

# **MINUTES**

# Ordinary Council Meeting Thursday, 26 August 2021

Date: Thursday, 26 August 2021

Time: 5:30pm

Location: Karrayili Training Centre, Fitzroy Crossing

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# ORDINARY COUNCIL MEETING HELD AT THE FITZROY CROSSING ON THURSDAY, 26 AUGUST 2021 AT 5:30PM

PRESENT: Cr Geoff Haerewa (Shire President), Cr Paul White (Deputy Shire President), Cr

Geoff Davis, Cr Chris Kloss, Cr Andrew Twaddle, Cr Rowena Mouda, Cr Pat

Riley, Cr Keith Bedford (phone)

IN ATTENDANCE: Amanda O'Halloran (Chief Executive Officer), Sarah Smith (Executive Services

Coordinator), Neil Hartley (Director of Strategic Business)(phone), Alan Lamb (Director of Corporate and Community Services), Wayne Neate (Director

Technical and Development Services)

VISITORS: Nil

GALLERY: Peter Jackson, Phillip Hams, Michael Knight

APOLOGIES: Nil

APPROVED LEAVE OF ABSENCE: Nil

ABSENT: Nil

# 1 DECLARATION OF OPENING, ANNOUNCEMENTS OF VISITORS

The meeting was opened at 5:30pm by Shire President, Geoff Haerewa.

# 2 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

In accordance with regulation 14A of the Local Government (Administration) Regulations 1996 Council must approve (by Absolute Majority) the attendance of a person, not physically present at a meeting of Council, by audio contact. The person must be in a 'suitable place' as approved (by absolute majority) by Council. A 'suitable place' means a place that is located in a townsite or other residential area and 150km or further from the place at which the meeting is to be held.

- Cr Keith Bedford
- Neil Hartley

# 3 DISCLOSURE OF INTERESTS

Section 5.65 and 5.70 of the *Local Government Act 1995* requires an Elected Member or officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Elected Member or officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

# 3.1 Declaration of Financial Interests

Neil Hartley – Item 18.1 - Derby Airport - Lease to Dunnings Fuel Supplies

**Nature:** He is the report writer and also (as a contractor) provides local government governance advice/services to Civic Legal, which provided legal advice on the subject of this report.

# 3.2 Declaration of Proximity Interests

Cr Andrew Twaddle – Item 14.3 - Department of Communities Intent to develop Four (4)
 Grouped Dwellings at Lot 258 (No. 1) Jones Place, Fitzroy Crossing

Nature: He owns the property next door – 259 Geikie Place, Fitzroy Crossing.

 Cr Chris Kloss – Item REQUEST TO REVIEW CONDITION 6 OF DELEGATED PLANNING CONSENT - REPLACEMENT DWELLING AT LOT 179 NO. 11 BELL CREEK WAY, DERBY
 Nature: He owns the neighbouring property.

# 3.3 Declaration of Impartiality Interests

Cr Rowena Mouda – Item 18.3 - Sheffield Resources - Lease Modifications
 Nature: She is a member of Native Title party Joombarn Buru Native Title applicant.

# 4 APPLICATIONS FOR LEAVE OF ABSENCE

# **LEAVE OF ABSENCE**

# **RESOLUTION 79/21**

Moved: Cr Paul White Seconded: Cr Andrew Twaddle

That the Leave of Absence received from Cr Davis for the Ordinary Council Meeting on 30 September 2021 be accepted and leave of absence granted.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 

# 5 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

# 6 PUBLIC TIME

# 6.1 Public Question Time

Nil.

# 6.2 Public Statements

# Phillip Hams - GoGo Station

- Concerns on fires being lit.
- Boat tours at Geike Gorge destroying sawfish.
- Meat Works water allocation.
- Proposal for a new prison would like to see prison in Derby.
- Business network meeting in Fitzroy Crossing 2 September 2021.

# 7 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

Nil.

# 8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Thank you to Alan Lamb – Director of Corporate and Community Services for Budget workshop.

# 9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

# **RESOLUTION 80/21**

Moved: Cr Paul White Seconded: Cr Geoff Davis

That the Minutes of the Ordinary Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Clarendon Street, Derby, on 29 July 2021 be CONFIRMED.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 

# 10 RECOMMENDATIONS AND REPORTS OF COMMITTEES

# 10.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 12 AUGUST 2021

File Number: 4110

Author: Sarah Smith, Executive Services Coordinator

Responsible Officer: Amanda O'Halloran, Chief Executive Officer

**Authority/Discretion: Executive** 

# **SUMMARY**

For Council to receive the Audit Committee Minutes.

# **ATTACHMENTS**

1. Minutes of the Audit Committee Meeting held on 12 August 2021

# **RESOLUTION 81/21**

Moved: Cr Rowena Mouda Seconded: Cr Chris Kloss

#### THAT COUNCIL:

1. Receive the Minutes of the Audit Committee Meeting held on 12 August 2021 and the recommendations therein be adopted.

# **COMMITTEE RESOLUTION AC67/21**

That the Audit Committee recommends that Council notes the list of accounts for July 2021 paid under Delegated Authority in accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 attached to this report, totalling \$2,026,249.61.

# **COMMITTEE RESOLUTION AC71/21**

That the Audit Committee recommends that Council:

1. Receives the report on outstanding rate and service charge debt by financial year to the end of July 2021.

# **COMMITTEE RESOLUTION AC72/21**

#### That the Audit Committee:

1. Recommends that Council receives the information contained in the report detailing Sundry Debtors as at 31 July 2021.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

CARRIED 8/0

# **REPORTS**

# 11 EXECUTIVE SERVICES

# 11.1 DERBY JETTY - INSURANCE AND RELATED CONSIDERATIONS

File Number: 5465

Author: Neil Hartley, Director - Strategic Business

Responsible Officer: Amanda O'Halloran, Chief Executive Officer

**Authority/Discretion: Executive** 

# **SUMMARY**

The Shire's insurer highlights an apparent inconsistency between the Derby Jetty structure insurance requirement in the Department of Transport/Shire of Derby-West Kimberley Head Lease, and the actual insured sum.

The insurance value for Jetty has been the subject of discussion for several years, with the Shire relying on a letter from the Department of Transport, advising that the replacement of the Jetty if it were to suffer major damage, is not required, and has insured the structure accordingly.

This report recommends that a formal clarification be obtained, by way of a change to the Head Lease, to eliminate the risk of a future legal/financial dispute with either the Lessor, or the Shire's Sub-Lessee's.

# **DISCLOSURE OF ANY INTEREST**

Nil Applicable.

# **BACKGROUND**

The Shire holds the lease for the Derby Port Precinct which expires on 30 June 2040. The lease is with the WA State Government and is managed by the Kimberley Ports Authority. The lease requires of the Shire (as Lessee) to undertake a number of responsibilities, including insurance of the jetty structure for replacement/reinstatement.

The insurance of an elevated pole type jetty is expensive, and a past communication from the WA State Government's Department of Transport (on behalf of the State Government) to the Shire on the matter of what the most appropriate insurance value might be, outlined that the Department would consider alternatives to the existing insurance level if SDWK was to make a submission to replace the jetty with a differently designed structure based on the then current and forecast future needs, whatever they may be. If for example large shipping requirements were not seen to exist and the jetty needed to only cater for small craft and recreational users, then an entirely different type of facility was likely to be proposed. It was also acknowledged in the communication that if in a worst case scenario where no future need for a jetty identified, then the minimum that Department of Transport would expect/require would be for the remnants of the existing jetty to be removed and the area brought to a clean and tidy state.

The Shire secures its insurance through WA Local Government Insurance Services and it has asked Council to confirm that the agreement (or the insurance) are sufficient to satisfy the WA State Government as Head-Lessor.

The Shire is entitled to sub-lease the land and the jetty surface and has several sub-leases in place. Of particular relevance are the two leases to MPA Fish Farms Pty Ltd and the proposed replacement lease to Kimberley Mineral Sands. The Shire as Head-Lease lessor must maintain the jetty on behalf of the jetty's owner (the WA State Government) in a reasonable condition, and such that sub-lessees can operate their leased areas – this includes replacement following a major damage event. Sub-lessees have the right to seek damages if it can be proven that they have lost earnings as a result of any obvious lack of structural or general maintenance occurring, maintenance/repairs/replacement and which should reasonably have been expected to have been undertaken by the Shire. The Thunderbird Operations Pty Ltd/Sheffield resources Ltd (now trading as Kimberley Mineral Sands) lease includes a clause specifically protecting the Shire from this potential situation.

# STATUTORY ENVIRONMENT

The Head Lease, of which the Shire is the Lessee, requires the Shire to:

Cl. 7.6 (Maintenance) and Cl. 7.7 (Replacement) - to maintain the Jetty and Improvements in good condition, and replace any damaged items with items of a similar quality, colour and design, to the satisfaction of Kimberley Port Authority. Also Cl. 2.21 (Insurance) to insure the structure against loss or damage (for replacement).

Subject to proving a financial loss and applicable lessor negligence, a lessee can claim for damages through a civil action.

# **POLICY IMPLICATIONS**

AF3 (Asset Management) was adopted to ensure adequate provision is made for the long-term replacement of major assets by amongst other things, ensuring that the Shire's infrastructure is provided in a sustainable manner.

# FINANCIAL IMPLICATIONS

A reinstatement estimate for the jetty has not been sought, but it is possible it would cost more than the \$80m of current insurance cover. The cost of any additional insurance premium to lift the cover to full replacement value (assuming the current insurance cover is markedly insufficient) has not been sought, but could be several tens of thousands of dollars.

No claims for damages are anticipated, but if it can be proven that financial losses have occurred and that loss was directly attributed to a lack of jetty maintenance, then the Shire could be liable if a successful damages claim resulted. In light of the nature of businesses using the jetty, a claim of several hundred thousand dollars might not be out of the question. Such a claim would be challenging to pursue under a policy of insurance or the LGIS protection policy (e.g. reasonableness of inaction, contractual liability, contractual undertakings etc.).

# STRATEGIC IMPLICATIONS

STRATEGIC AREA	OUR PRIORITIES	WE WILL
1. LEADERSHIP AND GOVERNANCE	1.2 Capable, inclusive and effective organisation.	1.2.2 Provide strong governance.
3. ECONOMY	3.1 Industry and business development and growth.	3.1.1 Encourage and support appropriate and sustainable investment.

# **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Business Interruption: Inability to fund a replacement of the jetty structure would	Possible	Severe	High	Secure change to Head Lease to only require removal of debris/clean- up of site insurance.
see jetty business use delayed, possibly permanently.				Modify any new sub- leases to reflect a "zero risk" position for the Shire in this regard.
Financial: Underinsuring may result in the Shire needing to fund any	Possible	Severe	High	Secure change to Head Lease to only require removal of debris/clean- up of site insurance.
capital replacement cost gap.				Modify any new sub- leases to reflect a "zero risk" position for the Shire in this regard.
Financial: Underinsuring may result in the Shire being legally responsible for lessee business losses.	Possible	Moderate	Medium	If full insurance is not financially practical, adopt a position that balances risk and cost.

# **CONSULTATION**

Communication with the Shire's insurers Local Government Insurance Services, has occurred.

# COMMENT

As with most situations at the Derby Port Precinct, there are "intertwined complexities". Competing issues are:

- 1. The Shire has a lease obligation to the State Government to insure the jetty for "replacement value";
- 2. Current insurance for \$80m of cover is reflected in a \$350,000+ premium;
- 3. Is \$80m an accurate figure for replacement (or might it be much higher)?.... in which case the insurance premium will rise accordingly if replacement value insurance is obtained;
- 4. Might the State Government be agreeable to a revision of the Head-Lease to reduce the insurance coverage to "removal of debris/clean-up" only (perhaps saving approximately \$200,000 in premiums) but what impacts might that have on the Shire's current obligations to its sub-lessee's;
- 5. The Shire has made lease commitments to sub-lessees, to provide a suitably maintained port from which they can operate their businesses from. Failure of which could possibly lead to a damages claim from the lessees;

- 6. The MPA leases are current and run until 2023;
- 7. The Sheffield lease already includes suitable protection for the Shire in regards to the Jetty's structural integrity and for replacement after damage. Whilst the lease can be cancelled if on 31 December 2021 lease condition item 10.1 (vis. that there needs to be "substantial commencement of development" occur) has not been satisfied, the intention is to arrange a new lease (with Sheffield/Kimberley Mineral Sands);
- 8. Jetty asset management costs for the next three years is estimated at approximately \$1.8m per year. Urgent works for 2021/22 are in the order of \$410,000 (with KPA being prepared to contribute 50% of that cost);
- 9. What are KPA's expectations and standards relative to the lease wording about insurance, and the structural and operational condition of the jetty? and
- 10. What is Council's long, and short term positions for the Port Precinct and the jetty in particular?

A lower than required insurance cover, that is "under-insurance", will leave the Shire without sufficient funds to replace the jetty should it suffer a major event, or leave it needing to contribute capital funds to meet the "gap" between the under-insured level and the eventual cost.

It is suggested that Council agree to the several point plan in an effort to "find the middle risk ground" and provide the best practical solution to the connected issues.

# **VOTING REQUIREMENT**

Simple majority

# **ATTACHMENTS**

Nil

# **RESOLUTION 82/21**

Moved: Cr Andrew Twaddle Seconded: Cr Geoff Davis

# **That Council:**

- 1. In regard to insurance:
  - (a) Notes the risk assessment scenarios outlined in this report and agrees that a suitable risk mitigation strategy is required;
  - (b) Maintains as a minimum the current insurance levels (until the at least 2023 when the MPA Fish Farms Lease is due to expire);
  - (c) Requires the Chief Executive Officer to seek the position of the Kimberley Ports Authority and the WA Department of Transport in regard to whether they would support a modification to the Head Lease, so as to delete the jetty replacement requirement from the Head Lease from 2023 (and to replace it with a "removal of debris/clean up only" clause);
  - (d) Requires the Chief Executive Officer to secure a jetty reinstatement estimate, if (1c) above cannot be progressed (so that is can be considered as part of any insurance policy renewals).

- 2. In regard to the strategic positioning of the Derby Jetty:
  - (a) Requires that any future 2023+ MPA Fish Farms Leases provide clarity on the Shire's capacity going forward to undertake Jetty maintenance or replacement, and that the Shire's position be suitably protected;
  - (b) Requires that the Chief Executive Officer present a report to Council on the Thunderbird/Sheffield (Kimberley Mineral Sands) lease, outlining Council's options under item 10.1 of that lease, and in particular whether the lease should best be discontinued if the Lessee fails to meet its sub-lease development requirement, or that alternatively whether it should be continued (through a new lease with Kimberley Mineral Sands) on the basis that there is nett value for the district.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

CARRIED 8/0

# 11.2 TERMS OF REFERENCE - CEO APPOINTMENT AND CEO PERFORMANCE REVIEW PANELS

File Number: 4160

Author: Neil Hartley, Director - Strategic Business

Responsible Officer: Amanda O'Halloran, Chief Executive Officer

Authority/Discretion: Legislative

# **SUMMARY**

This report updates Council on recent legislative changes with regards to the Chief Executive Officer (CEO) Employment Standards.

This report recommends Council adopt the attached *Terms of Reference protocols* for both the legislatively required *CEO Appointment*, and the *CEO Performance Review Panels*.

# **DISCLOSURE OF ANY INTEREST**

Nil.

# **BACKGROUND**

On 29 April 2021, Council adopted a new *Procedure - Standards for the Recruitment, Selection, Performance Review, and Termination of a CEO.* This was a new legislative requirement of the Local Government Legislation Amendment Act 2019 and the (3 February 2021) modified Local Government (Administration) Amendment Regulations 2021 (CEO Standards) which introduced mandatory minimum standards for the recruitment, selection, performance review and termination of employment in relation to local government Chief Executive Officers.

The aim of the CEO Standards is to provide local governments across Western Australia with a consistent and equitable process for CEO recruitment, performance review, and termination, in accordance with the principles of merit, equity and transparency.

The Shire of Derby/West Kimberley adopted the Model CEO Standards, as developed by the Department of Local Government in consultation with the Public Sector Commission, the Ombudsman, the Western Australian Local Government Association, and Local Government Professionals WA, which provided a framework for local governments to select a CEO in accordance with the principles of merit, probity, equity and transparency.

At the time of the 29 April 2021 report, there were still to be prepared, terms of reference to

- 1. facilitate the CEO Selection Panel process; and
- 2. guide the CEO Performance Review process.

As such, the Council resolution noted those requirements and resolved to:

Require that the CEO develop for Council's future consideration (so as to be added as Schedules to the Procedures):

• Terms of reference to facilitate the CEO Selection Panel process. This process is to incorporate the standards for recruitment at Division 2 of the Local Government (Administration) Amendment Regulations (No.2) 2020 and which at least outlines:

- The primary functions of the panel;
- Roles and responsibilities of panel members;
- Composition of the panel;
- Duration of term;
- Desirable criteria for appointment to the panel; and
- A requirement that panel members may by majority agreement, require all Panel members to sign a confidentially agreement and/or agree to the duties and responsibilities of their role.
- Terms of reference to guide the CEO performance review process. This process is to incorporate details which at least outlines:
  - the composition of the panel;
  - primary functions;
  - o the role and appointment of an independent consultant; and
  - the responsibilities of review panel members).

No industry standards have thus far been forthcoming for the above terms of reference, but it is expected these will eventually be available once the industry has had the chance to work with the new rules.

# STATUTORY ENVIRONMENT

Local Government Act S5.39A (Model standards for CEO recruitment, performance and termination) outlines that Regulations must prescribe model standards for local governments in relation to the recruitment; review of the performance; and termination of CEOs.

Local Government (Administration) Regulations R18FA (Model standards for CEO recruitment, performance and termination) sets out the model/minimum standards for the recruitment; review of the performance; and termination of CEOs.

# **POLICY IMPLICATIONS**

The CEO Recruitment and Selection, Performance Review and Termination Procedures were adopted by Council on 29 April 2021. This report addresses the insertion of terms of reference to address CEO selection and CEO performance review panels.

Whilst no industry standards are presently available, it is considered that at least an interim position be set by the Shire of Derby/West Kimberley, so that forthcoming CEO appointments and performance reviews are coordinated in a consistent manner. Once industry standards become available, the Guidelines can be reviewed to ensure our processes reflect those state-wide standards.

# FINANCIAL IMPLICATIONS

The process of understanding the new legislation, and putting into place the temporary authorised officer, and the form, is taking a number of hours of officer time.

The process of CEO recruitment will be more expensive to conduct as a result of the new legislation. In particular, the requirement for an independent member to sit on the selection

panel. The suggestion is that this person also sit on the Review Panel, but not until after the next CEO appointment is made.

# STRATEGIC IMPLICATIONS

STRATEGIC AREA	OUR PRIORITIES	WE WILL
1. LEADERSHIP AND GOVERNANCE	1.2 Capable, inclusive and effective organisation.	1.2.2 Provide strong governance.

# **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Not being compliant with the new Regulations (and associated Guidelines) may result in disputes by future CEO applicants and the need to address Department of Local Government questions on the appointment process.	Possible	Minor	Medium	Adopting the Terms of Reference and ensuring that Panel Members/Councillors maintain an awareness of them, will mitigate against any potential for non-compliance.
Reputation: Shire Elected Members/Employees fail to meet the requirements Guideline.	Possible	Minor	Medium	Councillors and Employees to have a good awareness of, and comply with the Guidelines.

# **CONSULTATION**

No community consultation is required in this instance.

# **COMMENT**

The Model Guidelines, albeit compulsory, were developed in consultation with the Western Australian Local Government Association, and Local Government Professionals WA so there was a good effort made to make them operationally workable. Whilst the new legislation was initiated to ensure fairness and equity prevailed for all parties, most of the requirements are not unduly onerous or are similar to the Shire's previous practice. There is however, one new requirement that is very different to current practice, namely, that at least one independent person (preferably with experience in the recruitment and selection of CEO's and/or senior executives) and who is not a current Councillor, human resources consultant, or employee of the local government, must

sit on the Chief Executive Officer Selection Panel. A procedure for the appointment of that person is required to be set.

At the time of preparing the 29 April 2021 Council Agenda it was hoped that terms of reference for both the CEO Appointment, and the CEO Performance Review Panels, would be made available as industry standards for all WA local governments to consider. Whilst that has not been the case thus far, it is expected that they will be developed at some point in the future. In the interim, it would be appropriate to set the Shire of Derby/West Kimberley's standards, so that future CEO performance reviews are coordinated in a consistent manner. The recommended terms of reference protocols are attached. Once industry standards become available, we can again review our position and adjust the guidelines as considered appropriate.

In regard to the independent member, it is suggested that they sit on the selection panel (as required by legislation) and also the review panel (to maintain consistently) but there is no need to appoint that person until after the next CEO appointment is made. This will meet the legislative requirements, not disadvantage future performance reviews with the current CEO, and save the costs of appointment/attendance until that person is needed.

The Appointment Panel needs to consist of at least three core members (President, Deputy President, and the independent person) but Council can expand on both panels membership at the point in time when they are needed to operate.

# **VOTING REQUIREMENT**

Simple majority

# **ATTACHMENTS**

1. Appointment and Review Processes - Schedules J.

# **RESOLUTION 83/21**

Moved: Cr Paul White Seconded: Cr Keith Bedford

# **That Council:**

- Adopts the attached Terms of Reference protocols for both the CEO Appointment, and the CEO Performance Review Panels (noting that these protocols will form part of the Shire of Derby/West Kimberley's CEO Recruitment and Selection, Performance Review and Termination Procedures);
- 2. Notes that Crs Haerewa (President and Panel Presiding Member) and White (Deputy President) are the two Councillor members of the CEO Appointment Panel, and the CEO Performance Review Panel for the remainder of the 2019-2021 Council Election period;
- 3. Notes that additional Councillor members can be considered for both panels at the point in time when they are needed to operate.
- 4. Notes that the calling of applications for the independent person position (to sit on both of the Panels) will be deferred to be undertaken at the point in time when a meeting of the CEO Appointment Panel is required; and
- 5. Notes that a further review of the Guidelines will occur when industry standards become available.

<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 

# Schedule 1 - CEO Selection Panel Process

This process is to incorporate the standards for recruitment at Division 2 of the Local Government (Administration) Amendment Regulations (No.2) 2020 and which outlines Terms of reference to facilitate the CEO Selection Panel process.

	CEO Selection Panel Process			
The primary functions of the panel	<ol> <li>To select in an impartial and transparent manner, the most appropriate candidate(s) for the position of Chief Executive Officer for the Shire of Derby/West Kimberley, in accordance with the requirements of the Local Government Act, the Local Government (Administration) Regulations, and these Guidelines; and</li> <li>To recommend to Council a preferred candidate, or preferred candidates, for Council's consideration.</li> </ol>			
Roles and responsibilities of panel members	Panel Members have and equal role and level of responsibility in the process of the recommendation to Council of a preferred Chief Executive Officer, or a shortlisted selection of candidates for Council's final consideration. Their thoughts and actions must be in accordance with their legal requirements and the Shire's Code of Conduct. Assessment and selection must be in accordance with the principles of merit, equity and transparency.			
	The President (as Presiding Member) has the added responsibility of presiding over the meetings in accordance with the principles of the Shire's Standing Orders.			
Composition of the panel	The Panel shall consist of at least three members, being the President and Deputy President of the Shire, plus one independent person (and who cannot be a current elected member, human resources consultant, or staff member of the Shire of Derby/West Kimberley).			
	Elected members wishing to seek a position on the Panel (i.e. other than the independent person) must first successfully complete the WALGA CEO Performance Appraisals course.			
Duration of term	The term of every member will be for approximately two years, coinciding generally with the biennial local government election timelines.			
	The term of the independent person can be extended at the sole discretion of the Council, but not for more than four years without that position at least being publicly advertised for interested parties to nominate for consideration of appointment.			
Desirable criteria for appointment to the panel	An existing skill-set and/or experience in the appointment of employees to a public body.			
Appointment process for independent person	A public advertising process inviting interested applicants is to be undertaken. Process to be generally consistent with normal staff appointment procedures, with the exception that the appointment is to be made by Council resolution.			
Independent Person remuneration	A fee/and or expenses may be paid to the independent person at the Council's discretion.			
Confidentially agreements and agreements of duties and responsibilities of their role	No confidentially agreement will be requested of Panel Members, although it is expected that appropriate levels of confidentiality will be observed, consistent with the appointment protocols of any employee. Appointments to the Panel will be in writing, inclusive of a copy of these Guidelines. Panel Members are expected to undertake and to comply with the duties and responsibilities outlined in their letter of appointment and these Guidelines.			

Item 11.2 - Attachment 1 Page 18

# Schedule 2 - CEO Review Panel Process

This process is to incorporate the standards for recruitment at Division 2 of the Local Government (Administration) Amendment Regulations (No.2) 2020 and which outlines Terms of reference to facilitate the CEO Review Panel process.

	CEO Review Panel Process		
The primary			
The primary functions of the	1. To undertake in an impartial and transparent manner, the periodic performance review of the person holding the position of Chief Executive		
panel	Officer of the Shire of Derby/West Kimberley, in accordance with the		
	requirements of the Local Government Act, the Local Government		
	<ul><li>(Administration) Regulations, and these Guidelines; and</li><li>2. To prepare a report for Council on the review for its endorsement, including</li></ul>		
	identifying any issues about the performance of the CEO.		
Basis of Review	The review must be evidence based and undertaken consistently with these Guidelines, and following the legislative principle that amongst other things, the Council and the CEO must agree on the process by which the CEO's performance will be reviewed.		
Roles and responsibilities of panel	Panel Members have and equal role and level of responsibility in the process of the selection a Chief Executive Officer. Their thoughts and actions must be in accordance with their legal requirements and the Shire's Code of Conduct.		
members	Assessment and selection must be in accordance with the principles of merit, equity and transparency.		
	The President (as Presiding Member) has the added responsibility to run and manage the meetings in accordance with the principles of the Shire's Standing Orders.		
Composition of the panel	The Panel shall consist of at least three members, being the President and Deputy President of the Shire, plus one independent person (and who cannot be a current elected member, human resources consultant, or staff member of the Shire of Derby/West Kimberley).		
	Elected members wishing to seek a position on the Panel (i.e. other than the independent person) must first successfully complete the WALGA CEO Performance Appraisals course.		
Duration of term	The term of every member will be for approximately two years, coinciding generally with the biennial local government election timelines.		
	The term of the independent person can be extended at the sole discretion of the Council, but not for more than four years without that position at least being publicly advertised for interested parties to nominate for consideration of appointment.		
Desirable criteria for appointment to the panel	An existing skill-set and/or experience in the undertaking of performance reviews of employees in a public body.		
Appointment	A public advertising process inviting interested applicants is to apply. Process		
process for independent person	to be generally consistent with normal staff appointment procedures, with the exception that the appointment is to be made by Council resolution.		
Independent	A fee/and or expenses may be paid to the independent person at the Council's		
Person	discretion.		
remuneration			
Confidentially	No confidentially agreement will be requested to be signed by Panel Members,		
agreements and	although it is expected that appropriate levels of confidentiality will be observed, consistent with the review protocols of any employee. Appointments to the		
agreements of	Panel will be in writing, inclusive of a copy of these Guidelines. Panel Members		
duties and responsibilities	are expected to undertake and to comply with the duties and responsibilities outlined in the letter of appointment and these Guidelines.		
of their role			

#### 11.3 ABORIGINAL EMPOWERMENT STRATEGY

File Number: TBC

Author: Sarah Tobias, Project Officer

Responsible Officer: Amanda O'Halloran, Chief Executive Officer

**Authority/Discretion: Executive** 

#### **SUMMARY**

Following the approval of the Shire's Strategic Community Plan (SCP) in April 2021, a Shire of Derby/West Kimberley Aboriginal Empowerment Strategy Workshop was held on 22 July 2021.

This report proposes that Council receive a copy of the 22 July Workshop Report and progress the matter of Aboriginal empowerment through strategic direction setting and policy development; and the employment of a part time senior Aboriginal identified position on the Shire's staff.

# **DISCLOSURE OF ANY INTEREST**

Nil.

# **BACKGROUND**

In 2020, the Shire of Derby/West Kimberley (SDWK) completed a significant review of its Strategic Community Plan (SCP) which was approved by Council in April. The SDWK has committed to developing an informing strategy or plan which focuses on empowerment of Aboriginal people and communities.

By developing this strategy, the SDWK will "walk the talk" by continuing to build on its commitment to engage with communities and to strengthen relationships so they can better understand their needs. The SCP states:

"As a Council, we are proud that our population is predominantly Aboriginal. We realise that who we are and what we do needs to reflect this, and we are committed to recognising and responding to our Aboriginal communities."

By virtue of their service accountabilities, employment practices and relationships, the SDWK is aware that there are deep connections between Aboriginal language groups and families across the entire district. Aboriginal people of the district include eminent role models and leaders, Councillors, artists, politicians, academics and authors.

The SDWK district spans 118,560km2 which includes Camballin, Derby and Fitzroy Crossing and 54 Aboriginal communities. There is a total population of 7,730 people of which Aboriginal people comprise 64%. The natural environment of the district provides a place of connection to country and culture for Aboriginal people.

An initial workshop to develop an Aboriginal Engagement Strategy was held with Councillors on Thursday 22 July 2021 in Derby (see **attached** for meeting notes).

# STATUTORY ENVIRONMENT

**Equal Opportunity Act 1984 (s. 50. Genuine occupational qualifications)** provides an exemption for employers from the normal equal opportunity requirements, where "the capacity for an employer to providing persons of a particular race with services for the purpose of promoting their welfare where those services can most effectively be provided by a person of the same race".

The following federal and state directions add to Shire's impetus to proactively develop an Aboriginal Empowerment Strategy:

# **National Agreement on Closing the Gap**

In March 2019, a formal Partnership Agreement on Closing the Gap was established between the Commonwealth Government, state and territory governments, the Coalition of Peaks and the Australian Local Government Association. In July 2020, the National Agreement on Closing the Gap was released by signatories to the Partnership Agreement.

This historic National Agreement sets a new standard for partnerships at all levels between Aboriginal communities, governments and community organisations in order to achieve Aboriginal advancement. This new era promises empowerment of Aboriginal people in the Kimberley, requiring all partners to align with shared goals, principles and priorities of communities.

The National Agreement sets targets and priority reforms that will change the way governments, including local government, work with Aboriginal people to improve life outcomes.

# A Path Forward: Developing the WA Government's Aboriginal Empowerment Strategy

The WA Government is developing a whole of government strategy to guide how it works with Aboriginal people towards better social, economic, health and cultural outcomes. A whole-of-government strategy will provide all WA Government agencies with a clear, common direction, consistent logic and shared vision for the future. This will allow agencies to work better for Aboriginal people, and will strengthen Government accountability to the WA community.

# **POLICY IMPLICATIONS**

It is not considered that a unique policy as a result of the proposed position is required, as the Shire already has in place a range of policies that will apply to procurement and to any new staff member appointed.

# **FINANCIAL IMPLICATIONS**

The following budget allocations are estimated as being required:

Cost Area	2021/22	2022/23
Administration and planning costs (consultants)	\$50,000	\$50,000
Staffing costs (0.5 FTE)*	\$300,000	250,000
*Includes purchase of motor vehicle & operating costs; office equipment and office furniture; housing subsidy; travel and accommodation expenses; training, and "on-ground" operational and engagement costs, etc. vehicle.		
Grant Income – To be determined	??	??

It will be vital that SDWK Administrative Staff seek grant funds to support this work and role progressing.

Depending on the grant funding sourced, Council will likely be required to review service delivery and allocate funds from another area to progress these works.

