earth firebreaks three (3) metres wide immediately inside and along all boundaries of land in a continuous form, including on boundaries adjacent to roads, rail and drain reserves and all public open space reserves, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area from ground level to a minimum height of four (4) metres. Driveways must also be maintained to these conditions. A Fire Control Officer may request firebreaks to be installed on vacant land under 1,000m² should they deem it necessary under Part 5 of this Notice to reduce risk of fire.

4. Asset Protection Zones

The area of land that extends out 20m from a habitable building or attached structure (for example verandas or gazebos) within the boundaries of a lot on which a habitable building is situated, is considered to be an Asset Protection Zone, also known as 'Building Protection Zone' (Asset Protection Zone).

In the Asset Protection Zone, unless an approved 'Alternative Bushfire Management Plan' is in place:

- ☐ Non-flammable managed vegetation, reticulated lawns and gardens and other non-flammable features are permitted only.
- ☐ All grass must be maintained to or under 50mm in height.
- ☐ Mature trees over five (5) metres in height must be under pruned to at least a height of two (2) metres from the ground (which means you must prune branches and leaves etc. from the ground up to the first 2 metres in height of the tree).

- ☐ Tree or shrubs over two (2) metres high must not be within 2 metres of a habitable building.

5. Additional Works

In addition to the requirements noted above, regardless of land size and location, the City of Kalamunda or its duly authorised officer(s) may require you to undertake additional works on your property to improve access and/ or undertake further hazard removal (Additional Works) where, in the opinion of an authorised officer, such Additional Works are necessary to prevent the outbreak and/or the spread of a bush fire.

6. Firebreak Variations

If you consider for any reason that it is impractical to clear firebreaks as required by this Notice, or if natural features render firebreaks unnecessary, you may apply in writing to the City of Kalamunda or its duly authorised officers, not later than 1 October 2017, for alternative positions, or other methods of fire prevention on your land.

If permission is not granted, you must comply with the requirements of this Notice. This applies to variations to the Asset Protection Zone as well. The Chief Bush Fire Control Officer reserves the right to review and revoke any variation granted.

Fuel Dumps and Depots

You are required to remove all flammable matter within ten (10) metres of where fuel drums, fuel ramps or fuel dumps are located, and where fuel drums, whether containing fuel or not, are stored.

By order of the City of Kalamunda.

Rhonda Hardy

CHIEF EXECUTIVE OFFICER



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