# STRATEGIC IMPLICATIONS

GOAL	ОИТСОМЕ	STRATEGY
1. LEADERSHIP AND GOVERNANCE	1.1 Collaboration and Partnerships.	1.1.1 Engage with our communities.
1. LEADERSHIP AND GOVERNANCE	1.2 Capable, inclusive and effective organisation.	1.2.3 Strive for a Council and workforce that reflects our communities.

# **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Community:  Confusion with other planning (either SDWK driven or other organisations)	Unlikely	Insignificant	Low	SDWK sponsorship and coordination of communications and promotions
Financial:  Council has a limited financial capacity and may not be in a position	Possible	Moderate	Medium	SDWK administrative Staff will need to ensure that grant funding is sourced to support this initiative.
to progress this vital work.				Council will be required to review service delivery and allocate funds from another area to progress these works.
Loss of momentum, lack of buy in     Community members not available     Cultural sensitivities	Possible	Minor	Medium	<ul> <li>SDWK communications and promotions and sponsorship to reinforce importance of process</li> <li>Demonstrate SDWK commitment to the</li> </ul>
<ul><li>Lack of trust / disengagement with SDWK</li></ul>				process by communicating action and feedback  • Respect cultural considerations

# **CONSULTATION**

Consultation has already included the community in regard to the work done to prepare the Community Strategic Plan. An initial workshop to develop an Aboriginal Engagement Strategy was

held with Councillors on Thursday 22 July 2021 in Derby and that workshop was co-facilitated by external consultants: Natasha Short, Managing Director Kimberley Birds; and Sarah Tobias.

Additional community consultation will be warranted as part of the proposed external consultancy to support Councillors and the Executive with strategic direction setting and policy development to the Aboriginal Empowerment Strategy, and also as that relates to the proposal to employ a senior Aboriginal identified position within the SDWK to operationalise empowerment strategies, including economic development and communications.

# COMMENT

The workshop revealed a number of opportunities that the SDWK can consider to progress development of an Aboriginal Empowerment Strategy. Outcomes that the Shire can aspire to achieve through the Strategy include:

- The SDWK is able to demonstrate advanced practice in relation to engagement with Aboriginal communities in comparison to other Shires;
- Enhanced and/or strengthened relationships with Aboriginal communities;
- Greater respect and trust in the SDWK by Aboriginal communities;
- A capable, inclusive and effective organisation with a Council and workforce that reflects SDWK communities;
- Recognition that everyone needs to collaborate to make decisions that will make communities, towns and the district a better place to be and for our young people to live; and
- Facilitation of effective communication to distribute information about who we are and our achievements.

In order to progress the development of the Aboriginal Empowerment Strategy, it is proposed that the Shire:

- 1. Engage external consultancy expertise to support Councillors and the Executive with strategic direction setting and policy development; and
- 2. Establish a senior Aboriginal identified position within the SDWK to operationalise empowerment strategies including economic development and communications.

# **VOTING REQUIREMENT**

Simple majority

# **ATTACHMENTS**

# **RESOLUTION 84/21**

Moved: Cr Geoff Davis Seconded: Cr Rowena Mouda

# **That Council:**

- Endorses the Workshop Report 22 July 2021 Shire of Derby/West Kimberley Aboriginal Empowerment Strategy;
- 2. Authorise the CEO to commence a Request for Quote process, to seek out an external consultancy with expertise to support Councillors and the Executive with strategic direction setting and policy development to the Aboriginal Empowerment Strategy; and
- 3. Endorse the scoping and development of a senior Aboriginal identified position within the SDWK to operationalise empowerment strategies including economic development and communications.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 





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# 1. Recognising and responding to Aboriginal communities

In 2020, the Shire of Derby / West Kimberley (SDWK) completed a significant review of its Strategic Community Plan (SCP). The final <u>SCP 2021-2031</u> was approved by Council in April and the SDWK has committed to developing an informing strategy or plan which focuses on empowerment of Aboriginal people and communities.

By developing this strategy, the SDWK will "walk the talk" by continuing to build on their its commitment to engage with communities and to strengthen relationships so they we can better understand their needs. The SCP states:

"As a Council, we are proud that our population is predominantly Aboriginal. We realise that who we are and what we do needs to reflect this, and we are committed to recognising and responding to our Aboriginal communities."

The Aboriginal Empowerment Strategy will contribute to the following SCP priorities:

Vision: A place where people want to live, invest, visit and return to					
Key area	Priority	Action			
Leadership	Collaboration and partnerships	Engage with SDWK communities			
governance	Capable, inclusive and effective organisation	Strive for a Council and workforce that reflects SDWK communities			

By virtue of their service accountabilities, employment practices and relationships, the SDWK is aware that there are the deep connections between Aboriginal language groups and families across the entire district. Aboriginal people of the district include eminent role models and leaders, Councillors, artists, politicians, academics and authors.

The SDWK district spans 118,560km<sup>2</sup> which includes Camballin, Derby and Fitzroy Crossing and 54 Aboriginal communities. There is a total population of 7,730 people of which Aboriginal people comprise 64%. The natural environment of the district provides a place of connection to country and culture for Aboriginal people.

# 2. Development of the SDWK Aboriginal Engagement Strategy

# 2.1 Councillor Workshop

An initial workshop to develop an Aboriginal Engagement Strategy was held with Councillors on Thursday 22 July 2021 in Derby. Councillors Haerewa, White, Kloss, Davis, Mouda, Riley and Bedford were in attendance; and Councillor Twaddle was an apology.

The workshop was co-facilitated by external consultants: Natasha Short, Managing Director Kimberley Birds; and Sarah Tobias.

A summary of the discussion and themes arising from the workshop is presented below.

# 2.1.1 Outcomes that can be achieved through this Strategy

- The SDWK is able to demonstrate advanced practice in relation to engagement with Aboriginal communities in comparison to other Shires.
- Enhanced and/or strengthened relationships with Aboriginal communities.

Workshop Report 22/7/21 - Development of the SDWK Aboriginal Empowerment Strategy

- Greater respect and trust in the SDWK by Aboriginal communities.
- A capable, inclusive and effective organisation with a Council and workforce that reflects SDWK communities.
- Recognition that everyone needs to collaborate to make decisions that will make communities, towns and the district a better place to be and for our young people to live.
- Facilitation Facilitate effective communication to and distribute information about who we are and our achievements.

# 2.1.2 What does empowerment mean to SDWK?

- Aboriginal people have the voice and the strength to make an effective contribution.
- Opening the gates to economic development, in a sustainable and balanced way and through jobs creation jobs, to impact abject poverty.
- Working in unity and having good relationships with those we're working with. Good relationships with Aboriginal people can be developed through listening and dialogue. Action creates good relationships which creates empowerment.
- Leadership and governance is empowerment. Create wealth to share not keep. Lift people out of poverty. There is power in people coming together.
- Flip / change the way we think to not be dependent on government. Be persistent at itbecoming sustainable.

# 2.1.3 SWOT Analysis

# Strengths

- The Bunuba word Marurri which means 'embrace' was embedded through the SCP consultation process. The SDWK can demonstrate the meaning of this through leadership and governance.
- A large proportion of the population identify as Aboriginal, which in turn yields a significant depth of Aboriginal culture and history. There are four main tribes represented in the district – Desert, Plains, Ranges, Salt-water.
- Strong Aboriginal leadership within the district such as the(e.g. Derby Aboriginal Corporations Alliance).
- Councillors work as a team. They openly discuss issues and listen to each other.
   Working together provides opportunities for shared learnings.
- Councillors themselves are well-networked across the district and the Kimberley region, including remote Aboriginal communities. Combined, they cover a large area and are able to capture what's happening.
- A committed Shire President who sets the tone and leads the way, supporting and advocating for local issues.
- The SDWK is unique because we know how to survive but we need to move forward.
   SDWK communities have always banded together.
- Local government is a constant presence / institution and takes an independent / neutral political position.
- Membership and participation in Kimberley Regional Zone and Group at the table with regional decision-making.

# **Opportunities**

# Maximise local opportunities

 Build on a culture of unity and bring people together with the support of Traditional Owners.

Workshop Report 22/7/21 - Development of the SDWK Aboriginal Empowerment Strategy

- Work more closely / walk/stand side by side / collaborate / support / facilitate / strategise with Aboriginal communities and organisations including:
  - Derby Aboriginal Corporations Alliance (and a Fitzroy Valley equivalent if established)
  - o Prescribed Body Corporates (PBCs)
  - o Community Councils
  - o Traditional Owners
  - o Aboriginal businesses
- Mapping services, businesses and communities to identify their priority issues and desired outcomes and how the SDWK can relate to these and with reference to the SDWK's sphere of influence.
- Commission a report on social indicators for West Kimberley Aboriginal people, similar to the 'Taylor Report' completed in the East Kimberley.

# Maximise regional opportunities that benefit our community

 Embrace Aboriginal empowerment reforms that are underway across all levels of government. Look at, for example, Closing the Gap and plans for Northern Australia and how the SDWK fits into that. Consider how the SDWK can position itself for positive change for communities.

#### Provide strong civic leadership

- Continue progressing this strategy through further dialogue and consultation.
- Increase community engagement and participation in Council.
- Increase the number of Aboriginal people being elected tonominating for Council via upcoming local government elections.
- Consider how do we as Councillors, in our positions, reflect the views of Aboriginal people?
- Amplify community voices by lobbying and advocating on issues that <u>Aboriginal people</u> they identify and as appropriate through formalised letter writing and other channels.
- · Encourage and support communities to attend council meetings.
- Engage communities in the role and function of local government.

# Strive for a Council and workforce that reflects our communities

- Establish a senior 50D (<u>Equal Opportunity Act</u>) position within the SDWK to focus on priority areas of the SCP as well as this Aboriginal Empowerment Strategy.
- Aboriginal employment strategy
  - For the SDWK aim to increase numbers to be reflective of population demographic
  - Invest in recruitment and retention of Aboriginal staff.

# Effective communication

- Develop a communications strategy
  - o To listen to Aboriginal people and communities of the district.
  - o To showcase SDWK highlights and achievements, such as:
    - Derby Youth Service
    - Aboriginal Environmental Health Team
    - Holding a Council meeting at Jarlmadangah (doing what we said we'd do)
  - To build on / showcase culture and the arts including music and the Kimberley Arts Prize
  - o To share information about activities / what's happening

Workshop Report 22/7/21 - Development of the SDWK Aboriginal Empowerment Strategy

- Where community members suggest something demonstrate that you've done something aboutgenuinely considered it.
- Strategies
  - Community radio 3 towns and every community
  - o Use Peter Brandy's song 'Derby Trip' in a promo video

# Industry and business development and growth

- Consider increased engagement of local Aboriginal businesses and industry through procurement or buy local policies.
- Support economic development opportunities for Aboriginal organisations and businesses such as agriculture and commercial ventures. Where possible encourage investment in the district and raise the profile of these businesses with larger entities such as Water Corp and Horizon Power.
- Consider philanthropic opportunities.

#### Weaknesses

- SDWK has worked in isolation for a long time and in some circumstances with little to no
  connection to communities within the district. In some circumstances this has resulted in
  a lack of trust and engagement.
- Some Aboriginal stakeholders know of the SDWK but don't respect its role or relevance
  of the Shire.
- Poor financial position which diminishes somewhat the SDWK's prowess and clout.
- Limited administration and financial resource capacity for planning and project works funding, in order to have a raft of "shovel ready" proposals available for selection.
- Transience of local workforce.

# **Threats**

- The State and Federal governments can "railroad" local efforts. This is evident for
  example in supporting short-term business enterprise only, not long-term efforts that lead
  to sustainable change.
- Abject poverty can be exploited as a commodity.
- Paucity of political power low voting numbers.
- If we try and play in a space where things haven't been resolved we almost amplify the
  problem and go backwards. Got to be really careful.
- · Competing with other organisations.

# 3. Next steps

A report on this workshop is to be submitted to Council for review with recommendations to consider:

- Strategy further developing and expanding on the SDWK's strategic approach to empowerment
- Operations establishment of a 50D position to focus on opportunities for economic development and communications.

Workshop Report 22/7/21 - Development of the SDWK Aboriginal Empowerment Strategy

# 12 CORPORATE SERVICES

# 12.1 SPECIAL COUNCIL MEETING: TUESDAY 31 AUGUST 2021

File Number: 5120

Author: Neil Hartley, Director - Strategic Business

Responsible Officer: Amanda O'Halloran, Chief Executive Officer

**Authority/Discretion: Executive** 

# **SUMMARY**

The purpose of this report is to schedule a Special Council Meeting for Tuesday 31 August 2021 to adopt the 2021/22 Budget.

#### DISCLOSURE OF ANY INTEREST

Nil

# **BACKGROUND**

The Council must adopt prior to 31 August annually, a budget for the financial year.

# STATUTORY ENVIRONMENT

**Local Government Act S. 6.2 (Local government to prepare annual budget)** requires that each local government is to prepare and adopt its annual budget no later than 31 August.

Shire of Derby/West Kimberley Standing Orders Cl. 2.2 (Notice of Special Council Meetings) and Cl. 3.1 (Business to be Specified on Notice Paper) outlines that the CEO is to convene a special meeting of the Council by giving each Council member at least 72 hours' notice of the date, time, place and purpose of the meeting. No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.

# **POLICY IMPLICATIONS**

There are no policy implications as a result of this report.

#### FINANCIAL IMPLICATIONS

There are some minor administrative and financial costs associated with the preparation of this report and the public advertising of the Special Council Meeting.

# STRATEGIC IMPLICATIONS

STRATEGIC AREA	OUR PRIORITIES	WE WILL
1. LEADERSHIP AND	• •	1.2.1 Provide strong civic leadership.
GOVERNANCE	and effective organisation.	1.2.2 Provide strong governance.
	J	1.2.4 Attract and effectively use resources to meet community needs.

# **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance:  Not passing the annual budget by 31 August will require a submission the	Unlikely	Moderate	Medium	Approve the Special Council Meeting to enable the budget to be considered.
Minister to seek additional time.				

#### CONSULTATION

No community consultation is required as part of the special council meeting (or the budget process - but a communications program is to be initiated following the budget's adoption to best update the community as to the major components of the budget).

Councillor Workshops have been held as part of the budget preparation process.

# **COMMENT**

The timing of the 2021/22 financial year budget would be best accommodated with its adoption at a special council meeting late in August. This will provide staff with the most time practical, to build a comprehensive budget for Council's consideration.

# **VOTING REQUIREMENT**

Simple majority

# **ATTACHMENTS**

Nil

# **RESOLUTION 85/21**

Moved: Cr Rowena Mouda

Seconded: Cr Pat Riley

That Council approve the holding a Special Meeting at 5.30pm on Tuesday 31 August 2021, for the purpose of adopting the 2021/22 Budget, and associated budget adoption considerations.

<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

CARRIED 8/0

# 13 TECHNICAL SERVICES

# 13.1 AWARD OF TENDER T2-2021 FLOOD DAMAGE REINSTATEMENT AGRN 907

File Number: 0481

Author: Wayne Neate, Director Technical and Development Services

Responsible Officer: Amanda O'Halloran, Chief Executive Officer

**Authority/Discretion: Executive** 

# **SUMMARY**

This item is for Council to consider the awarding of tender T02 -2021 being for the reinstatement of roads following event AGRN 907. This tender has been split into three areas to expedite the work. For Area 1 the proposed tenderer is Buckley's Earthworks and Paving, Area 2 the proposed tenderer is AK Evans/Marra Marra and Area 3 the proposed tenderer is Youngs Earthmoving.

# **DISCLOSURE OF ANY INTEREST**

Nil

#### **BACKGROUND**

On the 24<sup>th</sup> February 2020 Tropical Cyclone (TC) Esther made landfall and tracked across the Northern Territory and Queensland border. It then turned into an ex-TC Esther and moved towards Kununurra hitting the town on the 28<sup>th</sup> February 2020. From Kununurra the system tracked towards Derby before turning in a southerly direction passing to the east of derby and then tracking east towards Fitzroy Crossing and Halls Creek passing over Halls Creek on the 3<sup>rd</sup> of March 2020.

During this period high rainfall numbers were received across the Shire of Derby/West Kimberley (the Shire) in most locations and damage to the road network was being reported on a constant basis. Some areas receiving in excess of 500mm of rainfall over a few days with peaks of daily falls over 300mm.

Event AGRN 907 Ex-TC Esther was declared on the 27<sup>th</sup> March 2020 for flooding damage caused by the ex-TC from the 28<sup>th</sup> February to 3<sup>rd</sup> March 2020. The Shire then sought the services of a suitably qualified engineering firm to undertake a damage pick up of the road network to ascertain the damage and work up a claim as per the Disaster Recovery Funding Arrangements of Western Australia (DRFAWA), Greenfields Technical Services (GTS) were selected to undertake the pickup and manage the opening up works. As soon as the roads were able to been driven on without causing further damage the Shire's Grading contractors at the time undertook repairs of the network to make it "trafficable" for vehicles.

The final report of the damage was submitted to the Department of Fire and Emergency Services (DFES) on the 3<sup>rd</sup> July 2020 for their assessment. The new process as per the DRFAWA guidelines is that this report is then referred from DFES to the local office of Main Roads Western Australia (MRWA) as they are the subject matter experts before DFES make a definitive repose to the Shire. The Shire's initial claim was for \$11.2 million.

MRWA then hired an external consultant to carry out an investigation of our claim during July and August. Shire staff and GTS then met with the MRWA staff and consultant on the 3<sup>rd</sup> September 2020 where it was argued that the MRWA inspection was not legitimate as the damage had been graded at least twice in some areas which makes the roads look better than they are. It was

agreed at that meeting to take the damage on face value and that some rates and treatments be discussed between GTS and the consultant for MRWA.

There were then many discussions over standards and treatment methods first with the consultant who then was removed from the project and then numerous internal staff of MRWA culminating in another meeting via video link with MRWA staff on the 22<sup>nd</sup> December 2020 to discuss the previous issues. The Shire and GTS were advised by the MRWA staff during this video link that the funding estimate was going to be lowered but no definitive amount was given. Numerous discussions were held between GTS, MRWA and DFES staff over the next few months which then culminated in an unofficial revised cost estimate being provided to the Shire on the 16<sup>th</sup> March 2021.

By the time this initial estimate was given to the Shire, it had already been impacted by another event AGRN 951 which occurred between the 28<sup>th</sup> January and the 8<sup>th</sup> of February 2021. In the months that followed the 16<sup>th</sup> of March 2021 Shire staff, the Shire president and GTS lobbied for the matter to be reviewed due to length taken, the points being argued by MRWA and for the estimate to be finalised.

The finalised estimate was then presented to the Shire on the 4<sup>th</sup> of June 2021 with the tender being worked up and put to the market on the 9<sup>th</sup> July 2021. This tender is designed to provide company rates to then be project managed across the various work sites to get the best outcome for the Shire which does vary from previous tenders which have stipulated the set bill of quantities.

# STATUTORY ENVIRONMENT

- Local Government Act 1995–3.57 Tenders for the provision goods or services; and
- Local Government (Functions and General) Regulations 1996 part 4: tenders for the provision of goods or services.

# **POLICY IMPLICATIONS**

- AF1-Procurement of Goods and Services
- AF33–Regional Price Preference Policy two tenderers qualified for application of this policy.

# FINANCIAL IMPLICATIONS

The proposed current budget and previous budget made allowances for this work to occur which is for the reinstatement of many roads from event 907. The Shire is liable for the first \$154,300 of the work which is estimated to be around the \$7.2 million with an approximate \$1 million contingency.

All costs in excess of the \$154,300 of reinstatement works is claimable back from the State government.

#### STRATEGIC IMPLICATIONS

GOAL	ОUTCOME	STRATEGY	
4. Environment	4.2 Liveable Communities	4.2.3 Encourage and facilitate the	
		maintenance and development of	
		infrastructure that connects our	

		communities	
3. Economy	3.2 Strong economy	3.2.2 Endeavour to increase visitor numbers, length of stay, spend and return.	

# **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Business Interruption:  Pastoralists unable to import fuel/fodder and export cattle.	Almost Certain	Severe	Extreme	Maintain roads to industry standards
Community:  Access to communities restricted.	Likely	Moderate	High	Maintain roads to industry standards

# **CONSULTATION**

The tender was advertised state wide for a minimum of 28 days with submissions closing at 2:00pm, 6<sup>th</sup> August 2021. Documents were downloaded by 14 companies with 4 submissions received.

# **COMMENT**

For the purposes of ensuring that reinstatement work is completed in an acceptable timeframe, the scope of works was separated into three (3) separate areas as follows:

# Flood Damage Reinstatement Package 1

- Beefwood Park Road
- Bulka Road
- Calwynyardah Noonkanbah Road
- Camballin Noonkanbah Road
- Cherrabun Road
- Christmas Creek Beefwood Park Road
- Ellendale Road
- Fairfield Leopold Road
- Fossil Downs Road
- Laurel Downs Road
- Leopold Downs Road
- Mangkurla (Cemetery) Road
- Milligiddee Access Road
- Quanbun Downs Road

- Yakanara Road
- Yungngora Yakanara Road
- Yurabi Road

# Flood Damage Reinstatement Package 2

- Blina Road
- Bungarun Road
- Camballin Myroodah Road
- Camballin Road
- GNH Gee Gully Road
- Kalyeeda Road
- Kimberley Downs Road
- Langey Crossing Road
- Lovegrove Street
- Manguel Creek Udialla Road
- Mt Anderson Road
- Mt Hart Road
- Nerrima Road
- Sutherland Street

# Flood Damage Reinstatement Package 3

- Beverley Springs Road
- Lennard Gorge Road
- Marion Downs Road
- Milliewindie Road
- Mornington Road
- Silent Grove and Bell Gorge Road
- Tablelands Road.

It is recommended that the tender for each Area be awarded to the contractor that provides the best value for money, using the Approved Tender Scoring Criteria. The Regional Price Preference Policy AF33 was applied to the prices submitted by the Derby based Contractors as detailed in the table below.

The criteria and weighting for this tender were as follows:

Criteria	Weighting
Relevant Experience	15%
Key Personnel Skills and Experience	15%
Tender Resources	20%
Demonstrated Understanding	15%

Local Supplier Details	10%
Quality Management System	15%
Risk	10%

The four companies that provided a submission are as per the table below:

Contractor Name	Contractor No.	Address
AK Evans	C1	Port Hedland
Buckley's Earthworks & Paving (BEP)	C2	Derby/Mandurah
Ronileeh/Maramara (R/M)	C3	Port Hedland
Youngs Earthmoving	C4	Cottesloe

A score summary is included in the confidential attachments to the item with each tenderer scoring reasonable well. The panel consisted of two staff members and a representative from GTS. Each Tenderer has also noted that they can complete only one area of works. Please also note that AK Evans/Ronileeh/Marra Marra are one in the same company and combined can only complete one area of works as a group.

This allows for each company to undertake one area of this contract and the decision to award each area as follows is based on each contractor's respective experience and expertise. It will be recommended to award each area as follows;

- Area 1 Buckley's Earthworks and Paving
- Area 2 AK Evans/Ronileeh/Marra Marra
- Area 3 Young's Earthmoving

The reasoning behind each of the above selections is that in Area 1 Buckley's undertake the maintenance grading and are familiar with the road network, undertake the maintenance grading and the may be some efficiencies gained by this. The same process was used for Area 2 in where AK Evans/Ronileeh/Marra Marra are relative new comers but some efficiencies may be gained. Area 3 was given to Young's as they are employing Rod Jenkins as a supervisor who has maintained this area in the past and has a very good knowledge of the area and should provide a good result.

### **VOTING REQUIREMENT**

Simple majority

### **ATTACHMENTS**

1. Confidential scoring Sheet - Confidential

# **RESOLUTION 86/21**

**Moved:** Cr Andrew Twaddle

Seconded: Cr Paul White

That Council award tender T2021-02 Flood damage reinstatement works for event AGRN 907 for

1. Flood Damage Reinstatement Package 1 to Buckley's Earthworks and Paving

- 2. Flood Damage Reinstatement Package 2 to AK Evans / Ronileeh / Maramara
- 3. Flood Damage Reinstatement Package 3 to Young's Earthmoving

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 

# 13.2 AWARD OF TENDER T3-2021 PROJECT MANAGEMENT OF FLOOD DAMAGE RESINSTATEMENT WORKS AGRN 907

File Number: 0481

Author: Wayne Neate, Director Technical and Development Services

Responsible Officer: Amanda O'Halloran, Chief Executive Officer

**Authority/Discretion: Executive** 

### **SUMMARY**

This item is for Council to consider the awarding of tender T03-2021 being for the Project management of the reinstatement of roads following event AGRN 907. It is proposed that the tender be awarded to Greenfield Technical Services.

### **DISCLOSURE OF ANY INTEREST**

Nil

### **BACKGROUND**

On the 24<sup>th</sup> February 2020 Tropical Cyclone (TC) Esther made landfall and tracked across the Northern Territory and Queensland border. It then turned into an ex-TC Esther and moved towards Kununurra hitting the town on the 28<sup>th</sup> February 2020. From Kununurra the system tracked towards Derby before turning in a southerly direction passing to the east of Derby and then tracking east towards Fitzroy Crossing and Halls Creek passing over Halls Creek on the 3<sup>rd</sup> of March 2020.

During this period high rainfall numbers were received across the Shire of Derby/West Kimberley (the Shire) in most locations and damage to the road network was being reported on a constant basis. Some areas receiving in excess of 500mm of rainfall over a few days with peaks of daily falls over 300mm.

Event AGRN 907 Ex-TC Esther was declared on the 27<sup>th</sup> March 2020 for flooding damage caused by the ex-TC from the 28<sup>th</sup> February 2020 to 3<sup>rd</sup> March 2020. The Shire then sought the services of a suitably qualified engineering firm to undertake a damage pick up the road network to ascertain the damage and work up a claim as per the Disaster Recovery Funding Arrangements of Western Australia (DRFAWA). Greenfields Technical Services (GTS) were selected to undertake the pickup and manage the opening up works. As soon as the roads were able to been driven on without causing further damage the Shire's grading, contractors at the time undertook repairs of the network to make it "trafficable" for vehicles.

The final report of the damage was submitted to the Department of Fire and Emergency Services (DFES) on the 3<sup>rd</sup> July 2020 for their assessment. The new process as per the DRFAWA guidelines is that this report is then referred from DFES to the local office of Main Roads Western Australia (MRWA) as they are the subject matter experts before DFES make a definitive repose to the Shire. The Shire's initial claim was for \$11.2 million.

MRWA then hired an external consultant to carry out an investigation of our claim during July and August. Shire staff and GTS then met with the MRWA staff and consultant on the 3<sup>rd</sup> September 2020 where it was argued that the MRWA inspection was not legitimate as the damage had been graded at least twice in some areas which makes the roads look better than they are. It was

agreed at that meeting to take the damage on face value and that some rates and treatments be discussed between GTS and the consultant for MRWA.

There were then many discussions over standards and treatment methods first with the consultant who then was removed from the project and then numerous internal staff of MRWA culminating in another meeting via video link with MRWA staff on the 22<sup>nd</sup> December 2020 to discuss the previous issues. The Shire and GTS were advised by the MRWA staff during this video link that the funding estimate was going to be lowered but no definitive amount was given. Numerous discussions were held between GTS, MRWA and DFES staff over the next few months which then culminated in an unofficial revised cost estimate being provided to the Shire on the 16<sup>th</sup> March 2021.

By the time this initial estimate was given to the Shire, it had already been impacted by another event AGRN 951 which occurred between the 28<sup>th</sup> January 2021 and the 8<sup>th</sup> of February 2021. In the months that followed on the 16<sup>th</sup> of March 2021 Shire staff, the Shire president and GTS lobbied for the matter to be reviewed due to length taken, the points being argued by MRWA and for the estimate to be finalised.

The finalised estimate was then presented to the Shire on the 4<sup>th</sup> of June 2021 with the tender being worked up and put to the market on the 9<sup>th</sup> July 2021. This tender is designed to provide a suitably qualified person or company to undertake the project management for the reinstatement works required under Tender T2-2021 Flood damage reinstatement works AGRN 907. Under the new DRFAWA guidelines and requirements a suitably qualified person is required to sign off on all of the works and treatments and all monies used on external project management staff can be claimed back from DFES as an expense. This will allow Shire staff to undertake their normal duties which will include the Contract Management of the Project manager to ensure the best outcome for the Shire but not to the detriment of their normal duties.

### STATUTORY ENVIRONMENT

- Local Government Act 1995–3.57 Tenders for the provision goods or services; and
- Local Government (Functions and General) Regulations 1996 part 4: tenders for the provision of goods or services.

# **POLICY IMPLICATIONS**

- AF1-Procurement of Goods and Services
- AF33–Regional Price Preference Policy two tenderers qualified for application of this policy.

### FINANCIAL IMPLICATIONS

The proposed current budget and previous budget made allowances for this work to occur which is for the project management of the flood damage reinstatement works on many roads from event 907. The Shire is liable for the first \$154,300 of the work which is estimated to be around the \$7.2 million with an approximate \$1 million contingency.

All costs in excess of the \$154,300 of reinstatement works is claimable back from the State Government.

### STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
------	---------	----------

4. Environment	4.2 Liveable Communities	4.2.3 Encourage and facilitate the maintenance and development of infrastructure that connects our communities
3. Economy	3.2 Strong economy	3.2.2 Endeavour to increase visitor numbers, length of stay, spend and return.

### **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Pastoralists unable to import fuel/fodder and export cattle.	Almost Certain	Severe	Extreme	Maintain roads to industry standards
Community:  Access to communities restricted.	Likely	Moderate	High	Maintain roads to industry standards

### **CONSULTATION**

This tender was advertised using the list of pre-qualified Western Australian Local Government Association (WALGA) panel tenderers available to the Shire of Derby/West Kimberley. It was advertised on the panel for the minimum 14 day period required by the legislation and will close on the 20<sup>th</sup> August 2021 at 5.00pm. The documents were circulated to the 8 companies listed on the panel tender in the WALGA portal. Only one company decided to respond.

### **COMMENT**

For the purposes of ensuring that reinstatement work is completed in an acceptable timeframe, the scope of works was separated into three (3) separate areas as follows:

### Flood Damage Reinstatement Package 1

- Beefwood Park Road
- Bulka Road
- Calwynyardah Noonkanbah Road
- Camballin Noonkanbah Road
- Cherrabun Road
- Christmas Creek Beefwood Park Road
- Ellendale Road
- Fairfield Leopold Road
- Fossil Downs Road
- Laurel Downs Road

- Leopold Downs Road
- Mangkurla (Cemetery) Road
- Milligiddee Access Road
- Quanbun Downs Road
- Yakanara Road
- Yungngora Yakanara Road
- Yurabi Road

## Flood Damage Reinstatement Package 2

- Blina Road
- Bungarun Road
- Camballin Myroodah Road
- Camballin Road
- GNH Gee Gully Road
- Kalyeeda Road
- Kimberley Downs Road
- Langey Crossing Road
- Lovegrove Street
- Manguel Creek Udialla Road
- Mt Anderson Road
- Mt Hart Road
- Nerrima Road
- Sutherland Street

# Flood Damage Reinstatement Package 3

- Beverley Sprigs Road
- Lennard Gorge Road
- Marion Downs Road
- Milliewindie Road
- Mornington Road
- Silent Grove and Bell Gorge Road
- Tablelands Road.

The project managers as per the companies bidding in T2-2021 can bid on all or only selected areas for project management. It is recommended that the tender for each Area be awarded to the contractor that provides the best value for money, using the Approved Tender Scoring Criteria. The Regional Price Preference Policy AF33 was applied to the prices submitted by the Derby based Contractors as detailed in the table below.

The criteria and weighting for this tender were as follows:

Criteria	Weighting
Relevant Experience	15%
Key Personnel Skills and Experience	15%
Tender Resources	20%
Demonstrated Understanding	15%
Local Supplier Details	10%
Quality Management System	15%
Risk	10%

The scores for Greenfields Technical Services are attached in the attachments. They will be able to adequately undertake the work and have sufficient resources to complete this across the Shire.

It will be therefore recommended that the tender be awarded to Greenfields Technical Services to undertake the project management work for event AGRN 907

# **VOTING REQUIREMENT**

Simple majority

### **ATTACHMENTS**

## 1. Confidential Score Sheet T3-2021 - Confidential

**RESOLUTION 87/21** 

Moved: Cr Rowena Mouda Seconded: Cr Geoff Davis

That Council award tender T2021-03 Project management of Flood damage reinstatement works for event AGRN 907 to Greenfields Technical Services.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 

### 14 DEVELOPMENT SERVICES

### 14.1 NOTICE OF INTENT TO PREPARE A NEW LOCAL PLANNING SCHEME

File Number: 7060

Author: Robert Paull, Manager Development Services

Responsible Officer: Wayne Neate, Director Technical and Development Services

Applicant: Shire of Derby/West Kimberley

Owner: N/A

Proposal: Preparation of a new local planning scheme

Location: Whole of Shire

Authority/Discretion: Legislative

### **SUMMARY**

The purpose of this report is for the Council to consider a new Local Planning Scheme (LPS) to be referred to as Shire of Derby - West Kimberly LPS No.9 and to cease preparation of (draft) LPS No.8. Proposed LPS No. 9 will revoke the current Shire of Derby - West Kimberly LPS No. 5 and No. 7 along with Interim Development Order No. 9 (IDO No. 9).

### **DISCLOSURE OF ANY INTEREST**

Nil.

### **BACKGROUND**

Local governments are required to review their local planning scheme every five (5) years. The current LPS No. 5 was gazetted on 25 September 2001 and the Shire of Derby - West Kimberly LPS No. 7 gazetted in 14<sup>th</sup> July 1998 and are substantially overdue for review. IDO No. 9 that covers most of the Shire was Gazetted on 17 November 2020 and expires three (3) years from that date.

Draft LPS No. 8 was initiated by Council at the Ordinary Meeting of Council held on 26th February 2015. Due to the passage of time it is considered beneficial to restart the process so that the scheme remains a contemporary, up to date document and a reflection of the current Local and State Government policy and legislation.

In preparing a new LPS, the Shire must follow the legislative requirements of the *Planning and Development Act 2005 (Act)* and *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)*. The new local planning scheme must be:

- first initiated by Council;
- then advertised extensively;
- then adopted by Council;
- then endorsed by the Western Australian Planning Commission; and
- given final approval by the Minister for Planning to come into effect.

The new LPS must be prepared in a manner and form as prescribed in the Model Scheme Text which forms part of the Regulations.

This report represents a very early stage in the process and simply aims to formally notify relevant stakeholders of the Shires intention to prepare a new LPS. The aims of the new LPS have been developed (refer Attachment 1) and a map of the proposed scheme area (refer Attachment 2) that comprises the whole of Shire have been included.

Should Council accept in the recommendation, the resolution will direct the Chief Executive Officer to provide stakeholders of the Shires intentions to progress draft LPS No. 9. LPS No.5 and LPS No.7 along with IDO No. 9 will continue to apply until such a time as the draft LPS No. 9 is gazetted.

### STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

### **POLICY IMPLICATIONS**

None known.

### **FINANCIAL IMPLICATIONS**

The Shire will incur minor administrative costs in publishing the notice of intent to prepare LPS No. 9 as required under the Regulations.

### STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
Priority 1: Leadership and	1.1 Collaboration and	1.1.1 Maximise local opportunities
Governance	Partnerships 1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs
	1.3 Effective Communication	1.3.3 Listen to and respond to the needs of our communities

### **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Council is obligated to progress a review of its planning Schemes and IDO.	Unlikely	Moderate	Low	Staff will follow the procedures established by Statutory Agencies in particular, the Department of Planning, Lands and Heritage.

### **CONSULTATION**

Internal

Executive team

External Agencies

External agency consultation will occur extensively in later stages of the process.

### Community

Community consultation will occur extensively in later stages of the process.

### COMMENT

This report represents the first procedural step in the planning process under planning legislation and regulations to prepare a new LPS. The resolution includes a section to cease preparation of draft LPS No. 8, and a section to notify relevant stakeholders in accordance with the Regulations of the Shires' intent to prepare draft LPS No. 9.

Significant opportunities for engagement will be available in the latter part of 2021 and 2022 to provide input into the new LPS, which will be carried out as a matter of course following this resolution. Once Council resolves to prepare draft LPS No. 9, further Councillors Briefings and reports concerning the details of the draft LPS No. 9 will be prepared.

### **VOTING REQUIREMENT**

Simple majority

### **ATTACHMENTS**

- 1. Attachment 1 Draft LPS No.9 Scheme Map U
- 2. Attachment 2 Aims of draft LPS No. 9 U

### **RESOLUTION 88/21**

Moved: Cr Andrew Twaddle

Seconded: Cr Paul White

### **That Council:**

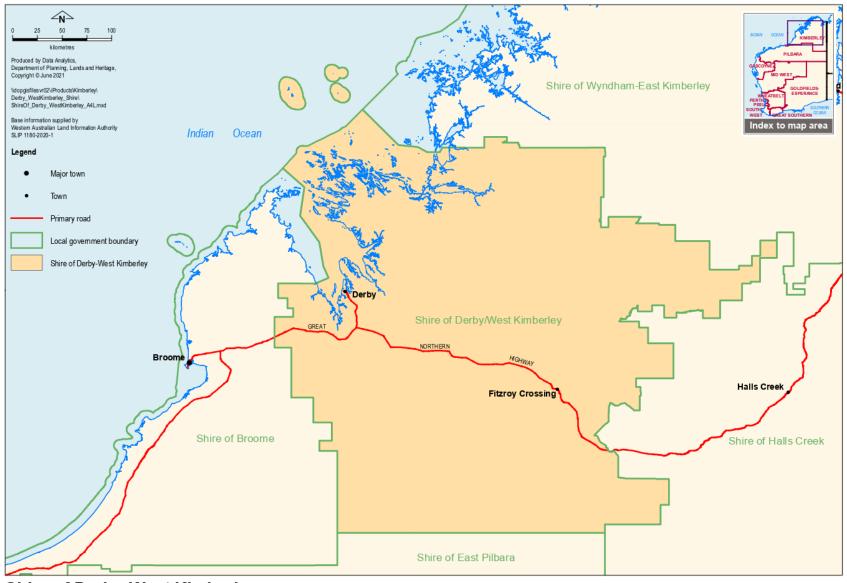
- 1. Resolves pursuant to Clause 21 of the *Planning and Development (Local Planning Schemes)*Regulations 2015 not to proceed with Local Planning Scheme No.8 which was initiated at the Ordinary Council Meeting held on 26th February 2015 and advise the Western Australian Planning Commission that all actions pertaining to Local Planning Scheme No. 8 have ceased.
- 2. Resolves pursuant to section 72 of the Planning and Development Act 2005 to prepare Local Planning Scheme No. 9 with reference to the entire area within the Shire of Derby-West Kimberley as shown in Attachment 1 with the inclusion of draft aims as shown in Attachment 2.
- 3. Authorises the Chief Executive Officer to carry out notification of the resolution in accordance with Clause 20 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 



**Shire of Derby-West Kimberley** 

Attachment 2: Draft Scheme Aims

The aims of this Scheme are -

- To encourage an appropriate balance between economic and social development, conservation of the natural environment, provision of infrastructure and services, and improvements in lifestyle and amenity;
- To recognise and provide for the cultural practices and traditions of the traditional owners in the Shire;
- To provide sufficient zoned land for residential, commercial, retail, industrial, rural and civic uses, suitable to service the long term growth of the Shire;
- To implement strategic planning for the municipality, including the recommendations of the Shire's Local Planning Strategy, relevant regional plans and policies including the State Planning Strategy;
- To reserve certain portions of land required for public purposes;
- To zone the balance of the land within the Scheme Area for purposes described in the Scheme as recommended by the Shire's local planning strategy;
- To define the uses and types of development to be permitted on land within the Scheme Area; and
- To control and regulate the development and use of land throughout the Shire.

# 14.2 DEPARTMENT OF COMMUNITIES INTENT TO DEVELOP FOUR (4) GROUPED DWELLINGS AT LOT 267 (NO. 8) FLYNN DRIVE, FITZROY CROSSING

File Number: 7060; PA 91; A300111

Author: Robert Paull, Manager Development Services

Responsible Officer: Wayne Neate, Director Technical and Development Services

**Applicant:** Dynamic Planning and Developments

Owner: Dynamic Planning and Developments

Proposal: Proposed Four (4) Grouped Dwellings

Location: Lot 267 (No. 8) Flynn Drive, Fitzroy Crossing

Authority/Discretion: Legislative

# **SUMMARY**

The Department of Communities (Department) intend to develop Lot 267 (No. 8) Flynn Drive, Fitzroy Crossing (the Site) at a density higher than anticipated by Fitzroy Futures Town Plan. The Department will lawfully undertake the residential development as 'public works' removing the need for Shire planning approval. The Department is seeking Council support and inviting the opportunity for Council to undertake public consultation.

# **DISCLOSURE OF ANY INTEREST**

Nil.

### **BACKGROUND**

The Site has an area of 1,050<sup>m2</sup> and is vacant.



P
Denotes NonGovernment
owner

The proposed development is for four (4) grouped dwellings. All dwellings will be single storey with two (2) two bedroom dwellings and two (2) one bedroom dwellings each with their own exclusive carport accessed from a central common property driveway which will provide access to Flynn Drive (Attachment 1).

Immediately abutting the Site is four (4) separate single residential properties. The broader locality is also characterised by predominantly single residential development. The site is also located in close proximity to the Tarunda Shopping Centre (400m) and the Fitzroy Crossing Visitor Centre (30m). The site is also located in close proximity to the Great Northern Highway, which is the primary traffic route in and out of Fitzroy Crossing.

### STATUTORY ENVIRONMENT

# Planning and Development Act 2005 (Act) Public Works Act 1902

Section 6 of the Act states: "nothing in this Act interferes with the right of the Crown, or the Governor, or the Government of the state, or a local government - (a) to undertake, construct or provide any public work; and (b) to take land for the purposes of that public work."

In general terms, this section gives the bodies referred to in section 6, "section 6 bodies", the power to undertake a public work or take land for the purposes of a public work without obtaining development approval from the responsible authority under the relevant planning scheme. The term "public work" is defined under section 4 of the PD Act as including any public work as defined in the *Public Works Act 1902* and enable the Department to undertake its public works without the formal consent of Council.

The Western Australian Planning Commission has previously advised that Section 6 has the effect of exempting section 6 bodies from the requirement to obtain development approval for a public work under a local planning scheme. Despite this exemption, section 6 bodies are still required to comply with the requirements of section 6(2) and (3), namely:

- to have regard to the purpose and intent of the local planning scheme;
- to have regard to the principles of proper and orderly planning and the amenity of the area; and
- to consult with the local government when a proposal is being formulated for any public work, or the taking of land for a public work If a section 6 body undertakes a public work without consulting with the relevant local government under section 6(3), then it has breached the requirements of the PD Act.

### Shire of Derby West Kimberly Interim Development Order No. 9 (IDO No.9)

Development in the town of Fitzroy Crossing is guided by IDO No. 9. With this in mind, compliance with Section 6 of the act requires due regard be given to this document. Of relevance to the proposal are Part 5 and Part 6(a) which state:

### 5. DEVELOPMENT BY PUBLIC AUTHORITY

a) Any public authority intending to carry out development (other than permitted development) within the area covered by this Order is required to consult the Local Government in writing and to supply such information as may be necessary to explain the proposal.

- b) The development shall not be commenced until the Local Government advises either that the development is in conformity with the proposed Local Planning Scheme or can be co-ordinated with it; but before so advising the Local Government may require modification to the development.
- c) In the event of the modification not being accepted to the public authority, the development shall not be commenced but the matter shall be referred to the Minister for determination by the Governor as provided by section 111(2), Division 3, Part 6 of the Planning and Development Act 2005.

### 6. PERMITTED DEVELOPMENT

The following classes of development do not require approval under this Order and are subject only to Local Government by-laws and other provisions of law-

- a) Development by public authorities for the purpose of their undertaking or functions on land owned by them at the time of coming into operation of this Order.
- (f) Construction, extension of any single residential dwelling that is consistent with an approved Layout Plan.
- (g) Construction, or extension of a single residential dwelling that is consistent with the approved Fitzroy Futures Town Plan and the Residential Design Codes of Western Australia.

# **Fitzroy Futures Town Plan**

Whilst there is no defined zoning or density provisions referred in IDO No. 9, refers to an: "... adopted planning policy relevant to the locality" as a matter Council would need to take into account. In this regard, the adopted Fitzroy Futures Town Plan provides guidance for any planning proposal in Fitzroy Crossing. The IDO does not define a residential density for specific lots, however the Fitzroy Futures Town Plan does provide the following direction on density (page 6 and 29) as follows:

"Redevelopment of existing land within the Fitzroy Crossing township may be able to meet housing demand before development of the land known as Bunuba Heights, particularly in the area north of Poole Court. The ultimate capacity of this land is estimated to be:

- 26 dwellings assuming a development standard of R20 (20 dwellings per hectare), which could be achieved only on lots greater than 1000m2. This would in some cases require demolition of the original house.
- 39 dwellings assuming a development standard of R30 (30 dwellings per hectare), which
  could only be achieved if 2 or more lots are amalgamated. This would require demolition of the
  original housing stock.

Lots south of Poole Court are of a size that would support development at a density of 20 dwellings per hectare; however the configuration of lots and connecting roads may not be conducive to a blanket zoning. Nevertheless, some lots, such as corner lots, may be suitable for grouped dwellings." (Page 6)

"As outlined in section 1.8, an overall density of 20-30 dwellings per hectare is considered appropriate. However, the majority of the town is developed at a density of approximately 12.5 dwellings per hectare. The proposed residential density would result in residential lots that are 250-300m<sup>2</sup> smaller than currently exist.

This is an important issue for local residents and should be understood fully before implementation. It may be that prevailing lot sizes remain at 12.5 (700 m² minimum) dwellings per hectare with various land parcels identified for grouped dwellings, such as duplexes or villas at a density of 20-30 dwellings per hectare." (Page 29)

Under the *Fitzroy Futures Town Plan*, the Site and surrounding lots are envisaged to have only one dwelling per lot.

### **POLICY IMPLICATIONS**

Fitzroy Futures Town Plan

### FINANCIAL IMPLICATIONS

As the developer is the State of Western Australia, no for Planning Approval applies and hence no fees are applicable. By comparison, a similar application from a private sector developer would generate application fees to the Shire in the vicinity of \$2,900

### STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
Priority 1: Leadership and	1.1 Collaboration and	1.1.1 Maximise local opportunities
Governance	Partnerships 1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs
	1.3 Effective Communication	1.3.3 Listen to and respond to the needs of our communities

### RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance:	Possible	Moderate	Medium	Council is obligated to provide advice to the Department it risks much needed housing funding being re-assigned outside of the Shire.

### **CONSULTATION**

The Planning Consultant for the Department has invited the Shire to undertake a public consultation on behalf of the Department: "Following this submission, it is kindly requested that the Shire undertake the necessary consultation to enable the Department to fulfill its final obligation under Section 6 which is to give due regard to any advice provided by the responsible authority."

It is open for the Council to seek to notify neighbouring properties of the Department's intent to develop the site as addressed further in this Report.

### **COMMENT**

It is acknowledged that the Department is working to address significant shortages of appropriate and affordable housing across the Kimberley region. The high cost of housing relative to income is preventing low income households from achieving financial independence and stability.

This issue disproportionally affects Indigenous households which make up a significant proportion of social housing in the Kimberley. The low income eligibility limits for public housing tenants creates a disincentive to Indigenous public housing tenants participating in the workforce and this in turn undermines government efforts to attract and stimulate Indigenous participation in the mainstream labour market.

The Planning Consultant for the Department has concluded as follows:

"It is acknowledged that the proposed development is considered to be 'overdevelopment' when reviewed against the recommended density noted in the Fitzroy Futures Town Plan. However, it is commented that there are no statutory controls mandating a specific density.

Further, the development constitutes 'permitted development' under the Local Interim Development Order 9 and as such only consideration of compliance with Section 6 of the Act is required. With this in mind, compliance with Section 6 of the Act has been addressed in detail within the preceding sections of this submission. With the compliance of Section 6 of the Act demonstrated above, the proposed development, whilst arguably overdevelopment when assessed against the strategic planning framework, is considered to be entirely appropriate".

The Planning Consultant has also advised that the "...intent is for the dwellings to be liquor restricted houses but the department is unable to commit to them being over 55's accommodation. They have advised that they could give priority to seniors when allocating the tenancies but this by no means guarantees they will get over 55's".

The Department's intent to develop the Site in a manner and density indicated is not something that Council cannot prevent (should it wish too). It is open for Council to seek the views of the adjoining (private) owner (No. 10 Flynn Drive), however the Department has indicted that they may "... consider some design changes where we see merit". Accordingly, any consultation with the neighbouring properties would need to be tempered with the advice from the Department.

It is recommended that Council seek the views of adjoining private neighbour and authorise the Chief Executive Officer to refer any comments received to the Department to address in its finalised design. Such notification should be in line with the Planning Scheme which is a 14 day consultation period. In addition to any neighbour comments, it is recommend that Council:

- 1. Note that the development is not in compliance with the density requirements of the *Fitzroy Futures Town Plan*; and
- 2. Note that the proposed development will occupied with the condition that they units will be *liquor restricted*; and
- 3. Authorise the Chief Executive Officer to request the Department to:
  - take into account any (received) views of the neighbours in its final design;
  - ensure units are occupied with the condition that no alcohol be consumed on the property;

- o provide crossovers to be constructed to Council specifications and being graded into the existing bitumen seal;
- ensure any fencing being proposed within the front setback area being constructed in accordance with the standards stipulated within the RCodes;
- o replace any boundary fencing be undertaken in accordance with the Dividing Fences Act;
- ensure storm water from the site is discharged into Council's street drainage, otherwise to be discharged clear of the building sand pad and that storm water is not discharged onto adjoining properties
- o ensure all units be connected to the Water Corporation reticulated sewer; and
- o ensure that building works do not impact the amenity of neighbours.

### **VOTING REQUIREMENT**

Simple majority

### **ATTACHMENTS**

1. Attachment 1 Submission and RCode Assessment U

## RESOLUTION 89/21

Moved: Cr Paul White Seconded: Cr Rowena Mouda

That with respect to the Department of Communities intent to Develop Four (4) Grouped Dwellings at Lot 267 (No. 8) Flynn Drive, Fitzroy Crossing, Council:

- 1. Notes the Report;
- 2. Requests the Chief Executive Officer to notify privately owned neighbouring properties of the Departments intent to develop Lot 267;
- 3. Authorises the Chief Executive Officer to forward any submissions received from neighbours to the Department along with the conditions as outlined in the Report.

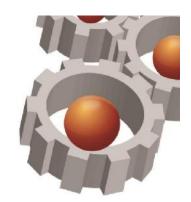
<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 





Our Ref: 1341

2 August 2021

Chief Executive Officer Shire of Derby-West Kimberley PO Box 94 Derby WA 6728

Dear Sir/Madam,

# LOT 267 (NO. 8) FLYNN DRIVE, FITZROY CROSSING PROPOSED FOUR (4) GROUPED DWELLINGS – PUBLIC WORKS APPLICATION

Dynamic Planning and Developments Pty Ltd acts on behalf of the Department of Communities – Housing (the Department) in relation to the development of four (4) grouped dwellings at Lot 267 (No. 8) Flynn Drive, Fitzroy Crossing (herein referred to at the 'subject site').

This submission is intended to fulfill the requirements of the Department under Section 6 of the *Planning and Development Act 2005* and Local Interim Development Order 9 and will demonstrate that regard has been given to:

- The purpose and intent of the Fitzroy Futures Town Plan in the absence of an applicable Local Planning Scheme;
- 2. The order and proper planning, and the preservation of the amenity, of that locality at that time; and
- 3. Any advice provided by the responsible authority in the course of the required consultation.

Included in this submission is the following:

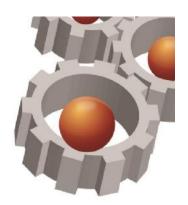
- Development Plans (Attachment 1); and
- Completed assessment sheet demonstrating compliance with State Planning Policy 7.3 (Attachment 2).

Based on the assessment undertaken as part of this submission, the proposal, whilst arguably overdevelopment, is considered to have appropriately considered the purpose and intent of the Fitzroy Futures Town Plan and the amenity available to surrounding properties. With this mind it is kindly requested that the Shire of Derby-West Kimberley undertake the necessary consultation to provide comments on the proposal.

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### SITE DETAILS

Lot 267 (No. 8) Flynn Drive, Fitzroy Crossing is located in the municipal locality of the Shire of Derby-West Kimberley and in the town of Fitzroy Crossing. The site and Townsite does not have a relevant local planning scheme and instead development in the area is controlled through the Local Interim Development Order 9 and the Fitzroy Futures Town Plan. In accordance with the Fitzroy Futures Town Plan an appropriate residential density is 20-30 dwellings per hectare (i.e. R20-R30).

The subject site has a legal area of 1,050m<sup>2</sup> and fronts Flynn Drive. Immediately abutting the site is four (4) separate single residential properties. The broader locality is also characterised by predominantly single residential development. The site is also located in close proximity to the Tarunda Shopping Centre (400m) and the Fitzroy Crossing Visitor Centre (30m). The site is also located in close proximity to the Great Northern Highway, which is the primary traffic route in and out of Fitzroy Crossing.

Figure 1 below provides an aerial context of the subject site.

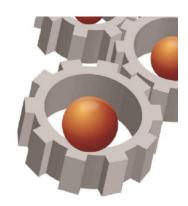


Figure 1 – Aerial Context of the Subject Site

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#### **PROPOSAL**

The proposed development is for four (4) grouped dwellings. All dwellings will be single storey with two (2) two bedroom dwellings and two (2) one bedroom dwellings each with their own exclusive carport accessed from a central common property driveway which will provide access to Flynn Drive.

As there is no statutory planning control that prescribes a residential density for the subject site, guidance on the relevant density is sought from the Fitzroy Futures Town Plan which is a strategic planning document intended to guide development within the town of Fitzroy Crossing. References throughout the Fitzroy Futures Town Plan indicate that a residential density of 20-30 dwellings per hectare is considered appropriate which equates to an R20 to R30 density coding.

With the strategic direction of the Fitzroy Futures Town Plan considered together with the demand for affordable housing in the region a density of R30 has been applied to the proposed development. Compliance with the required minimum and average lot sizes for development at an R30 density has been noted below:

R30	Required	Proposed
Units 1 & 2 – Minimum Lot Size	260sqm	232sqm
Units 1 & 2 – Average Lot Size	300sqm	264.3sqm
Units 3 & 4 – Minimum Lot Size	174.2sqm	229.1sqm
Units 3 & 4 – Average Lot Size	200sqm	261.4sqm

It is evident from the above assessment that the proposed single bedroom dwellings comply with the relevant site area requirements applicable at an R30 density but the two bedroom dwellings do not meet the relevant site area requirements. Whilst the variations to the relevant site area requirements are noted the resultant dwelling product will still appropriately consider the amenity of adjoining properties.

### PLANNING CONSIDERATIONS

### Planning and Development Act 2005

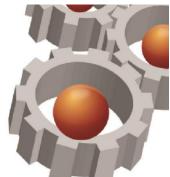
As the proposed development is being undertaken by the Department of Communities – Housing, consideration of the *Planning and Development Act 2005 (the Act)* is warranted. The Department are considered a 'public authority' which is defined in Section 4 of the Act as:

- a) A minister of the Crown in right of the state;
- b) A department of the public service, state trading concern, state instrumentality or state public utility; and
- Any other person or body whether corporate or not, who or which under the authority of any
  written law, administers or carries on the benefit of the state, a social service or public utility.

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Being a 'public authority' the Department has rights granted to it under Section 6 of the Act which states that:

'nothing in this Act interferes with the right of the Crown, or the Governor, or a public authority, or a local government –

- a) To undertake, construct or provide any public work; and
- b) To take land for the purposes of that public work.'

This section of the Act provides an exemption to public authorities from the requirement to obtain planning approval from the local government. In exercising this exemption the public authority is required to have due regard to:

- a) the purpose and intent of any planning scheme that has effect in the locality where, and at the time when, the right is exercised; and
- b) the orderly and proper planning, and the preservation of the amenity, of that locality at that time: and
- any advice provided by the responsible authority in the course of the consultation required under subsection (3) in respect of the exercise of the right.

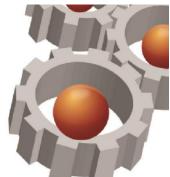
In considering the requirement to give due regard to the above points, the following is noted in relation to the proposed development:

- In considering the purpose and intent of any planning scheme that has effect, it is noted that
  there is not Local Planning Scheme applicable. Instead development should consider the
  purpose and intent of the Local Interim Development Order 9 and the Fitzroy Futures Town
  Plan which has been addressed in detail in the succeeding section.
- The proposed development is considered to represent orderly and proper planning in that it
  follows due process under Section 6 of the Act and gives due regard to the applicable policy
  framework that the development would be assessed against (i.e. State Planning Policy 7.3 –
  Residential Design Codes (Volume 1), Local Interim Development Order 9 and the Fitzroy
  Futures Town Plan).
- The proposed development is considerate of the amenity of surrounding properties as it is:
  - Consistent in height with the adjoining residential development and limited to no overshadowing impacts on the neighbouring properties.
  - Whilst varying the minimum required site areas for the two bedroom dwellings, all other design provisions related to preserving the amenity of adjoining landholdings such as lot boundary setbacks, boundary walls, open space, overlooking, overshadowing etc. are compliant with the relevant deemed to comply requirements for the R30 density.
  - The total residence area on the site only equates to 276.4sqm across the four (4) dwellings indicating that the extent of built form is consistent with a much lower

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density of R10. Further, the total extent of built form will not be dissimilar to what exists on adjoining properties despite the site accommodating four (4) dwellings.

- o Consistent with the residential character of the locality.
- Advice provided by the Shire through the necessary consultation process will be considered as
  part of the final design process before the development proceeds to lodge the required building
  permit.

In light the above points, the assessment of the proposed development against the provisions of State Planning Policy 7.3 – Residential Design Codes (Volume 1) in **Attachment 2** and the forthcoming consultation process through the Shire, it is considered that the Department will have fulfilled its obligations under Section 6 of the Act.

### Local Interim Development Order 9

In the absence of a gazetted local planning scheme, development in the town of Fitzroy Crossing is guided by Local Interim Development Order 9. With this in mind, compliance with Section 6 of the act requires due regard be given to this document. Of relevance to the proposed development is Part 5 and Part 6(a) which state:

### 5. DEVELOPMENT BY PUBLIC AUTHORITY

- a) Any public authority intending to carry out development (other than permitted development) within the area covered by this Order is required to consult the Local Government in writing and to supply such information as may be necessary to explain the proposal.
- b) The development shall not be commenced until the Local Government advises either that the development is in conformity with the proposed Local Planning Scheme or can be co-ordinated with it; but before so advising the Local Government may require modification to the development.
- c) In the event of the modification not being accepted to the public authority, the development shall not be commenced but the matter shall be referred to the Minister for determination by the Governor as provided by section 111(2), Division 3, Part 6 of the Planning and Development Act 2005.

### 6. PERMITTED DEVELOPMENT

The following classes of development do not require approval under this Order and are subject only to Local Government by-laws and other provisions of law-

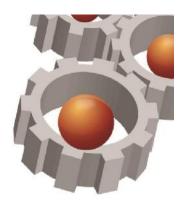
a) Development by public authorities for the purpose of their undertaking or functions on land owned by them at the time of coming into operation of this Order.

Being development proposed by the Department of Communities (Housing) it is considered to be consistent with Part 6(a) and as such constitutes 'permitted development' and does not require the approval of the Shire. Being 'permitted development' under Part 6(a), it is considered that the obligations of the public authority under Part 5 of the Local Interim Development Order 9 are not applicable as Part 5(a) specifically states that:

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'Any public authority intending to carry out development (other than permitted development) within the area covered by this Order...'

The above clause specifically excludes 'permitted development' from the need to comply with Part 5. Whilst compliance with Part 5 of the Local Interim Development Order is not required, this does not remove the Department's requirement to comply with Section 6 of the Act which has been addressed in detail above.

### Fitzroy Futures Town Plan

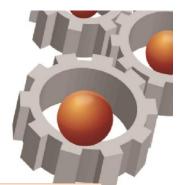
In addition to Local Interim Development Order 9, Section 6 of the Act also requires the consideration of the purpose and intent of the Fitzroy Futures Town Plan. With this in mind, the below table details how the purpose and intent of this plan has been considered.

Purpose and Intent	Proposals Consideration
Part 6.1 – Objectives  Develop a planning framework to bring together the different settlements in and around the town; and  Provide a basis for future land ownership arrangements and land tenure rationalisation	The proposed development is located within an existing settlement and represents infill development. Further, the existing land tenure arrangement will remain.
<ul> <li>Part 6.2 – Planning Principles</li> <li>Support lifestyle, cultural and social needs of the community;</li> <li>Focus future growth on land not subject to flood impacts;</li> <li>Promote environmental protection and sustainable settlements;</li> <li>Provide opportunities for economic growth within the community; and</li> <li>Acknowledge infrastructure limitations and deficiencies.</li> </ul>	<ul> <li>The proposed development provides affordable housing for residents which will meet various needs of the local community.</li> <li>The land is not subject to flood impacts and represents infill development and consequently 'growth'.</li> <li>Being located in an existing settlement the development is considered to be 'sustainable' with no impact on the environment.</li> <li>The proposed development being located in an existing settlement will capitalise on the available infrastructure.</li> </ul>
Part 6.3.1.1 – Residential Land As outlined in section 1.8, an overall density of 20-30 dwellings per hectare is considered appropriate. However, the majority of the town is developed at a density of approximately 12.5 dwellings per hectare. The proposed residential density would result in residential lots that are	As previously noted — the proposed development has been assessed against a residential density of R30 which is the upper end of the recommended dwellings per hectare as prescribed in the plan. Whilst the issue of smaller lot sizes and the proposed variation to

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250-300 m<sup>2</sup> smaller than currently exist. This is an important issue for local residents and should be understood fully before implementation.

It may be that prevailing lot sizes remain at 12.5 (700 m² minimum) dwellings per hectare with various land parcels identified for grouped dwellings, such as duplexes or villas at a density of 20-30 dwellings per hectare.

the site area requirements for the R30 density are noted, it is considered that the extent of built form and the impact on adjoining landholdings has been managed appropriately to limit the impact on amenity of surrounding residents.

Further, the demand for affordable housing in the area is high and the ability for the Department to deliver this housing under Section 6 of the Act simply requires due regard to be given to the suggested residential density as opposed to being statutorily obliged to comply.

#### Overdevelopment

It is acknowledged that the proposed development is considered to be 'overdevelopment' when reviewed against the recommended density noted in the Fitzroy Futures Town Plan. However, it is commented that there are no statutory controls mandating a specific density. Further, the development constitutes 'permitted development' under the Local Interim Development Order 9 and as such only consideration of compliance with Section 6 of the Act is required. With this in mind, compliance with Section 6 of the Act has been addressed in detail within the preceding sections of this submission.

With the compliance of Section 6 of the Act demonstrated above, the proposed development, whilst arguably overdevelopment when assessed against the strategic planning framework, is considered to be entirely appropriate.

### CONCLUSION

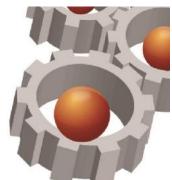
Based on the assessment provided above against Section 6 of the *Planning and Development Act 2005* and Local Interim Development Order 9, the proposed development by a public authority is considered 'permitted development' meaning it is exempt from requiring the approval of the Shire of Derby-West Kimberley. Further, this submission has demonstrated that the Department has fulfilled its obligations under Section 6 as the development has given due regard to:

- The purpose and intent of the Local Interim Development Order 9 and the Fitzroy Futures
   Town Plan; and
- The order and proper planning, and the preservation of the amenity, of that locality at that time.

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Following this submission, it is kindly requested that the Shire undertake the necessary consultation to enable the Department to fulfill its final obligation under Section 6 which is to give due regard to any advice provided by the responsible authority.

Should you have further queries or seek clarification with regard to the matters raised above, please do not hesitate to contact the undersigned.

Yours faithfully,

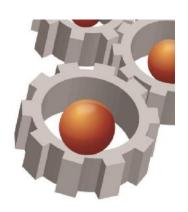
Reegan Cake

Senior Planner

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Attachment 1
Development Plans

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	DRAWING NAME	NO.	REV.	ISSUED
ELE	VATIONS			
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	ELEVATIONS H01 U:02	A2-04		
	ELEVATIONS H02 U:03	A2-05		
	ELEVATIONS H02 U:04	A2-06		
PLA	.NS	10		d 
	FLOOR PLAN H01	A2-01		
	FLOOR PLAN H02	A2-02		
RCF	& LIGHTING		-	
3:	RCP & LIGHTING - H01	A3-01		
	RCP & LIGHTING - H02	A3-02		
SITI	E PLANS			
	LOCATION SCHEME	A1-01	70	
	SURVEY PLAN	A1-02		
	SITE PLAN	A1-03		
	LOT DIAGRAMS	A1-04		
	SERVICES LAYOUT	A1-05		
	OVERSHADOWING DIAGRAM	A1-06		



LOCAL GOVERNMENT: SHIRE OF DERBY WEST KIMBERLEY



SITE LOCATION

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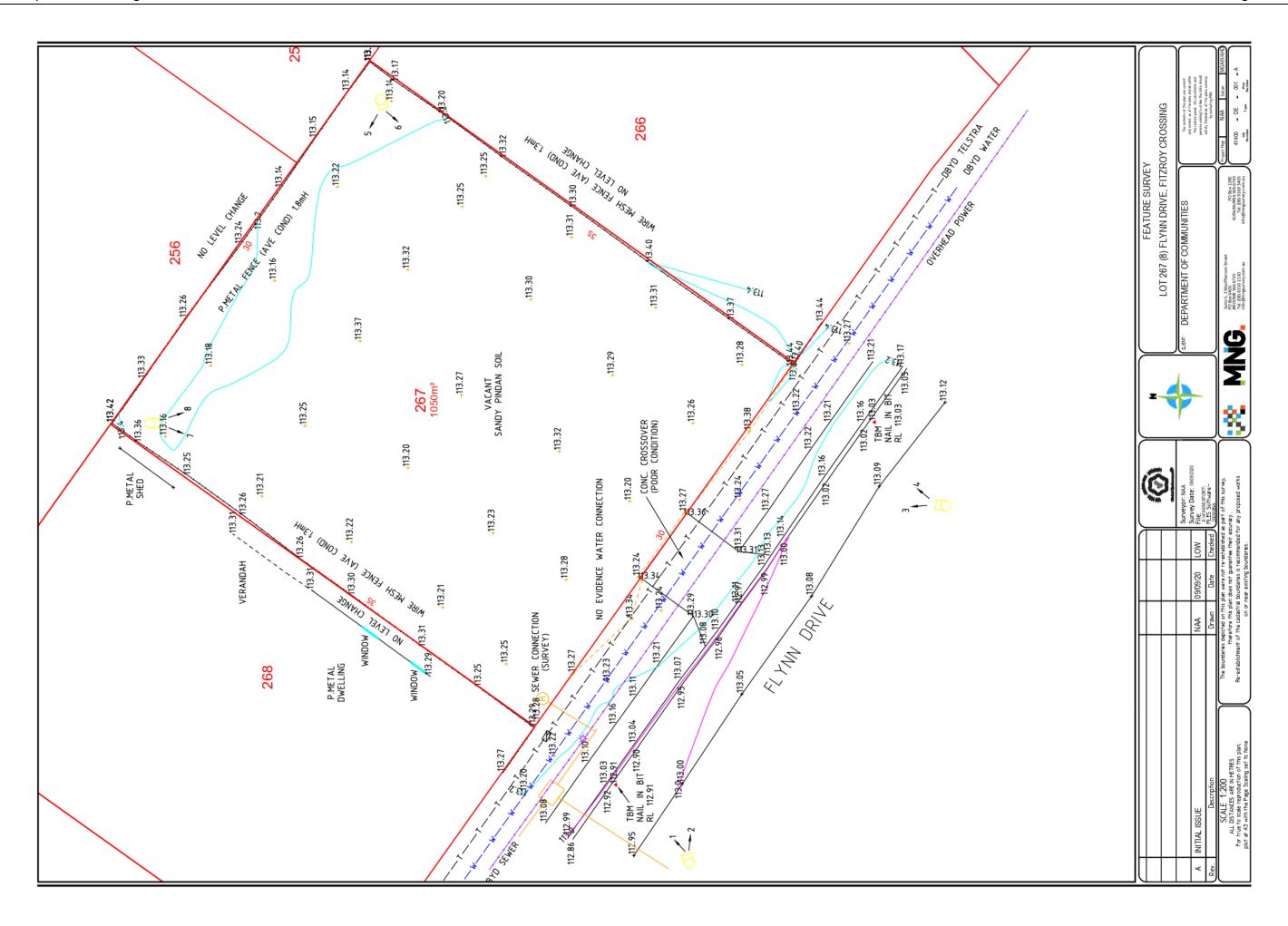
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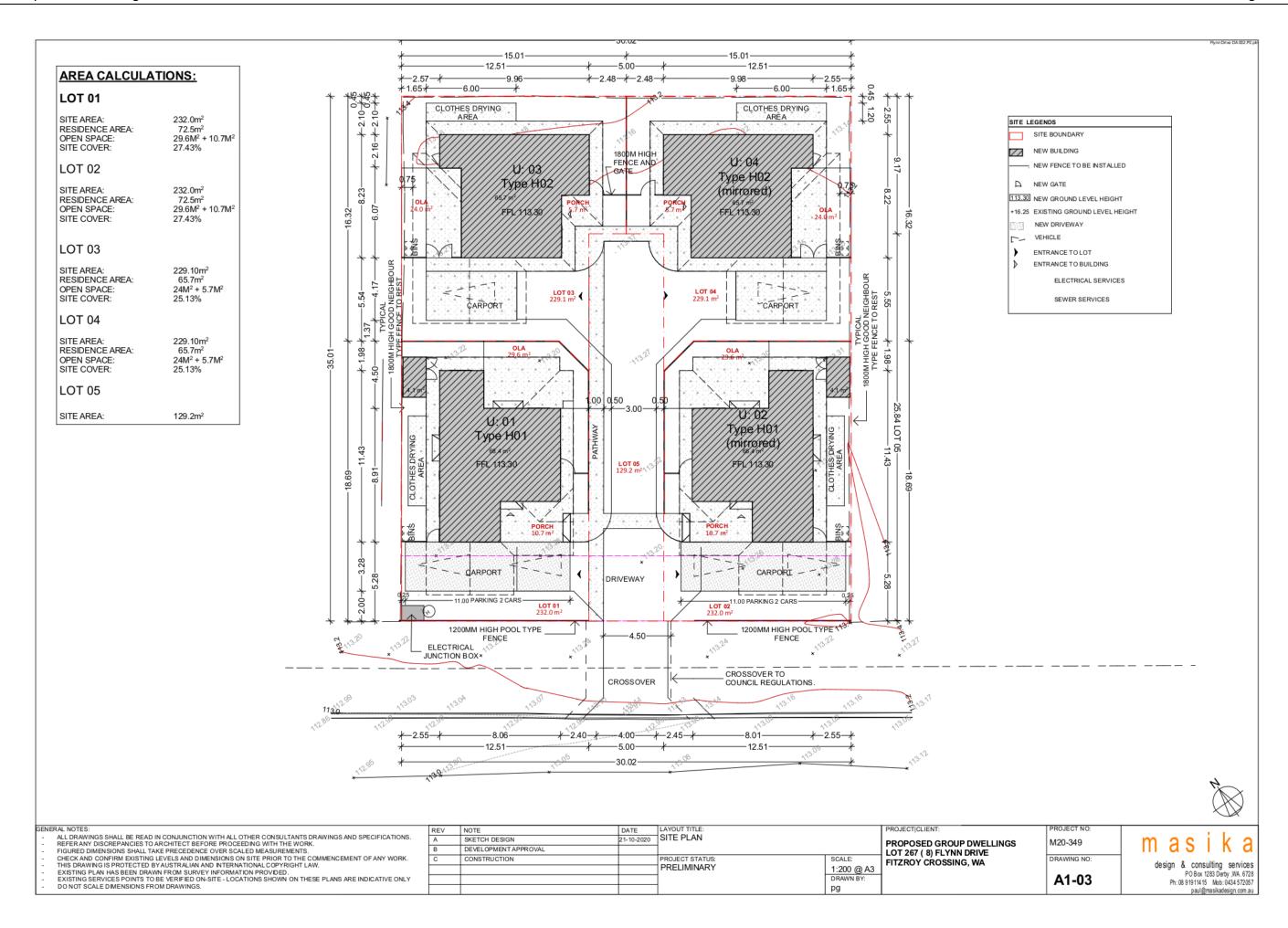
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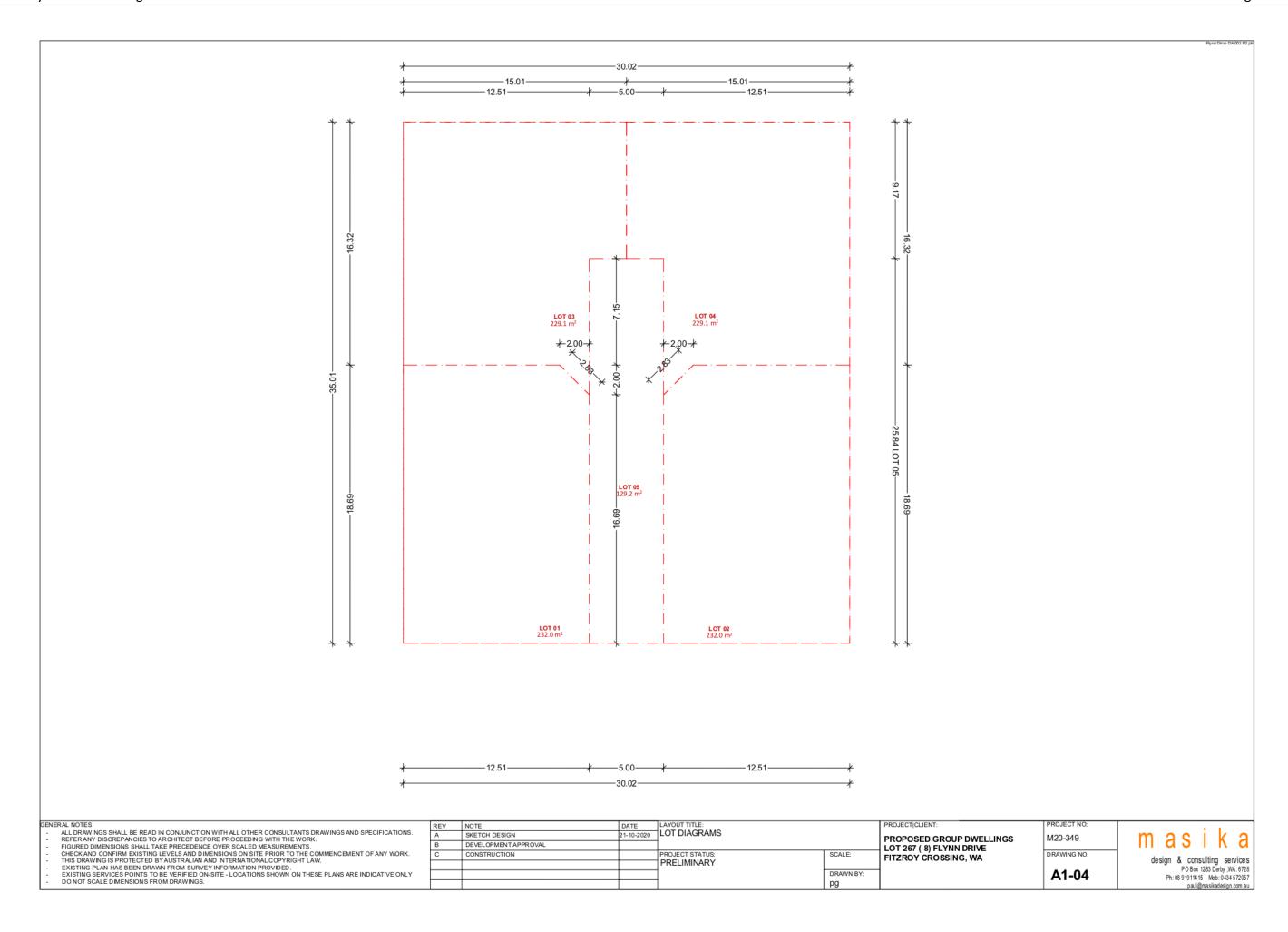
PROJECT|CLIENT: PROPOSED GROUP DWELLINGS LOT 267 ( 8) FLYNN DRIVE FITZROY CROSSING, WA

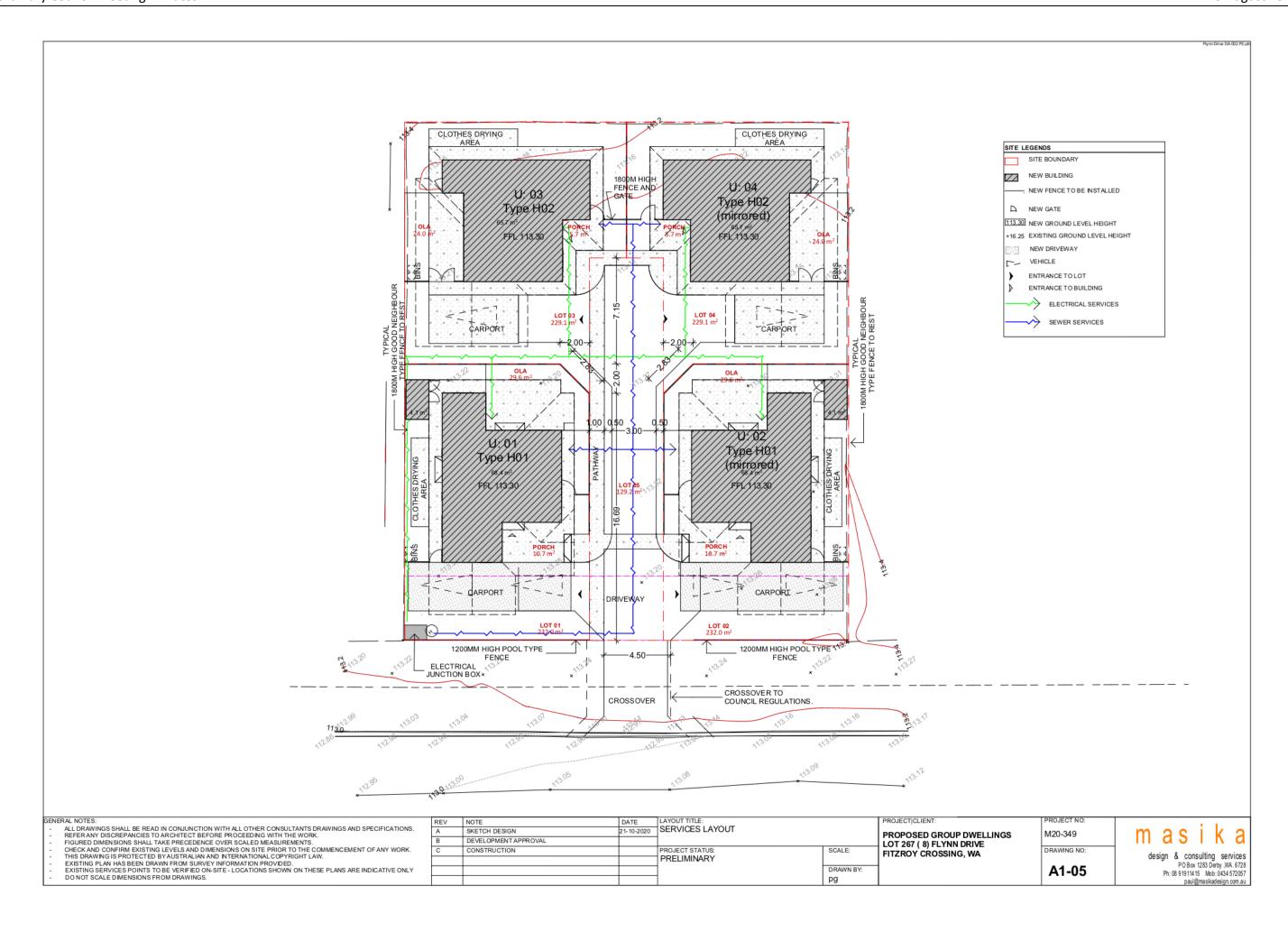
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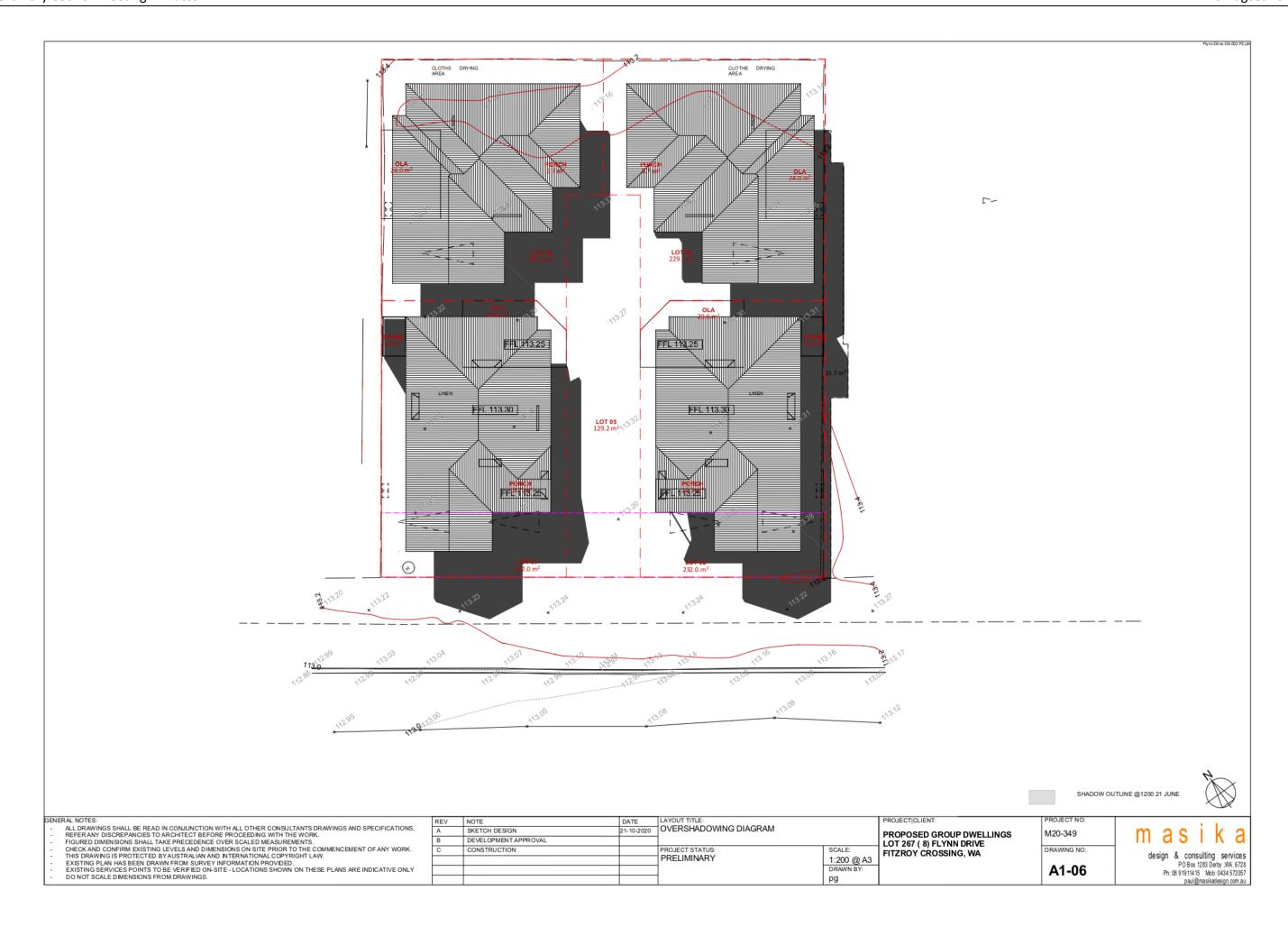
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paul@masikadesign.com.au A1-01



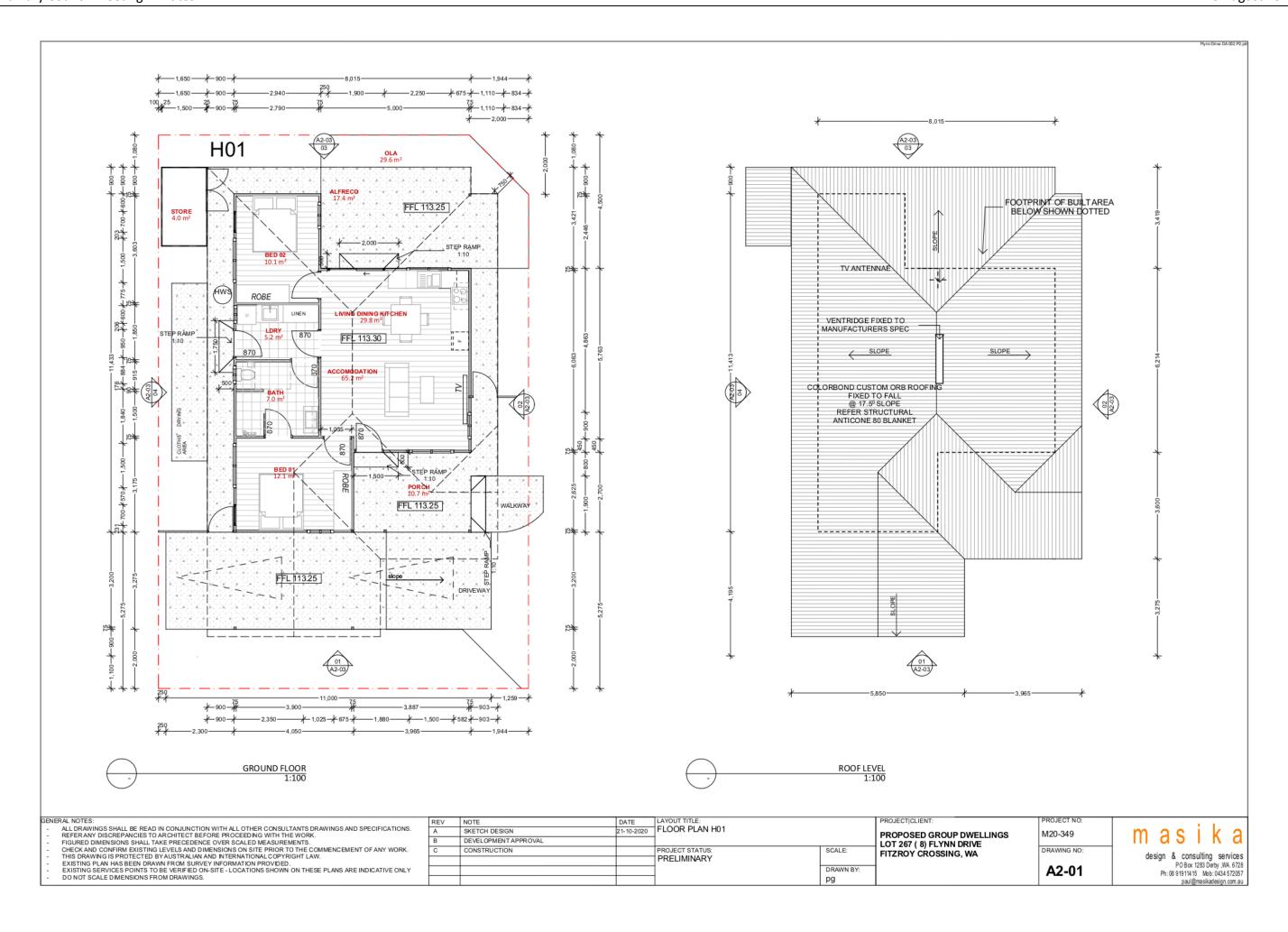


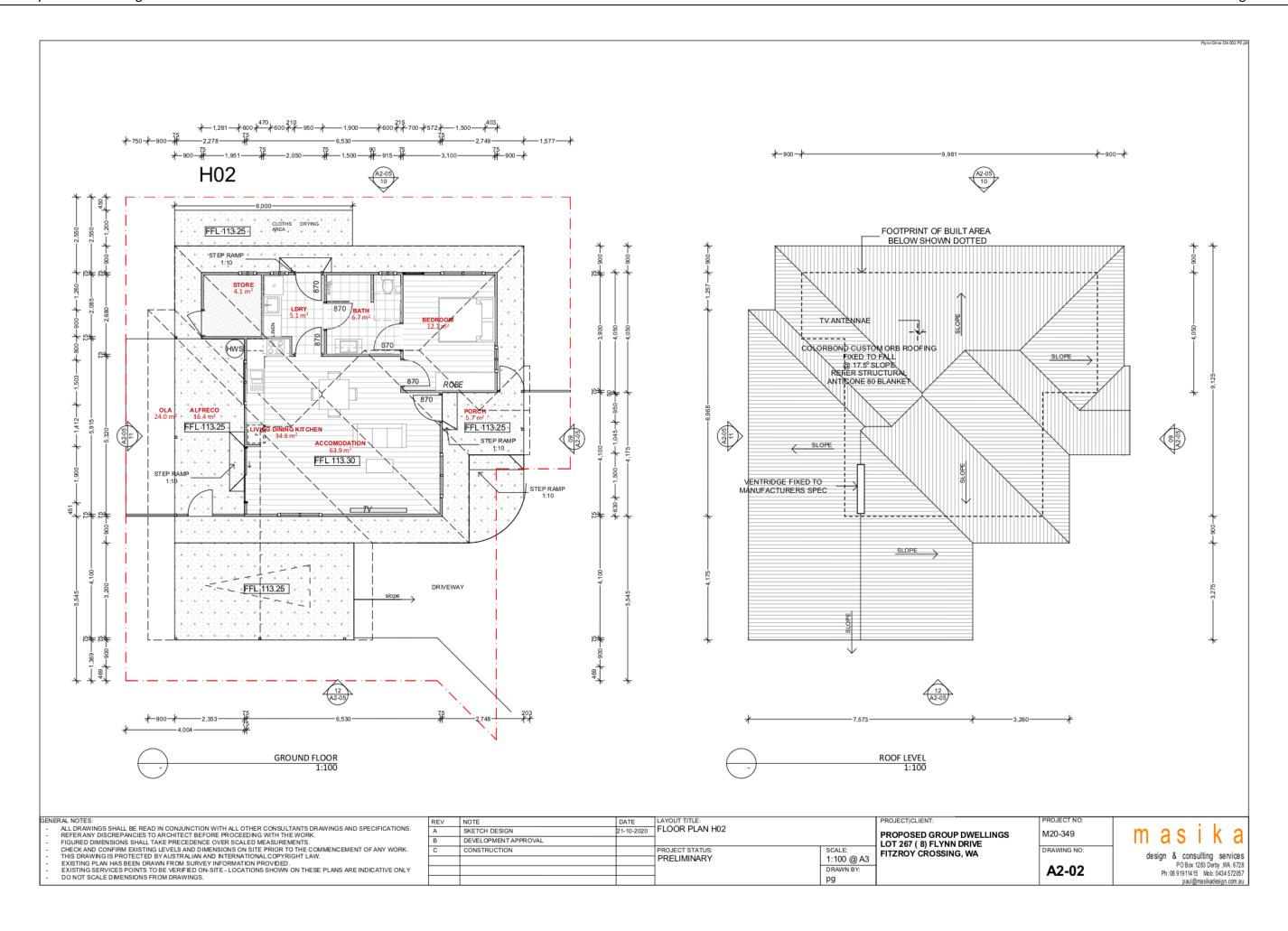


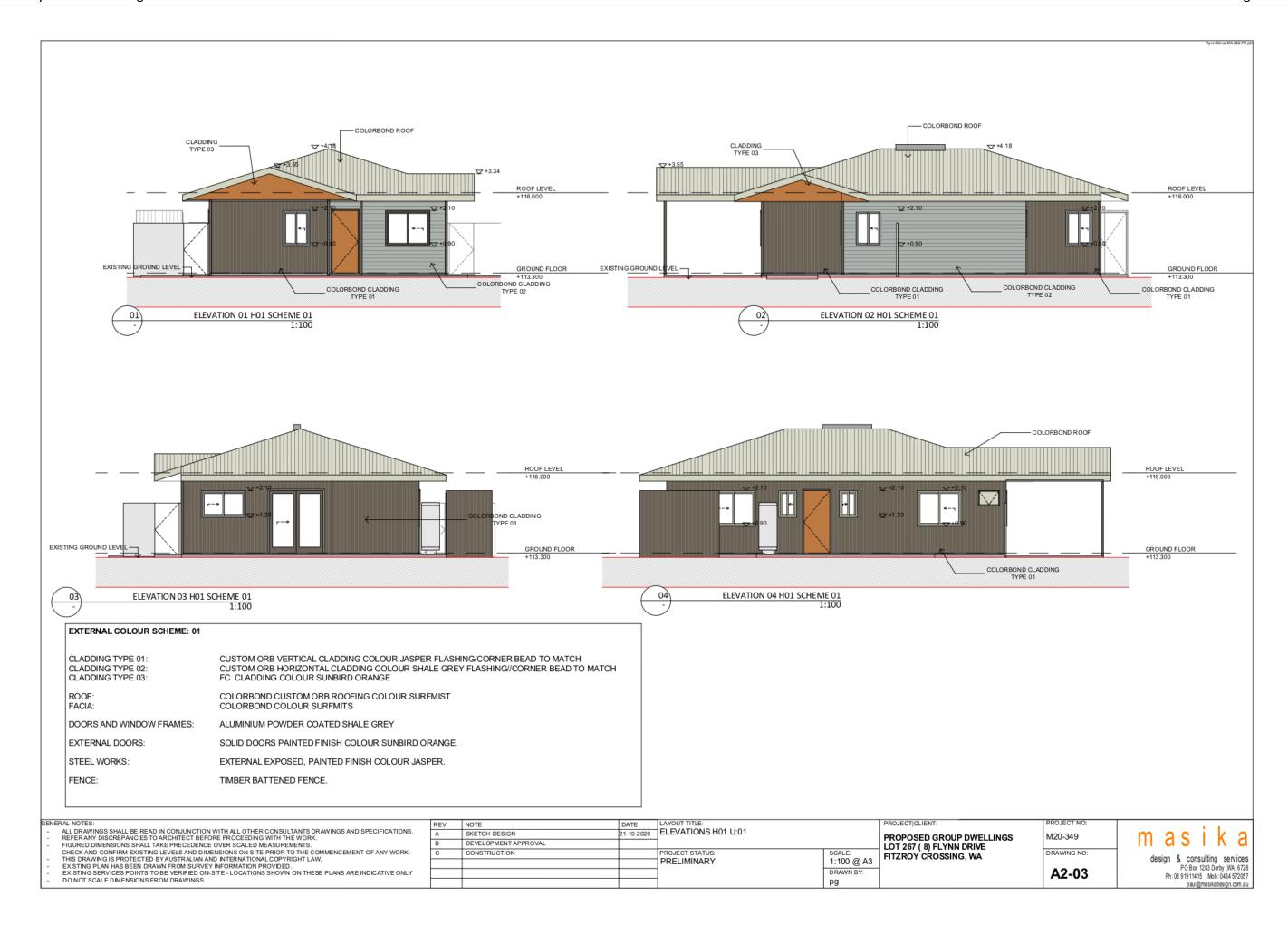


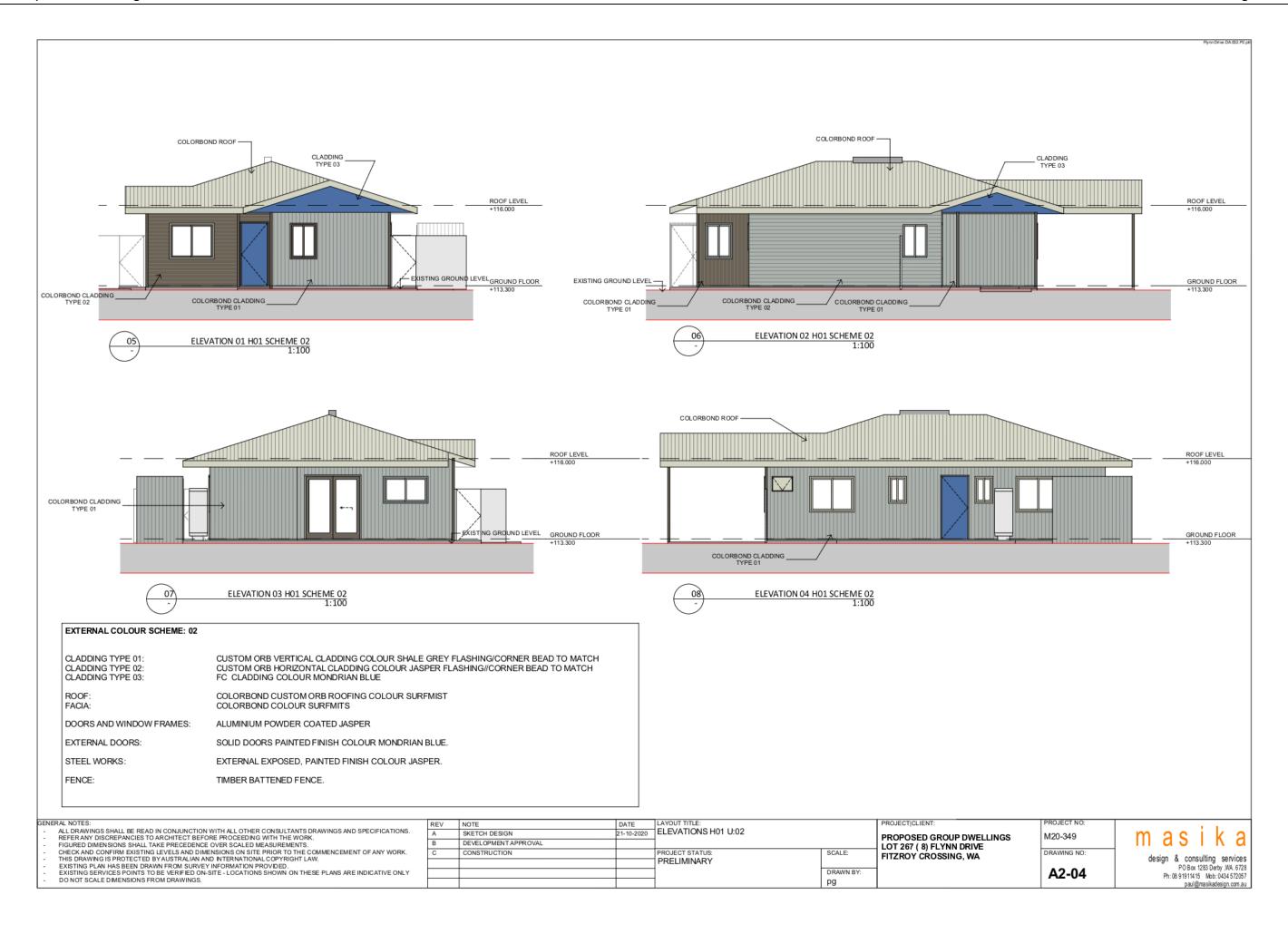


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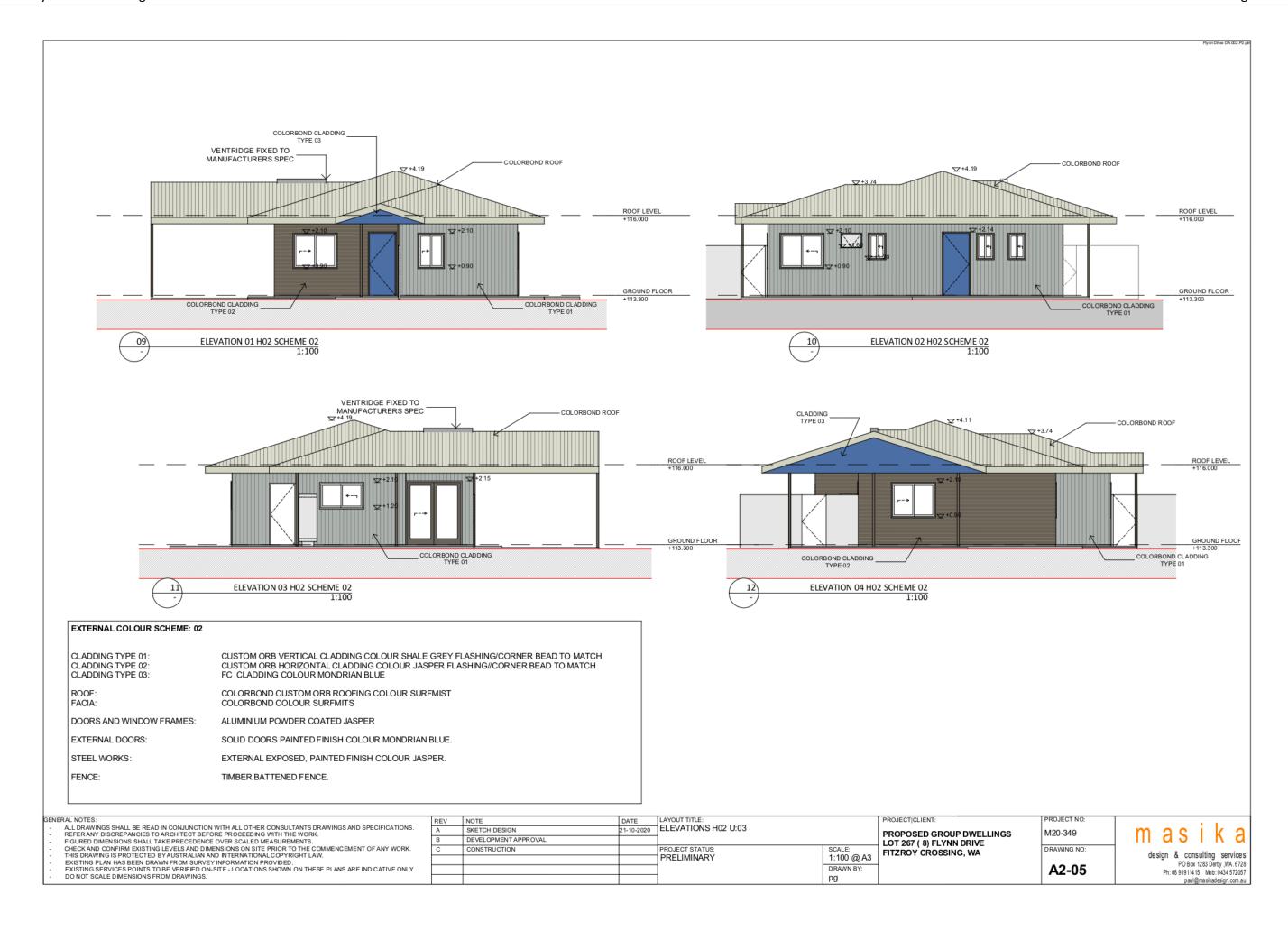




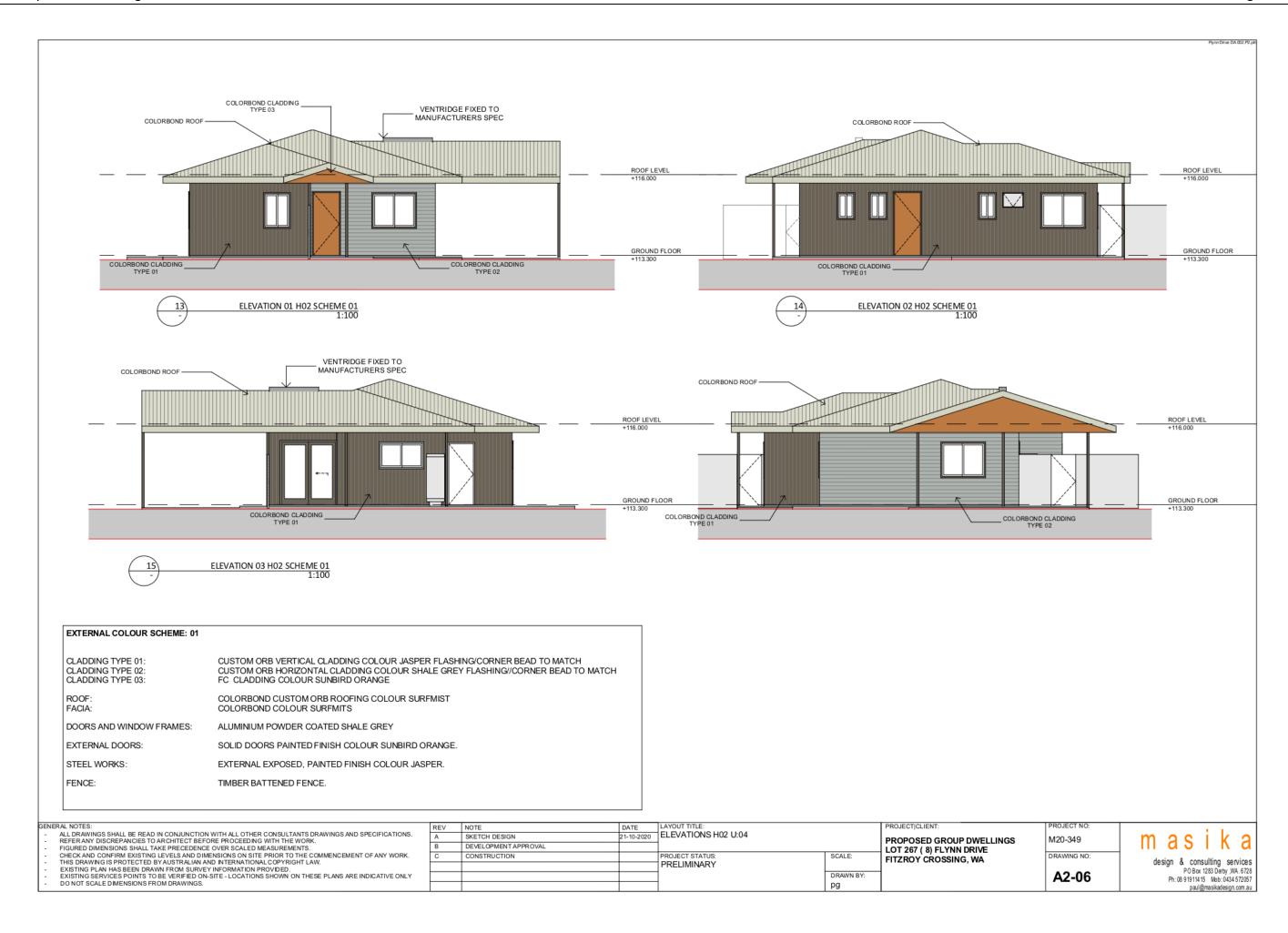




Item 14.2 - Attachment 1



Item 14.2 - Attachment 1



Item 14.2 - Attachment 1

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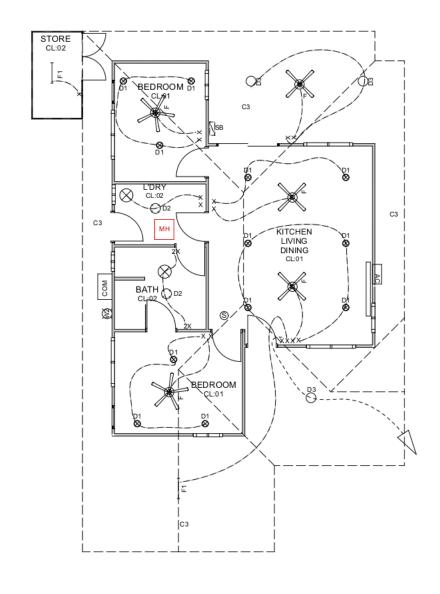
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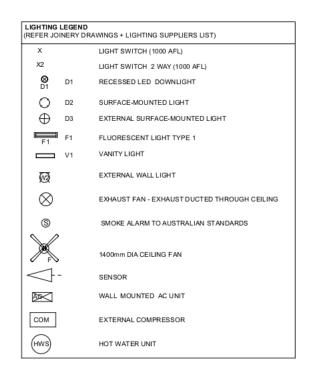
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C1	SUSPENDED PLASTERBOARD CEILING, FLAT	PAINT FINISH DULEX COLOUR CEILING WHITE
C2	SUSPENDED WATER RESISTANT PLASTERBOARD CEILING, FLAT	PAINT FINISH DULEX COLOUR CEILING WHITE
СЗ	VERSILUX SOFFIT LINING	PAINT FINISH DULEX COLOUR TBC
C4	6mm VERSILUX CEILING LINING	PAINT FINISH DULEX COLOUR TBC





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L AYOUT TITLE 21-10-2020 RCP & LIGHTING - H01 SKETCH DESIGN DEVELOPMENT APPROVAL CONSTRUCTION **PRELIMINARY** pg

PROJECTICI JENT PROPOSED GROUP DWELLINGS
LOT 267 ( 8) FLYNN DRIVE
FITZROY CROSSING, WA

PROJECT NO M20-349 DRAWING NO:

A3-01

masi design & consulting services PO Box 1283 Derby ,WA. 6728 Ph: 08 91911415 Mob: 0434 572057

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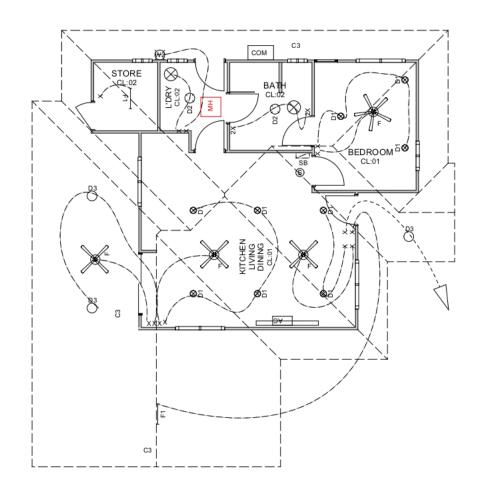
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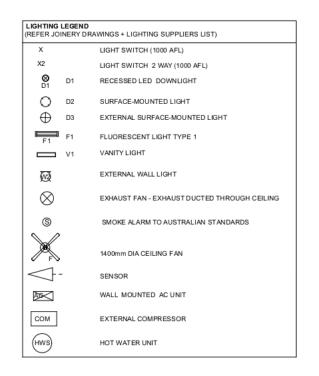
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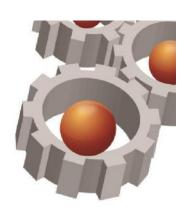
REV	NOTE		LAYOUT TITLE:		П
Α	SKETCH DESIGN	21-10-2020	RCP & LIGHTING - H02		
В	DEVELOPMENT APPROVAL				ľ
С	CONSTRUCTION		PROJECT STATUS:	SCALE:	
			PRELIMINARY	1:###(ref) @ A	٨
				DRAWN BY:	
				pg	
					_

PROJECTICLIENT PROPOSED GROUP DWELLINGS LOT 267 ( 8) FLYNN DRIVE FITZROY CROSSING, WA

PROJECT NO M20-349 DRAWING NO: A3-02

masika design & consulting services PO Box 1283 Derby ,WA. 6728 Ph: 08 91911415 Mob: 0434 572057 paul@masikadesign.com.au





Attachment 2
State Planning Policy 7.3 – Assessment Sheet

| Suite 15/29 Collier Road Morley WA 6062 | P.O. Box 688 Inglewood WA 6932 + (08) 9275 4433 | f (08) 9275 4455

YNAMIC CREATIVE PROACTIVE INNOVATIVE PASSIONAT



### **GROUPED DWELLINGS**

## 2. PRE LOCAL GOVERNMENT REFERRAL SUBMISSION

**Proponent to Complete and Submit with Design Plans** 

Project Description e.g. 7 grouped dwellings	4 GROUPED DWELLINGS
Site Address	LOT 267 FLYNN DRIVE, FITZROY CROSSING W.A.
Program	
Project Manager	
Local Authority	SHIRE DERBY WEST KIMBERLEY

Amalgamation/Subdivision	Does the site require an amalgamation or No	
	subdivision? - give reason	
Determining Authority	Will the application require approval from the No	
	Housing Authority or WAPC?	

Details required to be shown on relevant plan:			
Feature survey	Existing levels to established datum or AHD	YES	
	Contours at 0.5m max intervals	YES	
	Spot levels at all boundaries	YES	
	Feature survey to extend 4m beyond the site boundaries showing existing structures, fencing and retaining wall heights.	YES	
Arborist Report	Tree condition report for all trees (3m+) on site	NA	
Other technical reports	BAL Assessment Acoustic report	NA UNDERWAY	
Indicative Subdivision	Lot boundaries and dimensions	YES	
Plan	Proposed Minimum and Average Lot Areas for the site (Indicate if lot size variation is required).	YES	
	Exclusive lot areas and common property lot	YES	
Site Plan	Property address details	YES	
	Orientation (north point) and scale 1:200	YES	
	Contours, spot levels and FFL	YES	
	Location and height of retaining walls (T.O.W & B.O.W)	YES	
	All site boundary dimensions	YES	
	Abutting public reserves e.g. regional roads, parks, drainage, ROWs and/or PAWs	NA	
	Existing and proposed service locations and/or easements (sewer, power poles, switchboards etc)	YES	
	Footprint of dwellings and strata lot boundaries	YES	
	Dwelling entries and openings	YES	
	Site and street trees (mark as retain, remove or new)	YES	
	Communal areas and open space calculation table	YES	
	Crossovers (mark either existing or new) and pedestrian paths	YES	
	Location of landscaping / screening		
	Vehicle manoeuvring areas / turning circles	YES	
	Car, bicycle and/or motorcycle bays (mark either resident or visitor)	NA	
	Street and lot setbacks (if a corner lot, please indicate which is the primary and secondary street)	YES	
	Overshadowing of adjoining properties	YES	
Floor Plans	Orientation (north point) and scale 1:100	YES	
	Finished Floor Levels	YES	
	Sample unit plans with furniture layouts, key room depth dimensions and areas, stair tread numbers, bulkhead height	YES	
	Location and size of outdoor living areas	YES	

	Location and size stores (dimensions and area)	NA
	Visual privacy setbacks / Cone of visions notated	NA
	Location of utilities shown to scale (e.g. air conditioning units, meter boxes)	YES
	Location of materials on walls shown (e.g. note where each material starts and stops on walls)	YES
	Buildings above/below and eaves notated	YES
	Strata lot boundary and fencing	YES
	Window and door information (door width notated, window size given by width and height in brick courses, opening panes and/or obscured glazing indicated)	YES
Elevations	Scale 1:100	YES
	Elevations relative to natural ground level	YES
	Building height notated	YES
	Schedule of materials, materials shown in colour and at realistic scale (eg. 1c facebrick shown to scale)	YES
	Major and minor openings, obscured glazing noted	YES

Details of discussion with Local Authority	Date:	Name of Planner:	1. 2.
	Date:	Name of Planner	Issues raised by LG: 3. 4. 5.

Signed	P6
Printed Name, Company, Position	PAUL GILLETT, MASIKA DESIGN & CONSULTING SERVICES, PRINCIPAL
Date	4 <sup>TH</sup> NOVEMBER 2020



### **GROUPED DWELLINGS**

# PRELIMINARY PLANNING ASSESSMENT

Proponent to Complete and Submit with Design Plans.

NEW BUILDS- 2X TWO BEDROOM DWELLINGS & 2X SINGLE BEDROOM DWELLINGS

### General

Development description	
Property details	
Address	LOT 267, FLYNN DRIVE, FITZROY CROSSING, W.A.
Land area	1049 M²
Title information	See CT

### Planning framework

(Lot type and easements)

•	iditiling itatile work				
		State Planning Policy Requirements	SPP 3.7 Bushfire Prone Area	Not required	
		(Check PlanWA map on DPLH website for applicable	SPP 5.4 Road and Rail Noise	Required	
	4	SPPs)	SPP 5.1 Aircraft Noise	Not required	
State	State		Other:		
		Is referral required to external agency? (Main Roads, WAPC, Heritage Council, etc.)	No		
	Region	Region Scheme zoning	R20-30		
		Local Planning Schemezoning/R-Code	R20-30		
		Development standards applicable to the zoning or area of the site (e.g. Split coding criteria or any special or additional standards for the zoning of the site);	Fitzroy Futures Town Plan		
		Local Planning Policies	Interim Development Order No. 8 Fitzroy Crossing		
	Local	Land use permissibility	Fitzroy Futures Town Plan		
	_	Special control area			
		Local development plan	Interim Development Order No. 8 Fitzroy Crossing		
		Structure plan area			
		Development contributions			
		Road widening proposed			

### Site inspection

Verge infrastructure (lighting, power, water, side entry pit, etc.)	Services provided
Street trees	None at site



### 5.1.1 Site area

R-Codes Vol. 1 deem to comply	Required (Table 1)	Proposed	Compliance DTC or DP
	Minimum lot area 260sqm Square metres (m²)	232m²	DP — See letter
C1.1 and C1.2  – Site area	Average lot area 300sqm Square metres (m²)	262m²	DP — See letter
requirements	Minimum frontage Square metres (m²)	NA	DTC
C1.3	Corner truncations up to a maximum of 20m² to be added to the area of an adjoining lot		NA
	Battle-axe  -access leg is no more than 20% of site area		NA

### 5.1.2 Street setback

R-Codes Vol. 1 deem to comply	Required (Table 1)	Proposed	Compliance DTC or DP
C2.1 – Primary street	Average setback metres (m)	4M	DTC
	Minimum setback metres (m)	4M	DTC
C2.2 – Secondary street	metres (m)	1.5	DTC
C2.3 – Corner truncation	(as per secondary street) Square metres (m²)	NA	DTC
C2.4 – Porches, verandas, balconies and chimneys	Project lessthan1m into street setback area and less than 20% of frontage or meets average setback	NA	DTC

# 5.1.3 Lot boundary setback

Boundary (select one — north, south, east or west)

Wall/section of wall	Majoropening	Length	Height	Setback required	Setback provided	Compliance DTC or DP
Wall	(Y/N) YES	8.3m	2.7m	1.5m	2.3m	DTC
Eaves	Project no more	than 750mminto	a setback area	.75m	1.65m	
Wall	(Y/N) YES	8.3m	2.7m	1.5m	5.8m	
Eaves	Project no more	than 750mminto	a setback area	.75m	1.5m	



Boundary (select one — north, south, east or west)

Wall/section of wall	Major opening	Length	Height	Setback required	Setback provided	Compliance DTC or DP
Wall	(Y/N) YES	11.5m	2.7m	1.5m	2.3m	DTC
Eaves	Project no more	than 750mminto	a setback area	.75m	1.65m	
Wall	(Y/N)	6.3m	2.7m	1.5m	2.2m	
Eaves	Project no more	than 750mminto	a setback area	.75m	1.3m	

# 5.1.3 Boundary walls

	,		
R-Codes Vol. 1 deem to comply	Permitted	Proposed	Compliance DTC or DP
Wall length	25M+	8	DTC
Maximum height	3.5	2.7	DTC
Average height	3		
Behind front setback	4	4	DTC
Adjacent to existing boundary wall of similar/ greater dimension To one side boundary only	1.5	2.5	DTC

# 5.1.4 Open space

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C4-Open Space (refer definition in Appendix 1)	45%	Lot 1 – 72.57% Lot 2 – 72.57% Lot 3 – 74.87% Lot 4 – 74.87%	DTC

# 5.1.5 Communal open space (grouped dwellings only)

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C5 – Grouped dwellings	Is communal open space proposed? If yes, refer 5.1.5 and 5.3.1	NA	DTC

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# 5.1.6 Building height

R-Codes Vol. 1 deem to comply	Required (Table 3)	Proposed	Compliance DTC or DP
Pitched roof		4.2	DTC
Top of external wall (roof above)	3m		
Top of pitched roof	6m		
Concealed, flat	and skillion roof		
Top of external wall (concealed roof)	NA		

# 5.2.1 Setback of garages and carports

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C1.1 – Garage	4.5m or at least 0.5m behind the dwelling alignment? (Figure 8b)	NA	DTC
(Primary street)	3m where parallel to street	NA	
C1.2 – Carport (Primary street)	As per, 5.1.2, C2.1	2m	DTC
C1.3 – Setback from right of way of communal street	Manoeuvring space of at least 6m provided?	6M	DTC
C1.4 – Secondary street (if applicable)			
C1.5 – Carports within the street	Maximum 50% of frontage	50%	DTC
setback area (if applicable)	Unobstructed views to and from dwelling	YES	DTC

## 5.2.2 Garage width

_			
R-Codes Vol. 1 deem to comply	Permitted	Proposed	Compliance DTC or DP
C2 – Garage width relative to frontage		NA	DTC

0



# 5.2.3 Street surveillance

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C3.1-Entrypoints	Clearly definable entry points visible and accessible from the street	YES	DTC
C3.2-Surveillance	At least one major opening from a habitable room of the dwelling faces the street and the pedestrian or vehicular approach to the dwelling		

### 5.2.4 Street walls and fences

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C4 – Fence height	Fencing within front setback visually permeable above 1.2m	YES	DTC

# 5.2.5 Sightlines

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C5 – Sightlines	No structures higher than 0.75m within 1.5m of where a driveway meets a public street or two streets intersect	YES	DTC

# 5.3.1 Outdoor living areas

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C1.1 – Outdoor living area	Area in accordance with Table 1	24M <sup>2</sup>	DTC
	Behind front setback	YES	DTC
	Accessible from habitable room	YES	
	Minimum width and length dimension of 4m	YES	DTC
	Two-thirds of the required area without permanent roof cover	NO	DP



# 5.3.2 Landscaping

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
	Street setback area without car-parking (except visitor bays) and max. 50% hard surface	NA	DTC
	Disabled access paths connecting all entries to footpath and parking	YES	DTC
	Landscaping between each six car bays to include shade trees	NA	DTC
	Lighting to pathways, communal open space and parking	NA	DTC
C2 – Grouped and multiple dwellings	Bin areas conveniently located and screened	YES	DTC
	Trees<3m in height retained in communal open space	NA	DTC
	Sightlines for pedestrians and vehicles	YES	DTC
	Line of sight between communal open space and at least two major openings	YES	DTC
	Clothes drying areas secure and screened	YES	DTC
	Unroofed visitor bays screened from street	NA	DTC

# 5.3.3 Parking

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C3.1 – Resident parking	Single bed dwelling - 1 bays	Single bed dwellings – 1 Two bed dwellings - 2	DTC
	Two bed dwellings – 2 bays		
C3.2 – Visitor parking	1 bays	0	DP

# 5.3.4 Design of car parking spaces

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C4.2-Car space and manoeuvring	As per AS 2890.1	YES	DTC
area design	Marked and signposted	NA	DTC
C4.2-Visitorbays	Located outside of security barrier	NA	DTC
	Accessible path provided	NA	DTC
C4.3 – Landscaping	Landscaping between each six consecutive bays	NA	DTC

0



## 5.3.4 Vehicular access

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C5.1–Access to on-site parking	Provided from right-of-way, or secondary street where no right-of-way exists, or primary street where no secondary street or right-of-way exists	YES	DTC
C5.2 – Driveways to primary and	Minimum width of 3m for driveways serving four dwellings or less	3M	DTC
secondary streets	Maximum width of 6m		
	Maximum aggregate width of 9m (where more than one driveway proposed)		
	Setback of 0.5m from side lot boundary		
	No closer than 6m to a street corner	NO	DTC
C5.3 – Driveways	Align at right angle to the street	YES	DTC
	Avoids street trees	YES	DTC
	Adequately paved and drained	YES	DTC
C5.4 – Driveways design for two-way	Does driveway serve five or more dwellings?	NO	DTC
access and for vehicles to enter the	Is the distance from a car space to the street 15m or more?	YES	DTC
street in a forward gear	Is the street a primary distributor or integrator arterial?	NO	DTC
C5.5 – Driveways for grouped	Minimum width of 4m	NA	DTC
dwellings 5+	Designed for two-way access		
C5.6- Driveways where retaining an existing dwelling	3m where retaining an existing dwelling and driveway services a grouped dwelling		
C5.7 – Driveways for 20 or more grouped dwellings	Minimum width 12m	NA	DTC

# 5.3.5 Pedestrian access

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C6.1	Separate path where communal street serves more than 10 dwellings	NA	DTC
C6.2	Where communal street serves more than two dwellings the configuration of the pedestrian and vehicular route is to be provided with:  • clear sight lines • adequate lighting • paving surfaces to slow traffic	Clear sightlines and separate paving	DTC
C6.3	Communal street or pathway no closer than 3m to major opening		

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## 5.3.6 Site works

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C7.1 – Site works	0.5m or less between street and building or within 3m of street (whichever lesser)	NA	DTC
C7.2 – Site works behind front setback	Complies with building height and setbacks	NA	DTC
C7.3 – Site works behind front setback	0.5m or less within 1m of a lot boundary	NA	DTC

# 5.3.7 Retaining walls

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C8.1 – Setbacks	Setback in accordance with Table 1	NA	DTC
C8.2-Height and setbacks	Retaining walls less than 0.5m permitted within 1 m of lot boundary to allow for landscaping	NA	DTC

# 5.3.8 Stormwater management

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C9 – Stormwater	Stormwater contained on site	TO VERGE	DTC

# 5.4.1 Visual privacy

R-Codes Vol. 1 deem to comply	Setback required	Proposed	Compliance DTC or DP
FFL LESS THAN	m (C1.1)	NA	DTC
0.5M ABOVE NGL	m (C1.1)	NA	DTC

### 5.4.2 Solar access

R-Codes Vol. 1 deem to comply (as applicable)	Required	Proposed	Compliance DTC or DP
R25 and lower; or	25% of adjoining site area		
R30-R40; or	35% of adjoining site area	4%	DTC
Higher than R40	50% of adjoining site area		

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# 5.4.3 Outbuildings

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
00	Not attached to a dwelling	NA	DTC
C3	Non-habitable	NA	DTC
	Maximum 60m²/10% of site (whichever is less)	NA	DTC
	Maximum wall height 2.4m	NA	DTC
	Maximum ridge height 4.2m		
	Located behind front setback	NA	DTC
	Complies with open space	NA	DTC
	Complies with setbacks	NA	DTC

# 5.4.4 External facilities

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C4.1	Solar collectors proposed	NIL	DTC
C4.2	Television aerials, essential plumbing and down pipes permitted	YES	
	Other external fixtures not visible from the primary street	YES	DTC
04.0	Designed to integrate with the building		
C4.3	Are located so as not to be visually obtrusive	YES	DTC
C4.4	Antennas, satellite dishes and the like not visible from the primary and secondary street	YES	DTC

# 5.4.5 Utilities and facilities (Grouped and Multiple Dwellings)

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C5.1	Min 4m² enclosed lockable store room with minimum dimension of 1.5m	$4M^2$	DTC
C5.2	Communal bin store area provided if necessary		
C5.3	Clothes drying areas screened from street	YES	DTC

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# 5.5.3 Single bedroom dwellings

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
С3	Maximum plot ratio of 70sqm	Unit 3: 65.7sqm Unit 4: 65.7sqm	DTC
	Open space and landscaping in accordance with the requirements of Clause 5.1.4 and 5.3.2	See assessment in Clause 5.1.4 and 5.3.2	DTC
	Parking provided in accordance with Clause 5.3.3 C3.1 and C3.2	See assessment in Clause 5.3.3	DTC
	An outdoor living area in accordance with the requirements of Clause 5.3.1 but reducing the area required by Table 1 by one third.	See assessment in Clause 5.3.1	DTC
	Comply with all other elements of Table 1 and Part 5 as relevant	Complies	DTC

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## **GROUPED DWELLINGS**

### PRELIMINARY PLANNING ASSESSMENT

Proponent to Complete and Finalise with justifications for any Design Principles Assessment Prior to referral to the LGA

R-Codes Vol. 1 Design Principle		Response
5.3.1 P1.1	Provides space for entertaining, leisure and connection to the outdoors that is:     Of sufficient size and dimension to be function and usable;     Capable of use in conjunction with a primary living space of the dwelling;     Sufficient in uncovered area to allow for winter sup and natural ventilation to see the support of the	Each dwelling has been provided with an outdoor living area that is compliant with the relevant area and minimum dimensions and is also accessed from a primary living space.  With regard to the covered area — whilst the variation is noted, access to winter sun and natural ventilation will not be a concern given the climate in the area and the limited extent of built form.  Further, due to the large amounts of open space, sufficient room for the planting of a tree will exist on each site.
5.3.3 P3.1	Adequate car parking is to be provided on-site in accordance with projected need related to:	Sufficient resident parking has been provided on site to meet the demand of residents. Whilst the lack of visitor parking is noted, there is a large verge area capable of accommodating visitor parking.
5.3.3 P3.2	Consideration may be given to a reduction in the minimum number of on-site car parking	Whilst it is acknowledged that no formal street parking exists within close proximity to the site, the verge area is more than sufficient to accommodate visitor parking if it is required.

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At 6:08 pm, Cr Andrew Twaddle left the meeting.

# 14.3 DEPARTMENT OF COMMUNITIES INTENT TO DEVELOP FOUR (4) GROUPED DWELLINGS AT LOT 258 (NO. 1) JONES PLACE, FITZROY CROSSING

File Number: 7060; 300161

Author: Robert Paull, Manager Development Services

Responsible Officer: Wayne Neate, Director Technical and Development Services

**Applicant:** Dynamic Planning and Developments

Owner: Department of Communities

Proposal: Proposed four (4) Dwellings

Location: Lot 258 (No. 1) Jones Place, Fitzroy Crossing

Authority/Discretion: Legislative

### **SUMMARY**

The Department of Communities (Department) intend to develop Lot 258 (No. 1) Jones Place, Fitzroy Crossing (the Site) at a density higher than anticipated by Fitzroy Futures Town Plan. The Department will lawfully undertake the residential development as 'public works' removing the need for Shire planning approval. The Department is seeking Council support and inviting the opportunity for Council to undertake public consultation.

### **DISCLOSURE OF ANY INTEREST**

Nil.

### **BACKGROUND**

The Site is vacant, has an area of 1,372<sup>m2</sup> and fronts both Jones Place and Geikie Place.



Ρ

Denotes Non-Government owner

The proposed development is for four (4) grouped dwellings. All dwellings will be single storey, single bedroom dwellings with their own exclusive carport, two of which are accessed from Jones Place and two of which are accessed from Geikie Place (Attachment 1).

Immediately abutting the site is three (3) separate single residential properties. The broader locality is also characterised by predominantly single residential development. The site is also located in close proximity to the Tarunda Shopping Centre (200m) and the Fitzroy Crossing Visitor Centre (300m). The site is also located in close proximity to the Great Northern Highway, which is the primary traffic route in and out of Fitzroy Crossing.

# STATUTORY ENVIRONMENT

# Planning and Development Act 2005 (Act) Public Works Act 1902

Section 6 of the Act states: "nothing in this Act interferes with the right of the Crown, or the Governor, or the Government of the state, or a local government - (a) to undertake, construct or provide any public work; and (b) to take land for the purposes of that public work."

In general terms, this section gives the bodies referred to in section 6, "section 6 bodies", the power to undertake a public work or take land for the purposes of a public work without obtaining development approval from the responsible authority under the relevant planning scheme. The term "public work" is defined under section 4 of the PD Act as including any public work as defined in the *Public Works Act 1902* and enable the Department to undertake its public works without the formal consent of Council.

The Western Australian Planning Commission has previously advised that Section 6 has the effect of exempting section 6 bodies from the requirement to obtain development approval for a public work under a local planning scheme. Despite this exemption, section 6 bodies are still required to comply with the requirements of section 6(2) and (3), namely:

- to have regard to the purpose and intent of the local planning scheme;
- to have regard to the principles of proper and orderly planning and the amenity of the area; and

• to consult with the local government when a proposal is being formulated for any public work, or the taking of land for a public work If a section 6 body undertakes a public work without consulting with the relevant local government under section 6(3), then it has breached the requirements of the PD Act.

### Shire of Derby West Kimberly Interim Development Order No. 9 (IDO No.9)

Development in the town of Fitzroy Crossing is guided by IDO No. 9. With this in mind, compliance with Section 6 of the act requires due regard be given to this document. Of relevance to the proposal are Part 5 and Part 6(a) which state:

### 5. DEVELOPMENT BY PUBLIC AUTHORITY

- a) Any public authority intending to carry out development (other than permitted development) within the area covered by this Order is required to consult the Local Government in writing and to supply such information as may be necessary to explain the proposal.
- b) The development shall not be commenced until the Local Government advises either that the development is in conformity with the proposed Local Planning Scheme or can be co-ordinated with it; but before so advising the Local Government may require modification to the development.

c) In the event of the modification not being accepted to the public authority, the development shall not be commenced but the matter shall be referred to the Minister for determination by the Governor as provided by section 111(2), Division 3, Part 6 of the Planning and Development Act 2005.

### 6. PERMITTED DEVELOPMENT

The following classes of development do not require approval under this Order and are subject only to Local Government by-laws and other provisions of law-

- a) Development by public authorities for the purpose of their undertaking or functions on land owned by them at the time of coming into operation of this Order.
- (f) Construction, extension of any single residential dwelling that is consistent with an approved Layout Plan.
- (g) Construction, or extension of a single residential dwelling that is consistent with the approved Fitzroy Futures Town Plan and the Residential Design Codes of Western Australia.

### Fitzroy Futures Town Plan

Whilst there is no defined zoning or density provisions referred in IDO No. 9, refers to an: "... adopted planning policy relevant to the locality" as a matter Council would need to take into account. In this regard, the adopted Fitzroy Futures Town Plan provides guidance for any planning proposal in Fitzroy Crossing. The IDO does not define a residential density for specific lots, however the Fitzroy Futures Town Plan does provide the following direction on density (page 6 and 29) as follows:

"Redevelopment of existing land within the Fitzroy Crossing township may be able to meet housing demand before development of the land known as Bunuba Heights, particularly in the area north of Poole Court. The ultimate capacity of this land is estimated to be:

- 26 dwellings assuming a development standard of R20 (20 dwellings per hectare), which
  could be achieved only on lots greater than 1000m2. This would in some cases require
  demolition of the original house.
- 39 dwellings assuming a development standard of R30 (30 dwellings per hectare), which could only be achieved if 2 or more lots are amalgamated. This would require demolition of the original housing stock.

Lots south of Poole Court are of a size that would support development at a density of 20 dwellings per hectare; however the configuration of lots and connecting roads may not be conducive to a blanket zoning. Nevertheless, some lots, such as corner lots, may be suitable for grouped dwellings." (Page 6)

"As outlined in section 1.8, an overall density of 20-30 dwellings per hectare is considered appropriate. However, the majority of the town is developed at a density of approximately 12.5 dwellings per hectare. The proposed residential density would result in residential lots that are 250-300m² smaller than currently exist. This is an important issue for local residents and should be understood fully before implementation. It may be that prevailing lot sizes remain at 12.5 (700 m² minimum) dwellings per hectare with various land parcels identified for grouped dwellings, such as duplexes or villas at a density of 20-30 dwellings per hectare." (Page 29)

Under the *Fitzroy Futures Town Plan*, the Site and surrounding lots are envisaged to have only one dwelling per lot.

### **POLICY IMPLICATIONS**

Fitzroy Futures Town Plan

### **FINANCIAL IMPLICATIONS**

As the developer is the State of Western Australia, no for Planning Approval applies and hence no fees are applicable. By comparison, a similar application from a private sector developer would generate application fees to the Shire in the vicinity of \$2,900

### STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
Priority 1: Leadership and	1.1 Collaboration and	1.1.1 Maximise local opportunities
Governance	Partnerships 1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs
	1.3 Effective Communication	1.3.3 Listen to and respond to the needs of our communities

### RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance:	Possible	Moderate	Medium	Council is obligated to provide advice to the Department it risks much needed housing funding being re-assigned outside of the Shire.

### **CONSULTATION**

The Planning Consultant for the Department has invited the Shire to undertake a public consultation on behalf of the Department: for the Department has invited the Shire to undertake a public consultation on behalf of the Department: "Following this submission, it is kindly requested that the Shire undertake the necessary consultation to enable the Department to fulfill its final obligation under Section 6 which is to give due regard to any advice provided by the responsible authority."

It is open for the Council to seek to notify neighbouring properties of the Department's intent to develop the site as addressed further in this Report.

### **COMMENT**

This issue disproportionally affects Indigenous households which make up a significant proportion of social housing in the Kimberley.

The low income eligibility limits for public housing tenants creates a disincentive to Indigenous public housing tenants participating in the workforce and this in turn undermines government efforts to attract and stimulate Indigenous participation in the mainstream labour market.

The Planning Consultant for the Department has concluded as follows:

"It is acknowledged that the proposed development is considered to be 'overdevelopment' when reviewed against the recommended density noted in the Fitzroy Futures Town Plan. However, it is commented that there are no statutory controls mandating a specific density.

Further, the development constitutes 'permitted development' under the Local Interim Development Order 9 and as such only consideration of compliance with Section 6 of the Act is required. With this in mind, compliance with Section 6 of the Act has been addressed in detail within the preceding sections of this submission. With the compliance of Section 6 of the Act demonstrated above, the proposed development, whilst arguably overdevelopment when assessed against the strategic planning framework, is considered to be entirely appropriate".

The Department of Communities Regional Manager has advised:

"I have agreed to make application for the dwellings to be liquor restricted premises, this application cannot be done until construction is complete or nearing completion. I discussed also with planner that the properties are not designated for 55 an over they are singles units. We already have a large seniors complex and despite this I will endeavour to allocate the initial tenancy to seniors where and if available".

It is open for the Council to seek to notify neighbouring properties of the Department's intent to develop the site as addressed further in this Report.

The Department's intent to develop the Site in a manner and density indicated is not something that Council cannot prevent (should it wish too). It is open for Council to seek the views of the adjoining (private) owner (No. 10 Flynn Drive), however the Department has indicted that they may "... consider some design changes where we see merit". Accordingly, any consultation with the neighbouring properties would need to be tempered with the advice from the Department.

It is recommended that Council seek the views of adjoining private neighbour and authorise the Chief Executive Officer to refer any comments received to the Department to address in its finalised design. Such notification should be in line with the Planning Scheme which is a 14 day consultation period. In addition to any neighbour comments, it is recommend that Council:

- 1. Note that the development is not in compliance with the density requirements of the *Fitzroy Futures Town Plan*; and
- 2. Note that the proposed development will occupied with the condition that they units will be *liquor restricted;* and
- 3. Authorise the Chief Executive Officer to request the Department to:
  - o take into account any (received) views of the neighbours in its final design;
  - ensure units are occupied with the condition that no alcohol be consumed on the property;

- o provide crossovers to be constructed to Council specifications and being graded into the existing bitumen seal;
- ensure any fencing being proposed within the front setback area being constructed in accordance with the standards stipulated within the RCodes;
- o replace any boundary fencing be undertaken in accordance with the Dividing Fences Act;
- ensure storm water from the site is discharged into Council's street drainage, otherwise to be discharged clear of the building sand pad and that storm water is not discharged onto adjoining properties
- o ensure all units be connected to the Water Corporation reticulated sewer; and
- o ensure that building works do not impact the amenity of neighbours.

### **VOTING REQUIREMENT**

Simple majority

### **ATTACHMENTS**

1. Attachment 1 Submission and R Code Assessment Utal

### **RESOLUTION 90/21**

Moved: Cr Rowena Mouda Seconded: Cr Paul White

That with respect to the Department of Communities intent to Develop Four (4) Grouped Dwellings at Lot 258 (No. 1) Jones Place, Fitzroy Crossing, Council:

- 1. Notes the Report;
- 2. Requests the Chief Executive Officer to notify privately owned neighbouring properties of the Departments intent to develop Lot 258;
- 3. Authorises the Chief Executive Officer to forward any submissions received from neighbours to the Department along with the conditions as outlined in the Report.

<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Rowena Mouda, Pat Riley

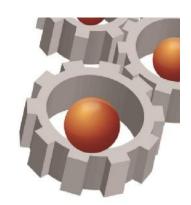
and Keith Bedford

Against: Nil

**CARRIED 7/0** 

At 6:10 pm, Cr Andrew Twaddle returned to the meeting.





Our Ref: 1341

6 August 2021

Chief Executive Officer Shire of Derby-West Kimberley PO Box 94 Derby WA 6728

Dear Sir/Madam,

# LOT 258 (NO. 1) JONES PLACE, FITZROY CROSSING PROPOSED FOUR (4) GROUPED DWELLINGS – PUBLIC WORKS APPLICATION

Dynamic Planning and Developments Pty Ltd acts on behalf of the Department of Communities – Housing (the Department) in relation to the development of four (4) grouped dwellings at Lot 258 (No. 1) Jones Place, Fitzroy Crossing (herein referred to at the 'subject site').

This submission is intended to fulfill the requirements of the Department under Section 6 of the *Planning and Development Act 2005* and Local Interim Development Order 9 and will demonstrate that regard has been given to:

- The purpose and intent of the Fitzroy Futures Town Plan in the absence of an applicable Local Planning Scheme;
- 2. The order and proper planning, and the preservation of the amenity, of that locality at that time; and
- 3. Any advice provided by the responsible authority in the course of the required consultation.

Included in this submission is the following:

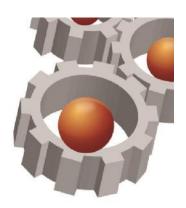
- Development Plans (Attachment 1); and
- Completed assessment sheet demonstrating compliance with State Planning Policy 7.3 (Attachment 2).

Based on the assessment undertaken as part of this submission, the proposal is considered to have appropriately considered the purpose and intent of the Fitzroy Futures Town Plan and the amenity available to surrounding properties. With this mind it is kindly requested that the Shire of Derby-West Kimberley undertake the necessary consultation to provide comments on the proposal.

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#### SITE DETAILS

Lot 258 (No. 1) Jones Place, Fitzroy Crossing is located in the municipal locality of the Shire of Derby-West Kimberley and in the town of Fitzroy Crossing. The site and Townsite does not have a relevant local planning scheme and instead development in the area is controlled through the Local Interim Development Order 9 and the Fitzroy Futures Town Plan. In accordance with the Fitzroy Futures Town Plan an appropriate residential density is 20-30 dwellings per hectare (i.e. R20-R30).

The subject site has a legal area of 1,372m<sup>2</sup> and fronts both Jones Place and Geikie Place. Immediately abutting the site is three (3) separate single residential properties. The broader locality is also characterised by predominantly single residential development. The site is also located in close proximity to the Tarunda Shopping Centre (200m) and the Fitzroy Crossing Visitor Centre (300m). The site is also located in close proximity to the Great Northern Highway, which is the primary traffic route in and out of Fitzroy Crossing.

Figure 1 below provides an aerial context of the subject site.

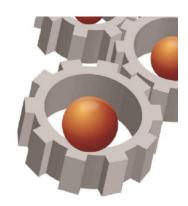


Figure 1 – Aerial Context of the Subject Site

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#### **PROPOSAL**

The proposed development is for four (4) grouped dwellings. All dwellings will be single storey, single bedroom dwellings with their own exclusive carport, two of which are accessed from Jones Place and two of which are accessed from Geikie Place.

As there is no statutory planning control that prescribes a residential density for the subject site, guidance on the relevant density is sought from the Fitzroy Futures Town Plan which is a strategic planning document intended to guide development within the town of Fitzroy Crossing. References throughout the Fitzroy Futures Town Plan indicate that a residential density of 20-30 dwellings per hectare is considered appropriate which equates to an R20 to R30 density coding.

With the strategic direction of the Fitzroy Futures Town Plan considered together with the demand for affordable housing in the region a density of R30 has been applied to the proposed development. Compliance with the required minimum and average lot sizes for development at an R30 density has been noted below:

R30 – Single Bedroom Dwellings	Required	Proposed
Minimum Lot Size	175sqm	303.5sqm
Average Lot Size	200sqm	343sqm

It is evident from the above assessment that the proposed single bedroom dwellings comply with the relevant site area requirements applicable at an R30 density.

### PLANNING CONSIDERATIONS

### Planning and Development Act 2005

As the proposed development is being undertaken by the Department of Communities – Housing, consideration of the *Planning and Development Act 2005 (the Act)* is warranted. The Department are considered a 'public authority' which is defined in Section 4 of the Act as:

- a) A minister of the Crown in right of the state;
- A department of the public service, state trading concern, state instrumentality or state public utility; and
- Any other person or body whether corporate or not, who or which under the authority of any
  written law, administers or carries on the benefit of the state, a social service or public utility.

Being a 'public authority' the Department has rights granted to it under Section 6 of the Act which states that:

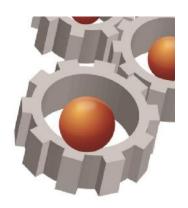
'nothing in this Act interferes with the right of the Crown, or the Governor, or a public authority, or a local government –

a) To undertake, construct or provide any public work; and

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<del>ynamic creative proactive innovative passionat</del>





b) To take land for the purposes of that public work.'

This section of the Act provides an exemption to public authorities from the requirement to obtain planning approval from the local government. In exercising this exemption the public authority is required to have due regard to:

- a) the purpose and intent of any planning scheme that has effect in the locality where, and at the time when, the right is exercised; and
- b) the orderly and proper planning, and the preservation of the amenity, of that locality at that time: and
- any advice provided by the responsible authority in the course of the consultation required under subsection (3) in respect of the exercise of the right.

In considering the requirement to give due regard to the above points, the following is noted in relation to the proposed development:

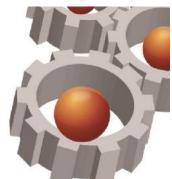
- In considering the purpose and intent of any planning scheme that has effect, it is noted that
  there is not Local Planning Scheme applicable. Instead development should consider the
  purpose and intent of the Local Interim Development Order 9 and the Fitzroy Futures Town
  Plan which has been addressed in detail in the succeeding section.
- The proposed development is considered to represent orderly and proper planning in that it
  follows due process under Section 6 of the Act and gives due regard to the applicable policy
  framework that the development would be assessed against (i.e. State Planning Policy 7.3 –
  Residential Design Codes (Volume 1), Local Interim Development Order 9 and the Fitzroy
  Futures Town Plan).
- The proposed development is considerate of the amenity of surrounding properties as it is:
  - Consistent in height with the adjoining residential development and limited to no overshadowing impacts on the neighbouring properties.
  - Compliant with an R30 residential density which is prescribed for the site through the Fitzroy Futures Town Plan.
  - The total residence area on the site only equates to 279.8sqm across the four (4) dwellings indicating that the extent of built form is consistent with a much lower density of R10. Further, the total extent of built form will not be dissimilar to what exists on adjoining properties despite the site accommodating four (4) dwellings.
  - o Consistent with the residential character of the locality.
- Advice provided by the Shire through the necessary consultation process will be considered as part of the final design process before the development proceeds to lodge the required building permit.

In light the above points, the assessment of the proposed development against the provisions of State Planning Policy 7.3 – Residential Design Codes (Volume 1) in **Attachment 2** and the forthcoming

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consultation process through the Shire, it is considered that the Department will have fulfilled it obligations under Section 6 of the Act.

#### Local Interim Development Order 9

In the absence of a gazetted local planning scheme, development in the town of Fitzroy Crossing is guided by Local Interim Development Order 9. With this in mind, compliance with Section 6 of the act requires due regard be given to this document. Of relevance to the proposed development is Part 5 and Part 6(a) which state:

### 5. DEVELOPMENT BY PUBLIC AUTHORITY

- a) Any public authority intending to carry out development (other than permitted development) within the area covered by this Order is required to consult the Local Government in writing and to supply such information as may be necessary to explain the proposal.
- b) The development shall not be commenced until the Local Government advises either that the development is in conformity with the proposed Local Planning Scheme or can be co-ordinated with it; but before so advising the Local Government may require modification to the development.
- c) In the event of the modification not being accepted to the public authority, the development shall not be commenced but the matter shall be referred to the Minister for determination by the Governor as provided by section 111(2), Division 3, Part 6 of the Planning and Development Act 2005.

### 6. PERMITTED DEVELOPMENT

The following classes of development do not require approval under this Order and are subject only to Local Government by-laws and other provisions of law-

a) Development by public authorities for the purpose of their undertaking or functions on land owned by them at the time of coming into operation of this Order.

Being development proposed by the Department of Communities (Housing) it is considered to be consistent with Part 6(a) and as such constitutes 'permitted development' and does not require the approval of the Shire. Being 'permitted development' under Part 6(a), it is considered that the obligations of the public authority under Part 5 of the Local Interim Development Order 9 are not applicable as Part 5(a) specifically states that:

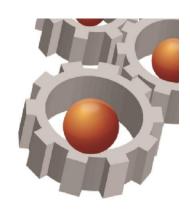
'Any public authority intending to carry out development (other than permitted development) within the area covered by this Order...'

The above clause specifically excludes 'permitted development' from the need to comply with Part 5. Whilst compliance with Part 5 of the Local Interim Development Order is not required, this does not remove the Department's requirement to comply with Section 6 of the Act which has been addressed in detail above.

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### Fitzroy Futures Town Plan

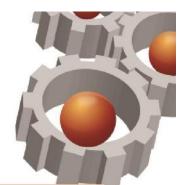
In addition to Local Interim Development Order 9, Section 6 of the Act also requires the consideration of the purpose and intent of the Fitzroy Futures Town Plan. With this in mind, the below table details how the purpose and intent of this plan has been considered.

Purpose and Intent	Proposals Consideration
Part 6.1 – Objectives  Develop a planning framework to bring together the different settlements in and around the town; and  Provide a basis for future land ownership arrangements and land tenure rationalisation	The proposed development is located within an existing settlement and represents infill development. Further, the existing land tenure arrangement will remain.
<ul> <li>Part 6.2 – Planning Principles</li> <li>Support lifestyle, cultural and social needs of the community;</li> <li>Focus future growth on land not subject to flood impacts;</li> <li>Promote environmental protection and sustainable settlements;</li> <li>Provide opportunities for economic growth within the community; and</li> <li>Acknowledge infrastructure limitations and deficiencies.</li> </ul>	<ul> <li>The proposed development provides affordable housing for residents which will meet various needs of the local community.</li> <li>The land is not subject to flood impacts and represents infill development and consequently 'growth'.</li> <li>Being located in an existing settlement the development is considered to be 'sustainable' with no impact on the environment.</li> <li>The proposed development being located in an existing settlement will capitalise on the available infrastructure.</li> </ul>
Part 6.3.1.1 – Residential Land As outlined in section 1.8, an overall density of 20-30 dwellings per hectare is considered appropriate. However, the majority of the town is developed at a density of approximately 12.5 dwellings per hectare. The proposed residential density would result in residential lots that are 250-300 m² smaller than currently exist. This is an important issue for local residents and should be understood fully before implementation.  It may be that prevailing lot sizes remain at 12.5 (700 m² minimum) dwellings per hectare with various land parcels identified for grouped dwellings, such as duplexes or villas at a density of 20-30 dwellings per hectare.	As previously noted — the proposed development has been assessed against a residential density of R30 which is the upper end of the recommended dwellings per hectare as prescribed in the plan. It is evident from this assessment that the development complies within the recommended minimum and minimum average site area requirements as well as the various other design requirements.  Further, the demand for affordable housing in the area is high and the ability for the Department to deliver this housing under Section 6 of the Act simply requires due regard to be given to the suggested residential density

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as opposed to being statutorily obliged to comply.

### CONCLUSION

Based on the assessment provided above against Section 6 of the *Planning and Development Act 2005* and Local Interim Development Order 9, the proposed development by a public authority is considered 'permitted development' meaning it is exempt from requiring the approval of the Shire of Derby-West Kimberley. Further, this submission has demonstrated that the Department has fulfilled its obligations under Section 6 as the development has given due regard to:

- The purpose and intent of the Local Interim Development Order 9 and the Fitzroy Futures
   Town Plan; and
- The order and proper planning, and the preservation of the amenity, of that locality at that time.

Following this submission, it is kindly requested that the Shire undertake the necessary consultation to enable the Department to fulfill its final obligation under Section 6 which is to give due regard to any advice provided by the responsible authority.

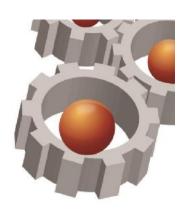
Should you have further queries or seek clarification with regard to the matters raised above, please do not hesitate to contact the undersigned.

Yours faithfully,

Reegan Cake Senior Planner

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Attachment 1
Development Plans

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DRAWING NAME	NO.	REV.	ISSUED
PLANS	4		
LOCATION SCHEME	A1-01		
SITE PLAN	A1-03		



LOCAL GOVERNMENT: SHIRE OF DERBY WEST KIMBERLEY



SITE LOCATION

GENERAL NOTES:

ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DRAWINGS AND SPECIFICATIONS.
REFERANY DISCREPANCIES TO ARCHITECT BEFORE PROCEEDING WITH THE WORK.
FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
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DATE LAYOUT TITLE: 14-07-2020 LOCATION SCHEME LAYOUT TITLE: SKETCH DESIGN DEVELOPMENT APPROVAL 10-09-2020 SCALE: N.T.S. @ A3 DRAWN BY: Pg CONSTRUCTION PROJECT STATUS: Development Approval

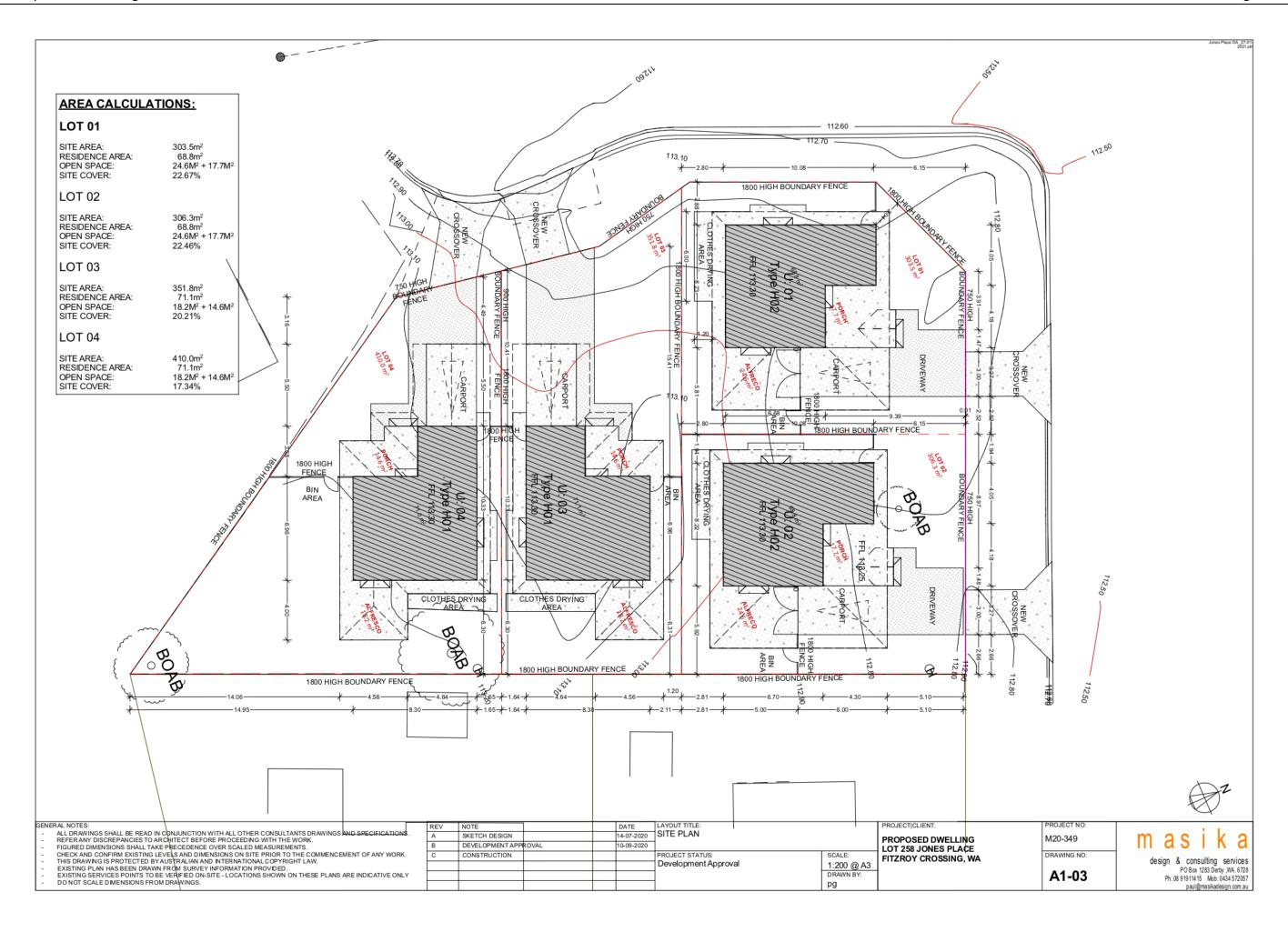
PROJECT|CLIENT: PROPOSED DWELLING LOT 258 JONES PLACE FITZROY CROSSING, WA

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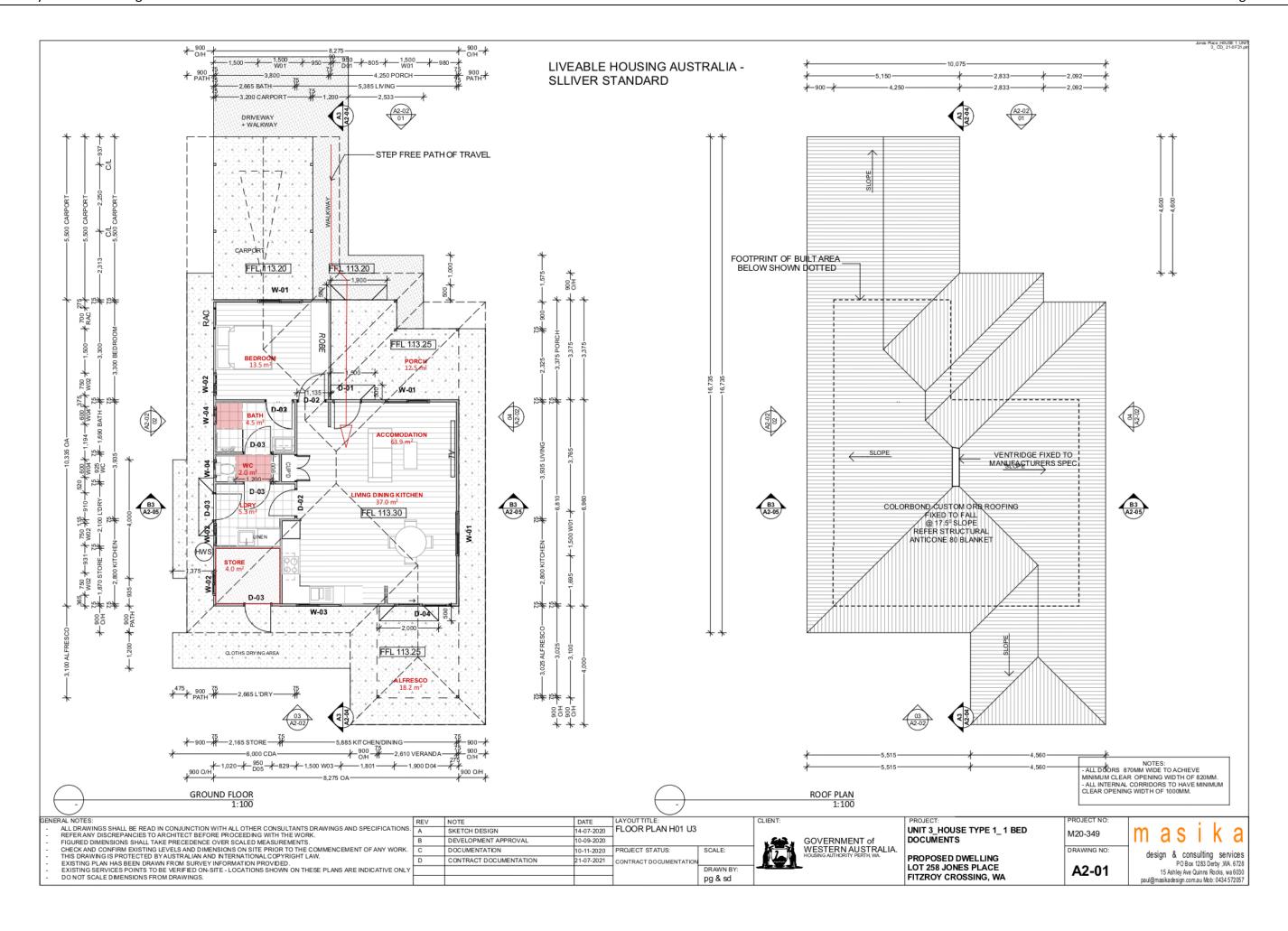
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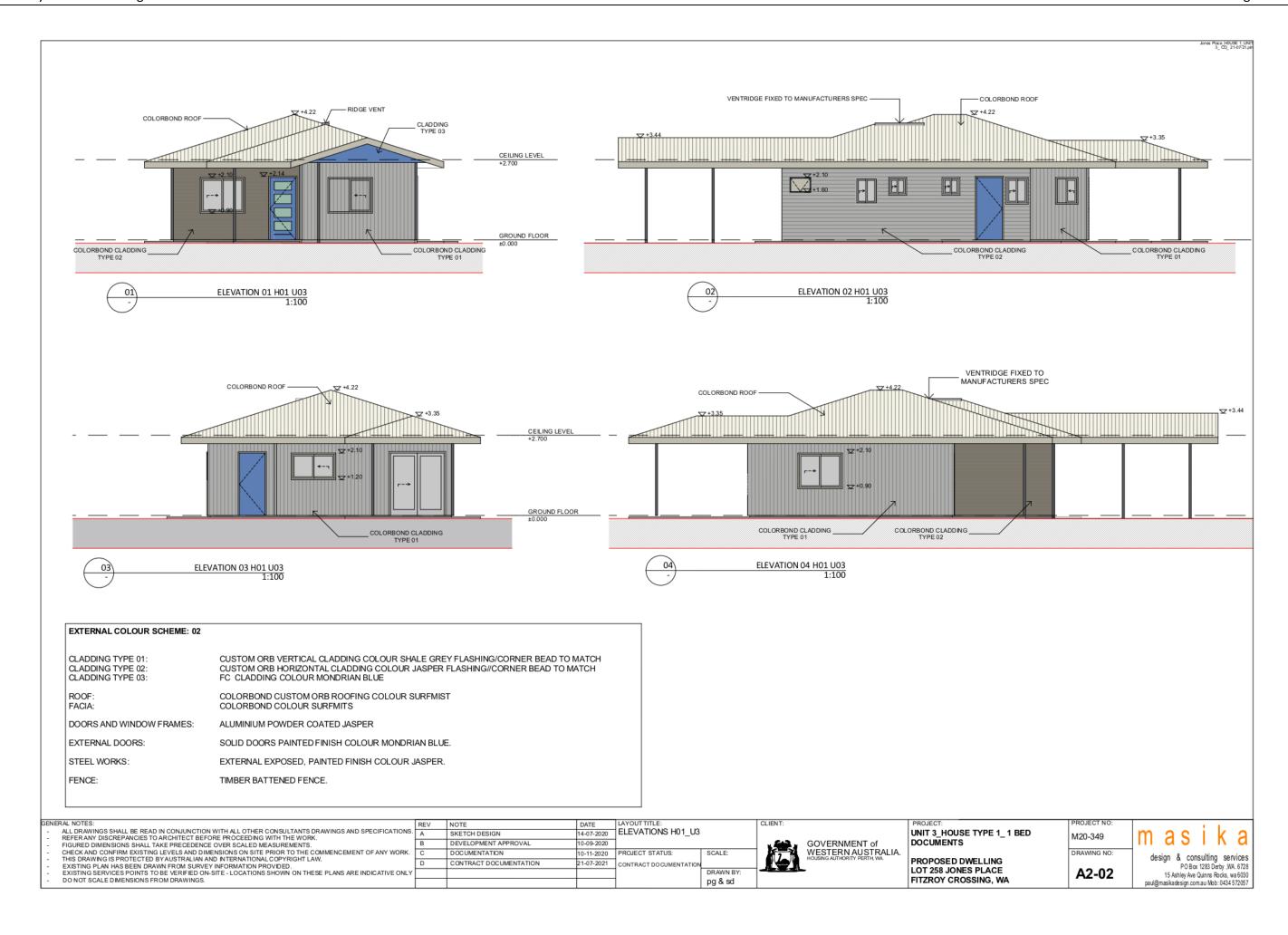
masika design & consulting services
PO Bαx 1283 Derby ,WA. 6728
Ph: 08 91911415 Mob: 0434 572057
paul@masikadesign.com.au

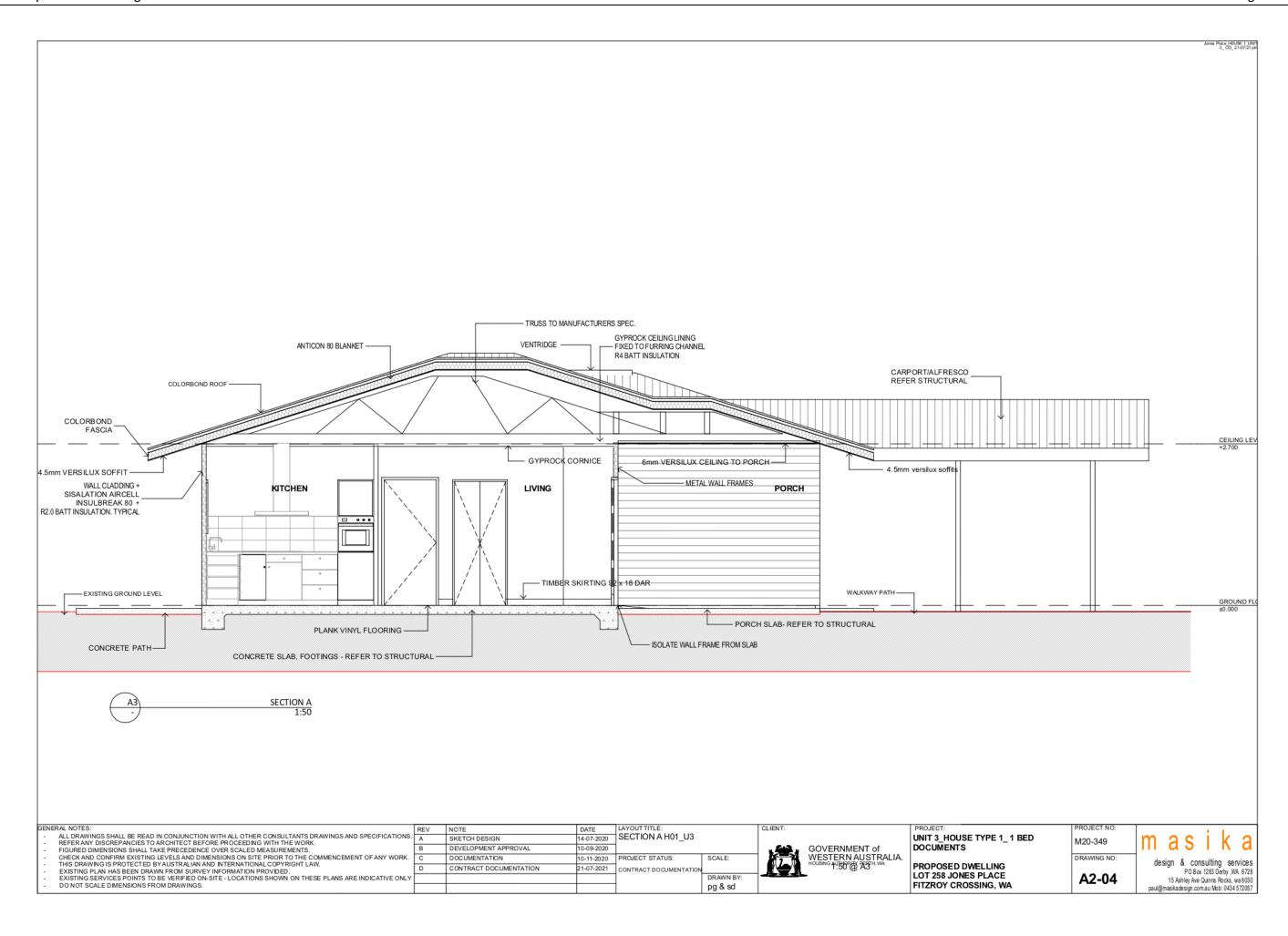
Page 107 Item 14.3 - Attachment 1

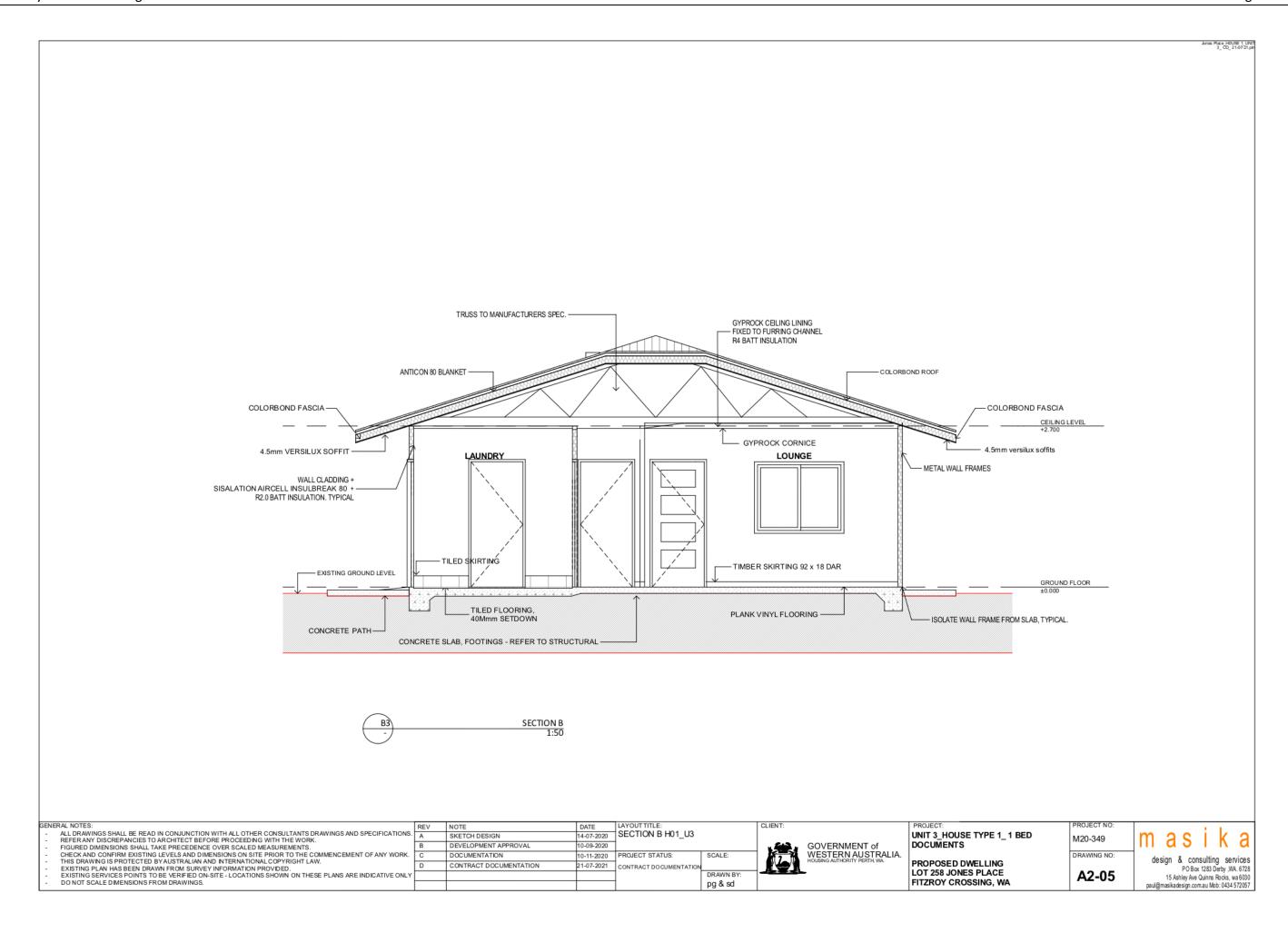


Item 14.3 - Attachment 1









# CEILING NOTES

ALL CEILINGS TO BE FLUSHED AND PAINTED.

WHERE NOTED, SHADOWLINE CORNICES SHALL BE RONDO P50 BEAD AND FLUSHED AND PAINTED (INCLUDING RECESS).

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ALL ELECTRICAL SERVICES TO COMPLY WITH RELEVANT AUSTRALLAN STANDARDS AND BCA REQUIREMENTS. CONTRACTOR TO COMPLY WITH ALL PROVISIONS OF THE BCA, AS AND AUTHORITY REQUIREMENTS EVEN IF IN CONFLICT WITH THIS DRAWING.

NOTE: ALL CIRCUITS ARE REQUIRED TO BE RCD PROTECTED CIRCUITS.

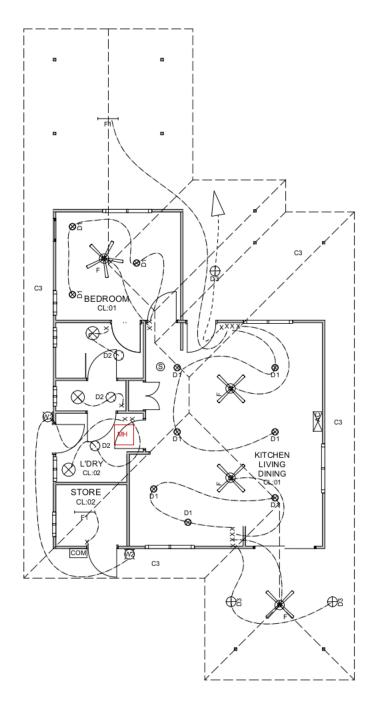
USE WARM COLOUR TEMPERATURE LED LIGHT FITTINGS WITH STAINLESS STEEL HOUSING. ENSURE HEAT SINK AND INSULATION REQUIREMENTS ARE TO AS AND BCA REQUIREMENTS.

# MECHANICAL NOTES

THIS DRAWING WAS NOT DRAWN BY A MECHANICAL OR HYDRAULIC CONSULTANT AND NO LIABILITY CAN BE ACCEPTED GIVEN ITS EXTENT, SUITABILITY OR FIT FOR PURPOSE.

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LIGHTING LEGEND (REFER JOINERY DRAWINGS + LIGHTING SUPPLIERS LIST) LIGHT SWITCH (1000 AFL) X2 LIGHT SWITCH 2 WAY (1000 AFL) **⊗** D1 D1 RECESSED LED DOWNLIGHT  $\circ$ D2 SURFACE-MOUNTED LIGHT → D3 EXTERNAL SURFACE-MOUNTED LIGHT F1 F1 FLUORESCENT LIGHT TYPE 1 VANITY LIGHT EXTERNAL WALL LIGHT (V2)  $\otimes$ EXHAUST FAN - EXHAUST DUCTED THROUGH CEILING S SMOKE ALARM TO AUSTRALIAN STANDARDS 1400mm DIA CEILING FAN SENSOR **A**S< WALL MOUNTED AC UNIT COM EXTERNAL COMPRESSOR HOT WATER UNIT

RCP LEGEND CEILING FINISHES SCHEDULE				
C1	SUSPENDED PLASTERBOARD CEILING, FLAT	PAINT FINISH DULEX COLOUR CEILING WHITE		
C2	SUSPENDED WATER RESISTANT PLASTERBOARD CEILING, FLAT	PAINT FINISH DULEX COLOUR CEILING WHITE		
СЗ	VERSILUX SOFFIT LINING	PAINT FINISH DULEX COLOUR TBC		
C4	6mm VERSILUX CEILING LINING	PAINT FINISH DULEX COLOUR TBC		

GROUND FLOOR 1:100

GENERAL NOTES:

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ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DRAWINGS AND SPECIFICATIONS. REFER ANY DISCREPANCIES TO ARCHITECT BEFORE PROCEEDING WITH THE WORK. FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED MEASUREMENTS. CHECK AND CONFIRM EXISTING LEVELS AND DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORK. THIS DRAWING IS PROTECTED BY AUSTRALIAN AND INTERNATIONAL COPYRIGHT LAW. EXISTING PLAN HAS BEEN DRAWN FROM SURVEY INFORMATION PROVIDED. EXISTING SERVICES POINTS TO BE VERFIED ON-SITE - LOCATIONS SHOWN ON THESE PLANS ARE INDICATIVE ONLY DO NOT SCALE DIMENSIONS FROM DRAWINGS.

14-07-2020 RCP & LIGHTING H01\_U03 SKETCH DESIGN DEVELOPMENT APPROVAL 10-09-2020 DOCUMENTATION ROJECT STATUS: SCALE: 10-11-2020 CONTRACT DOCUMENTATION 21-07-2021 CONTRACT DOCUMENTATI pg & sd

GOVERNMENT of WESTERN AUSTRALIA.

CLIENT

PROJECT UNIT 3\_HOUSE TYPE 1\_ 1 BED DOCUMENTS

PROPOSED DWELLING LOT 258 JONES PLACE FITZROY CROSSING, WA

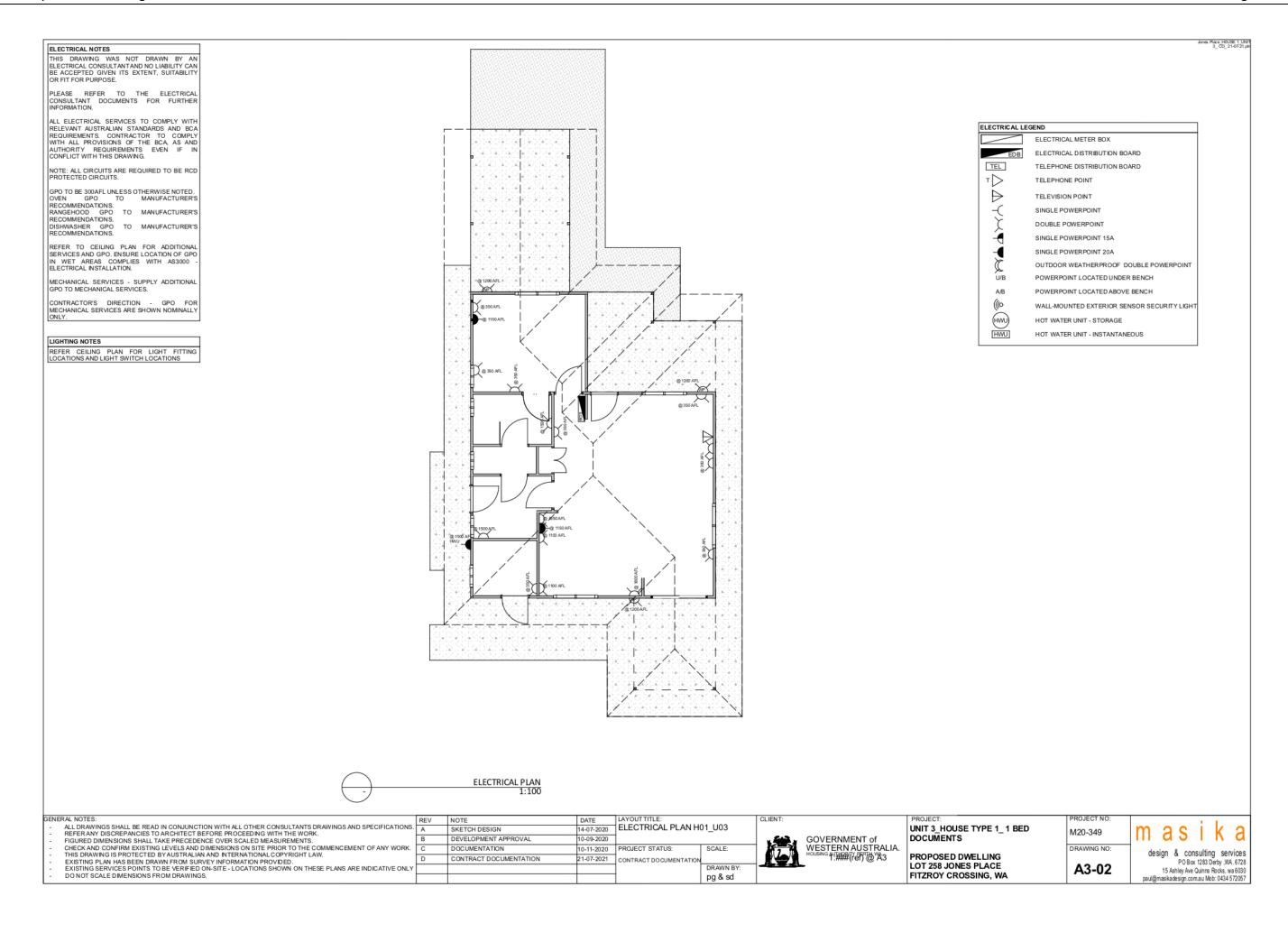
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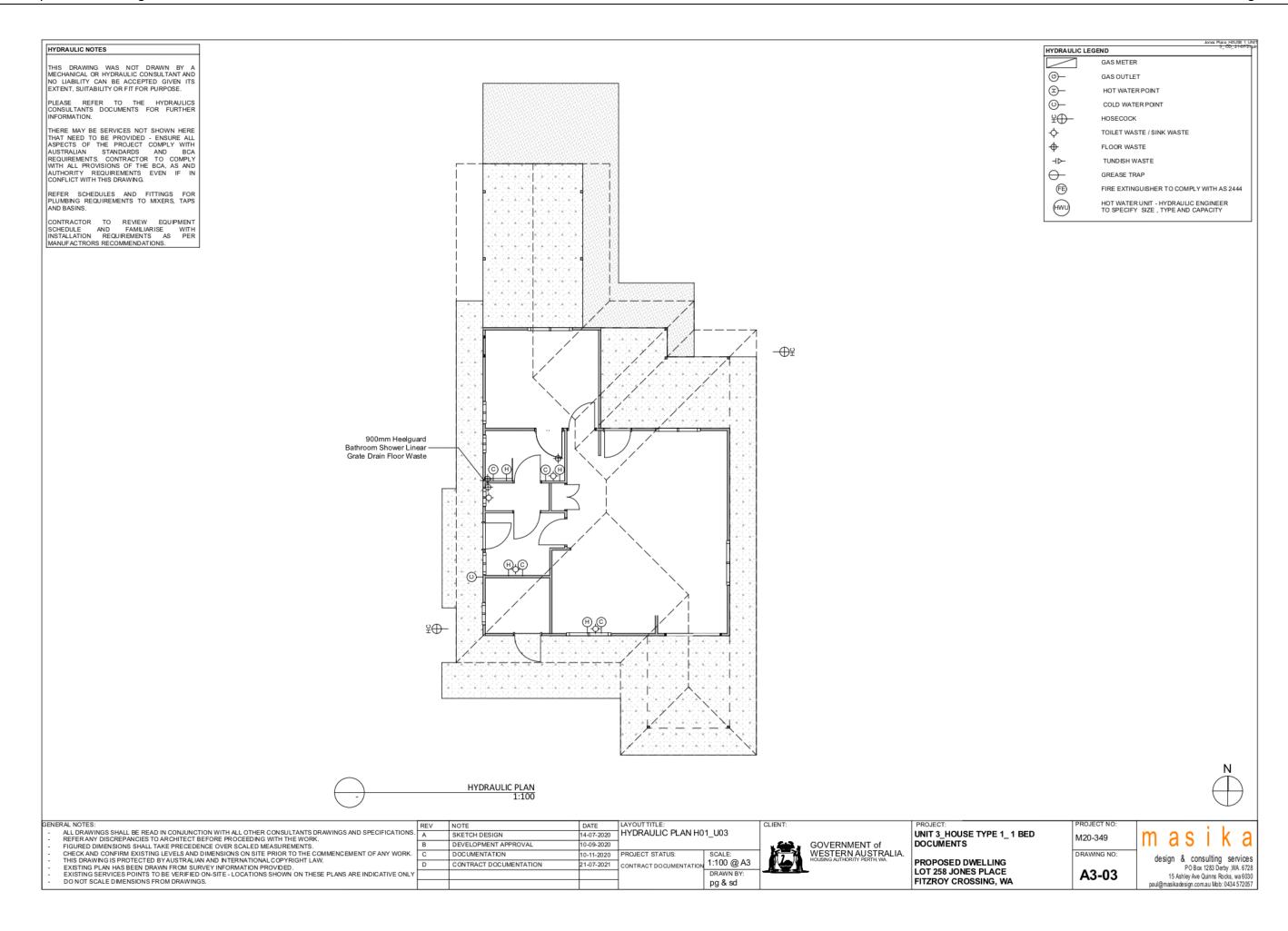
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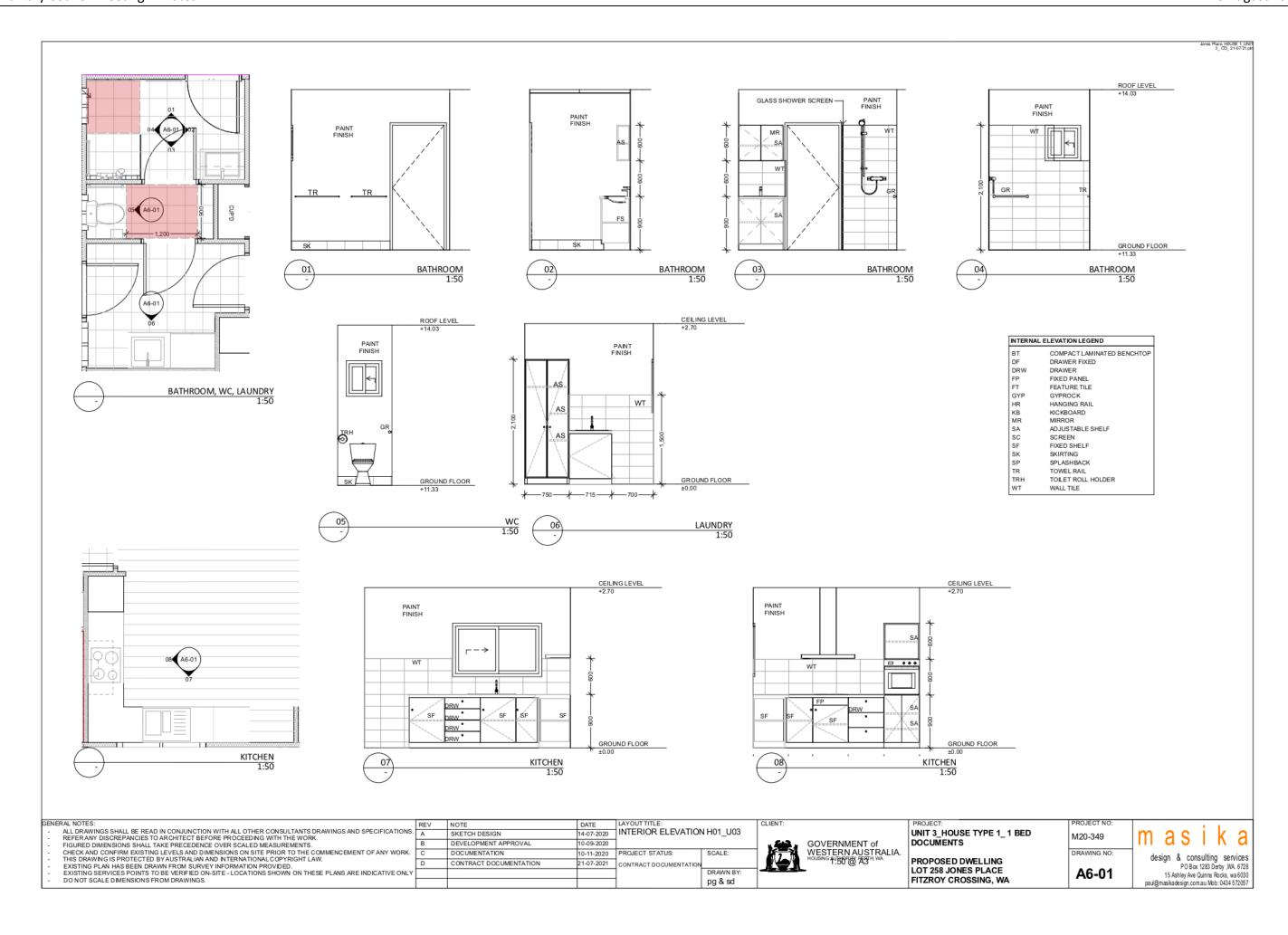
design & consulting services PO Box 1283 Derby ,WA. 6728 15 Ashley Ave Quinns Rocks, wa 6030 paul@masikadesign.com.au Mob: 0434 572057

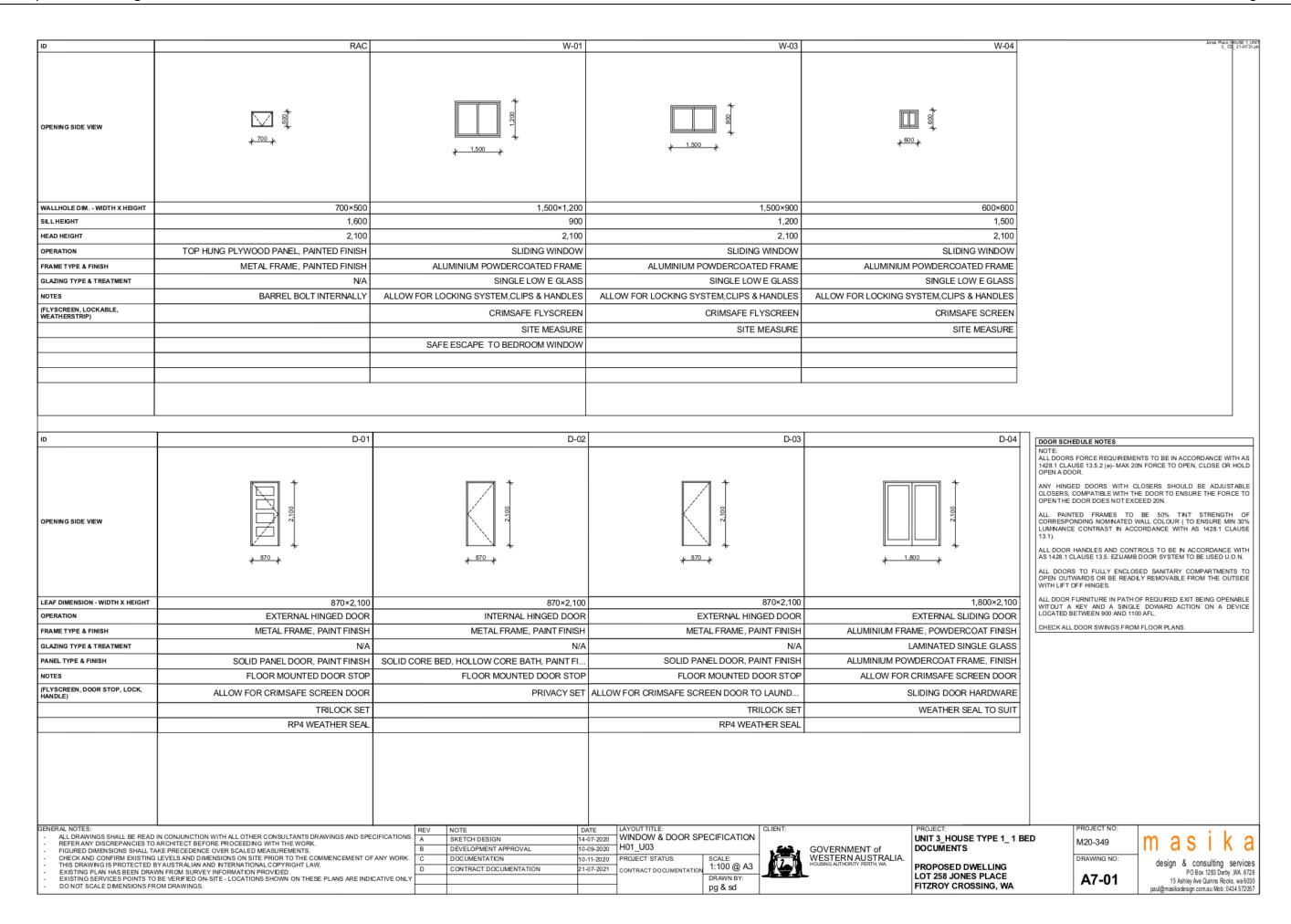
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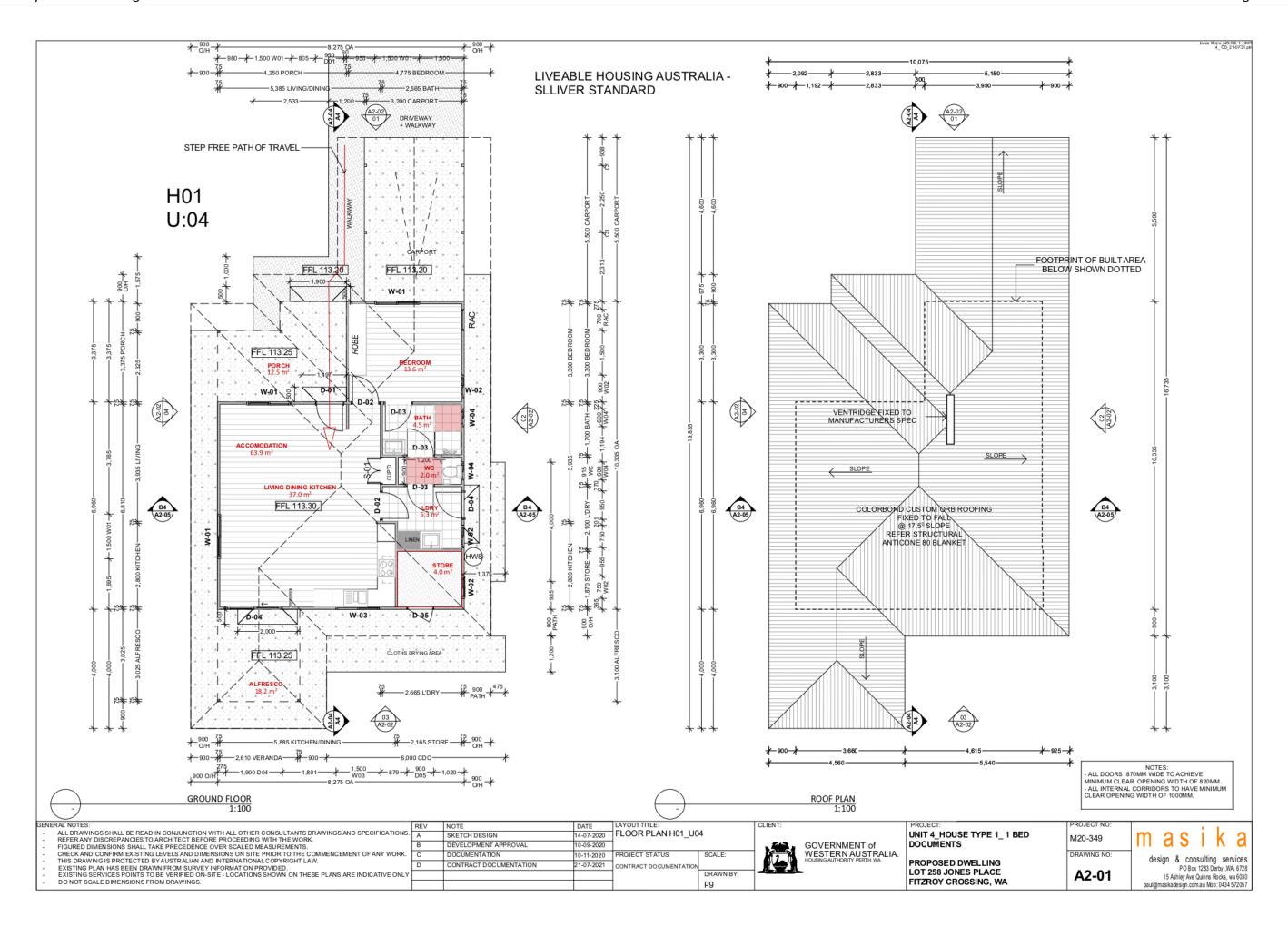
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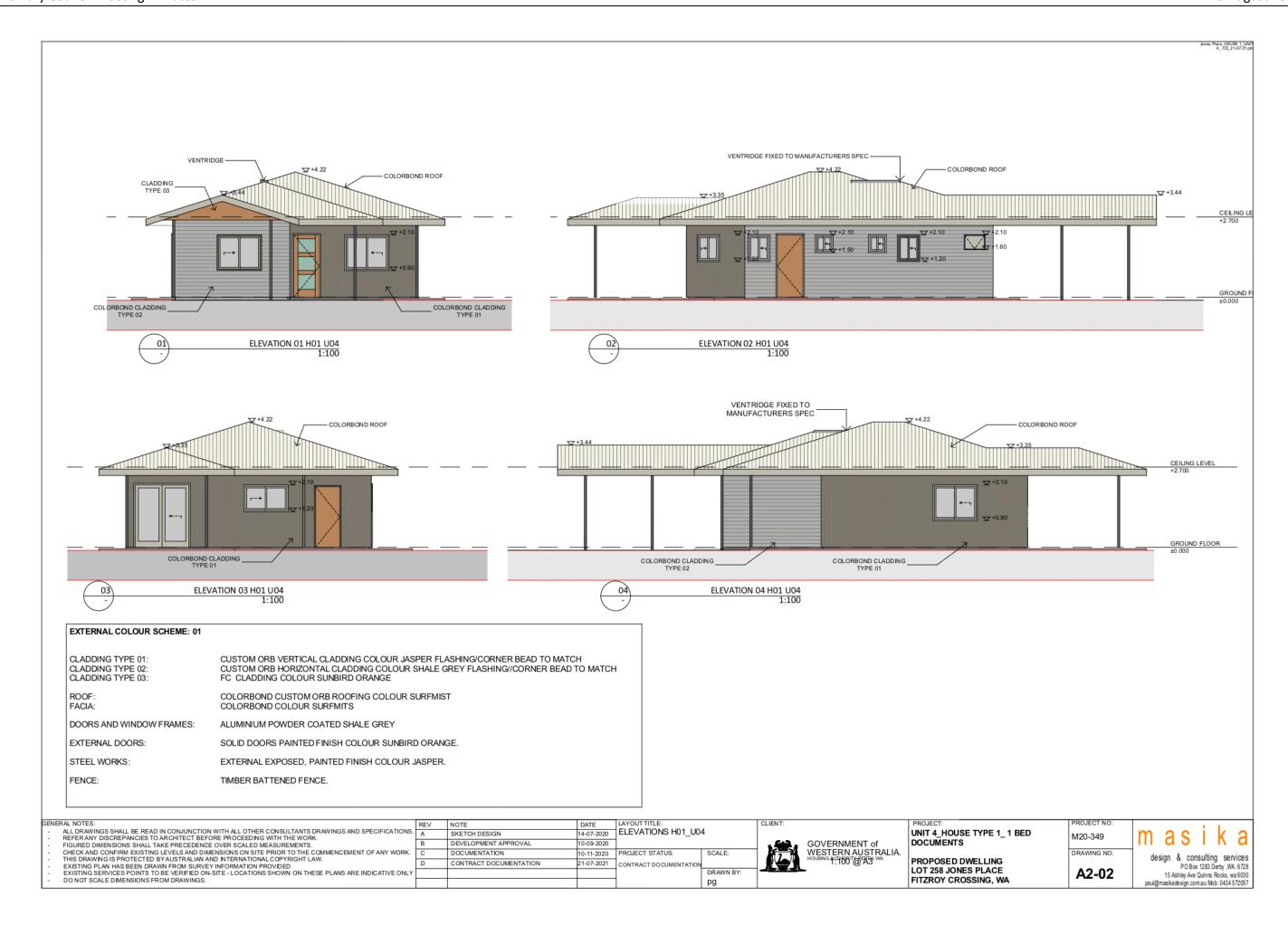


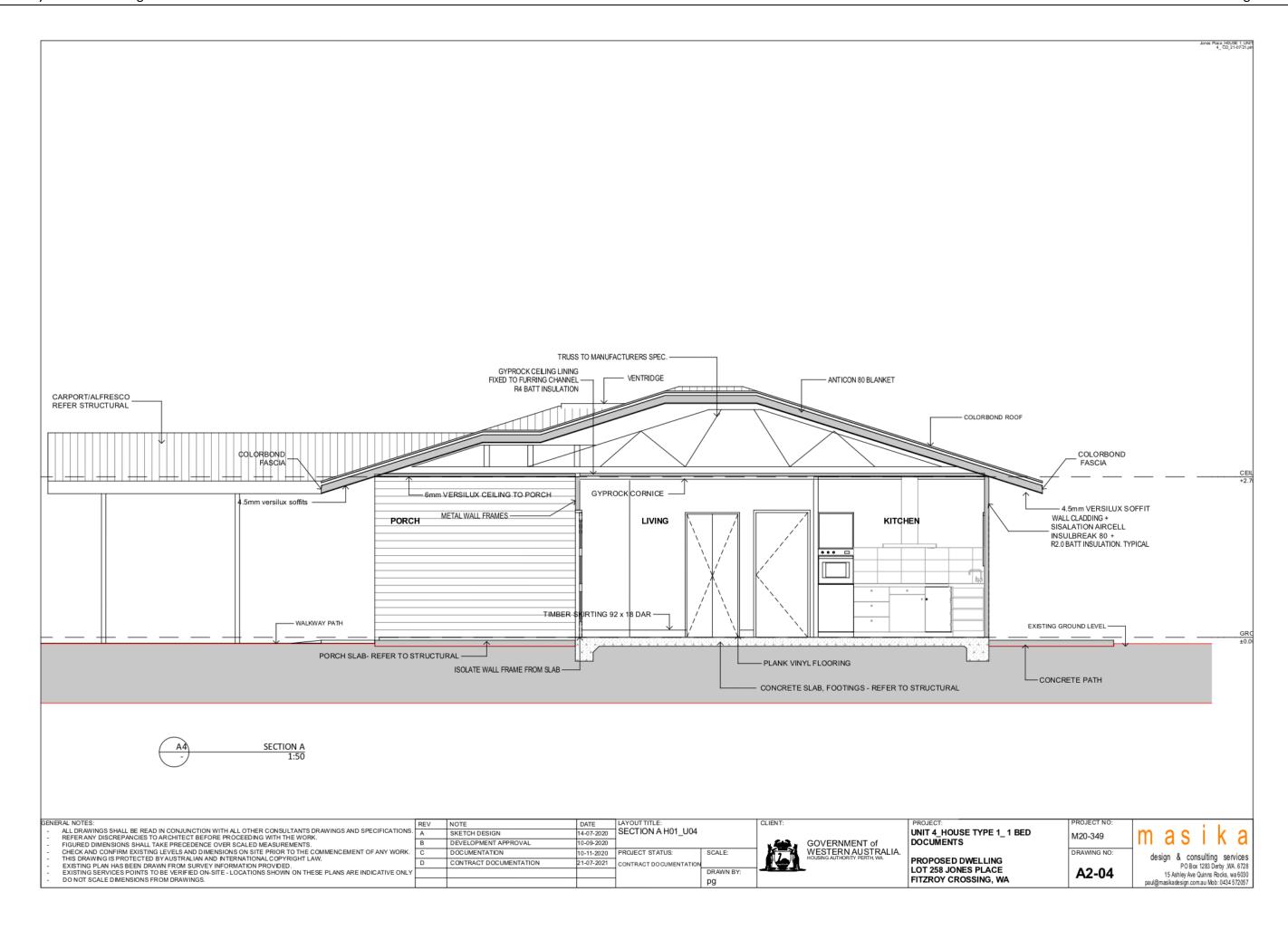


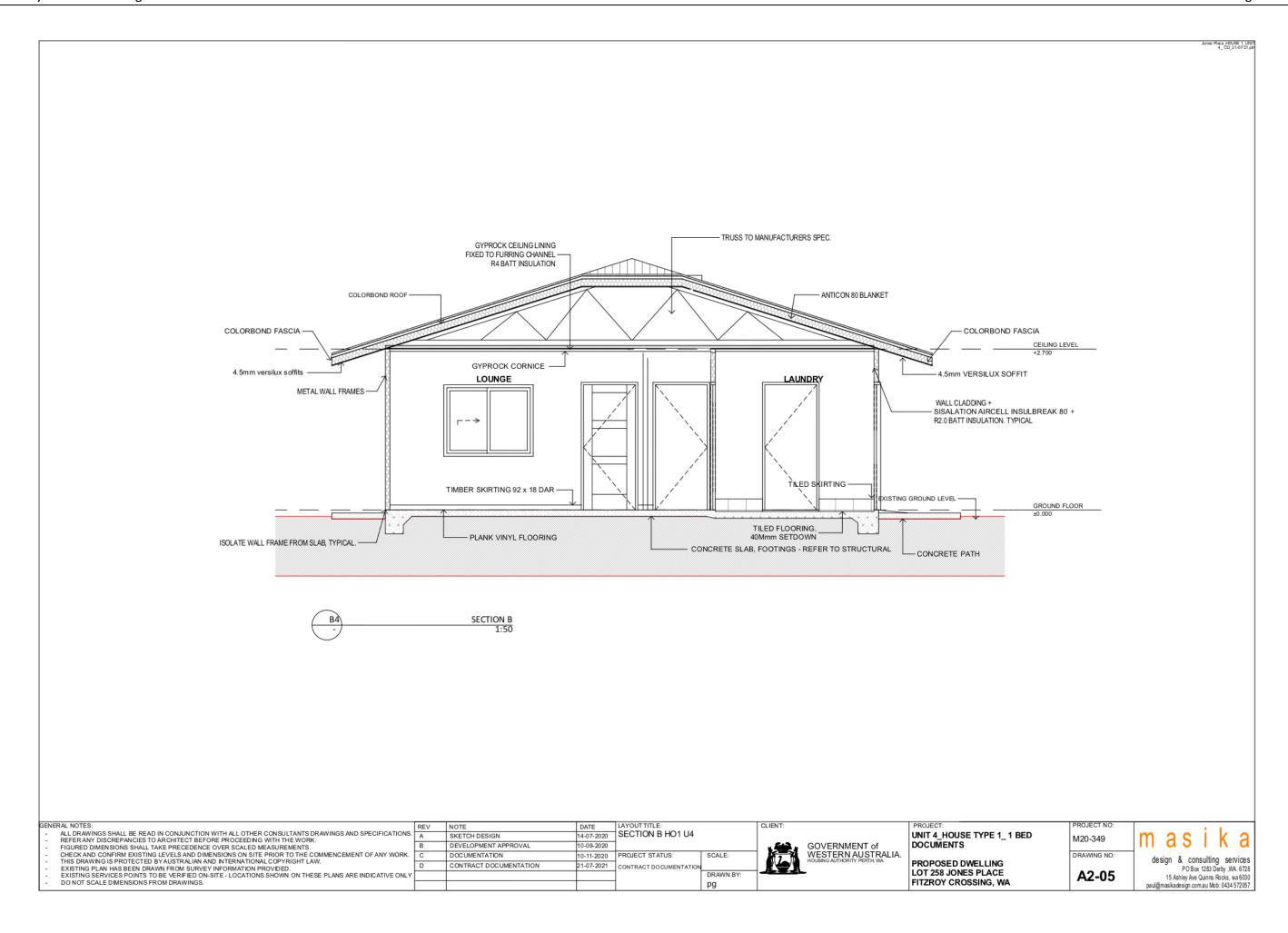




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# CEILING NOTES

ALL CEILINGS TO BE FLUSHED AND PAINTED.

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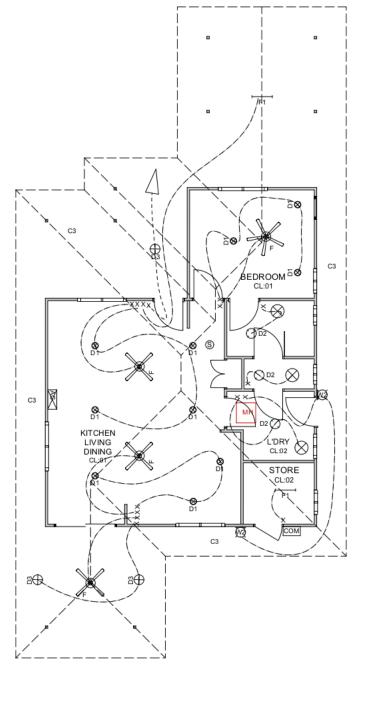
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RCP LEGEND CEILING FINISHES SCHEDULE				
C1	SUSPENDED PLASTERBOARD CEILING, FLAT	PAINT FINISH DULEX COLOUR CEILING WHITE		
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14-07-2020 RCP & LIGHTING H01\_U04 SKETCH DESIGN DEVELOPMENT APPROVAL 10-09-2020 DOCUMENTATION ROJECT STATUS: SCALE: 10-11-2020 CONTRACT DOCUMENTATION 21-07-2021 CONTRACT DOCUMENTATI pg

CLIENT

PROJECT UNIT 4\_HOUSE TYPE 1\_ 1 BED DOCUMENTS GOVERNMENT of WESTERN AUSTRALIA.

PROPOSED DWELLING LOT 258 JONES PLACE FITZROY CROSSING, WA

ROJECT NO M20-349

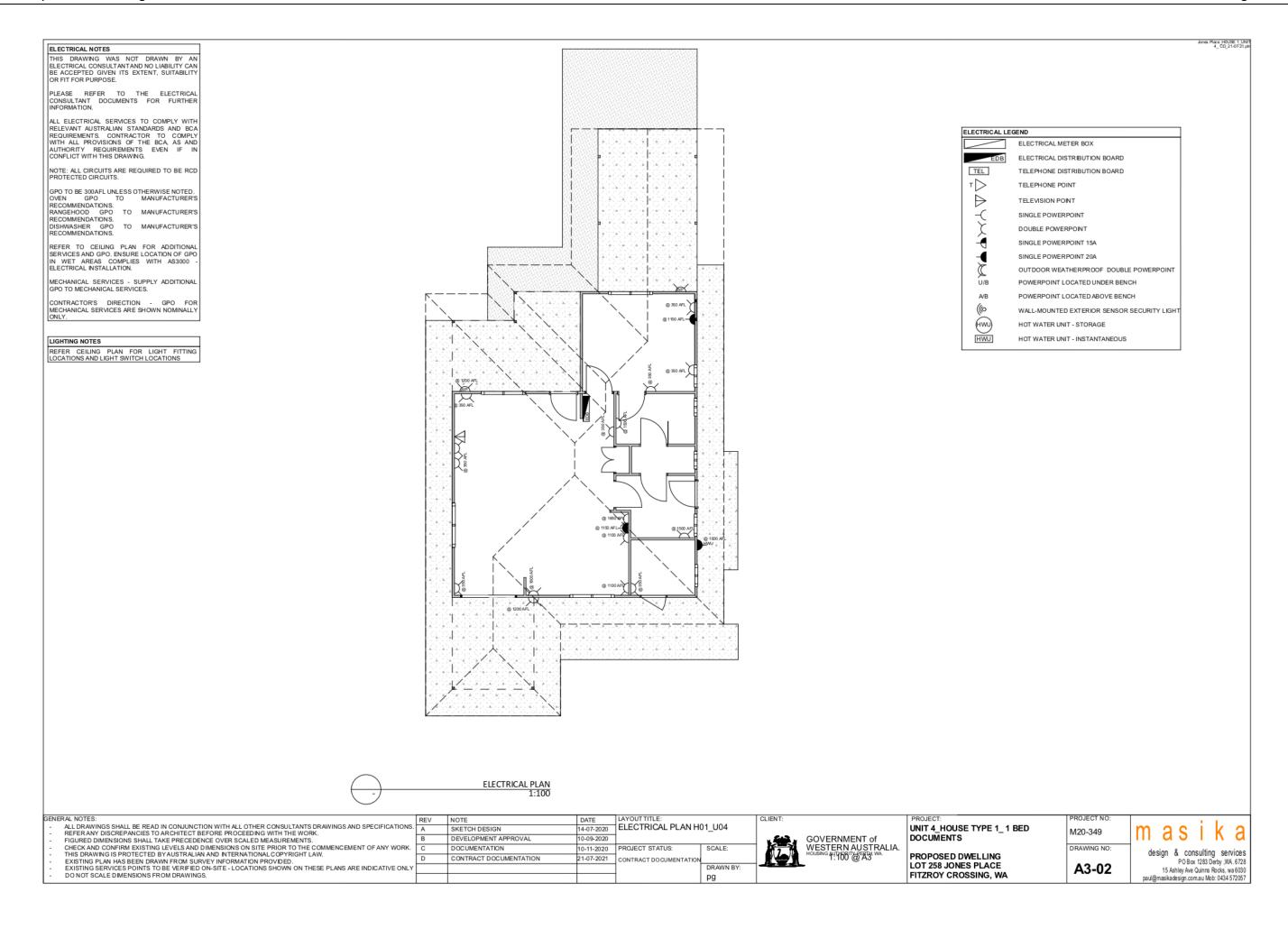
DRAWING NO A3-01

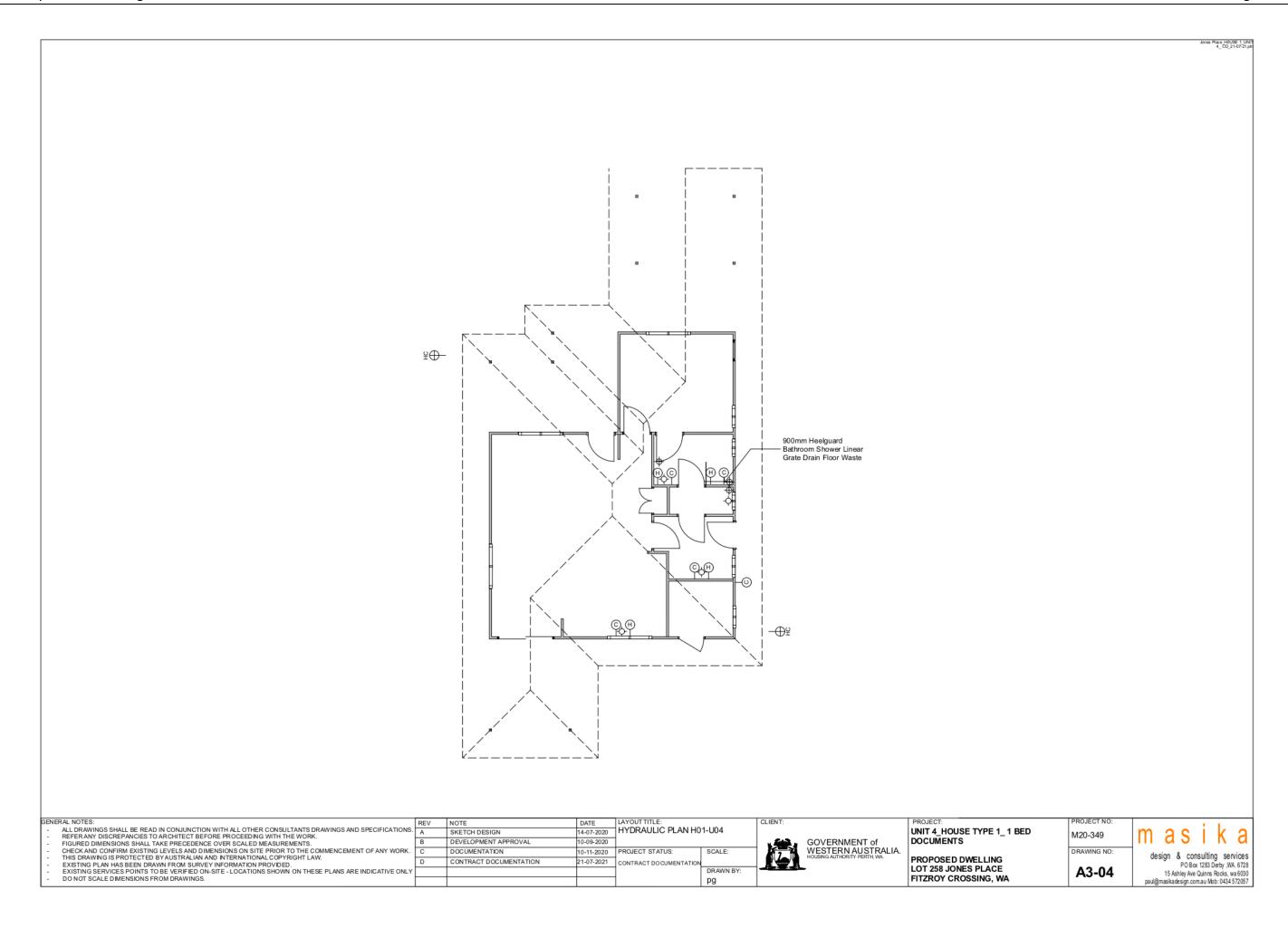
design & consulting services PO Box 1283 Derby ,WA. 6728 15 Ashley Ave Quinns Rocks, wa 6030 paul@masikadesign.com.au Mob: 0434 572057

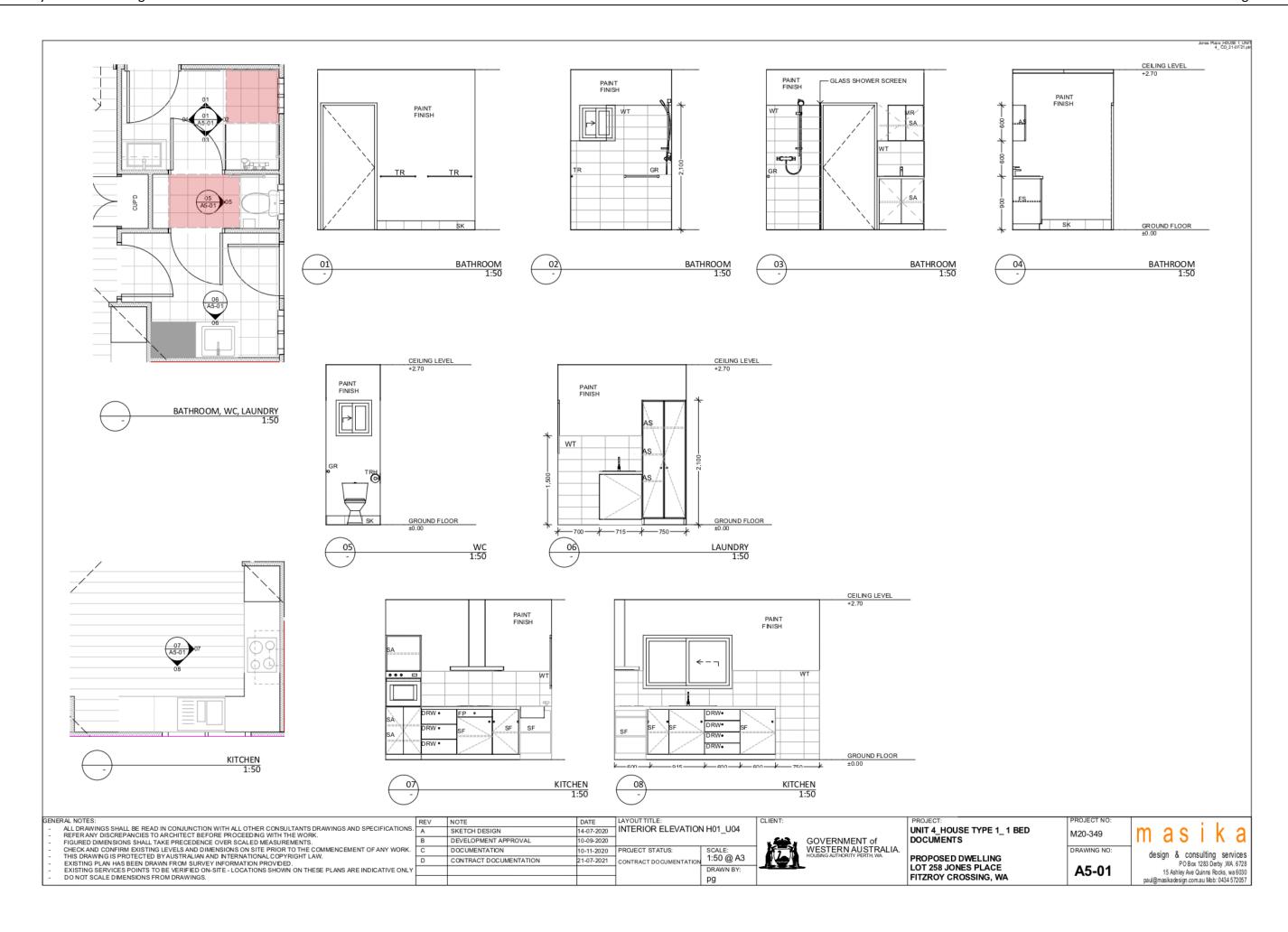
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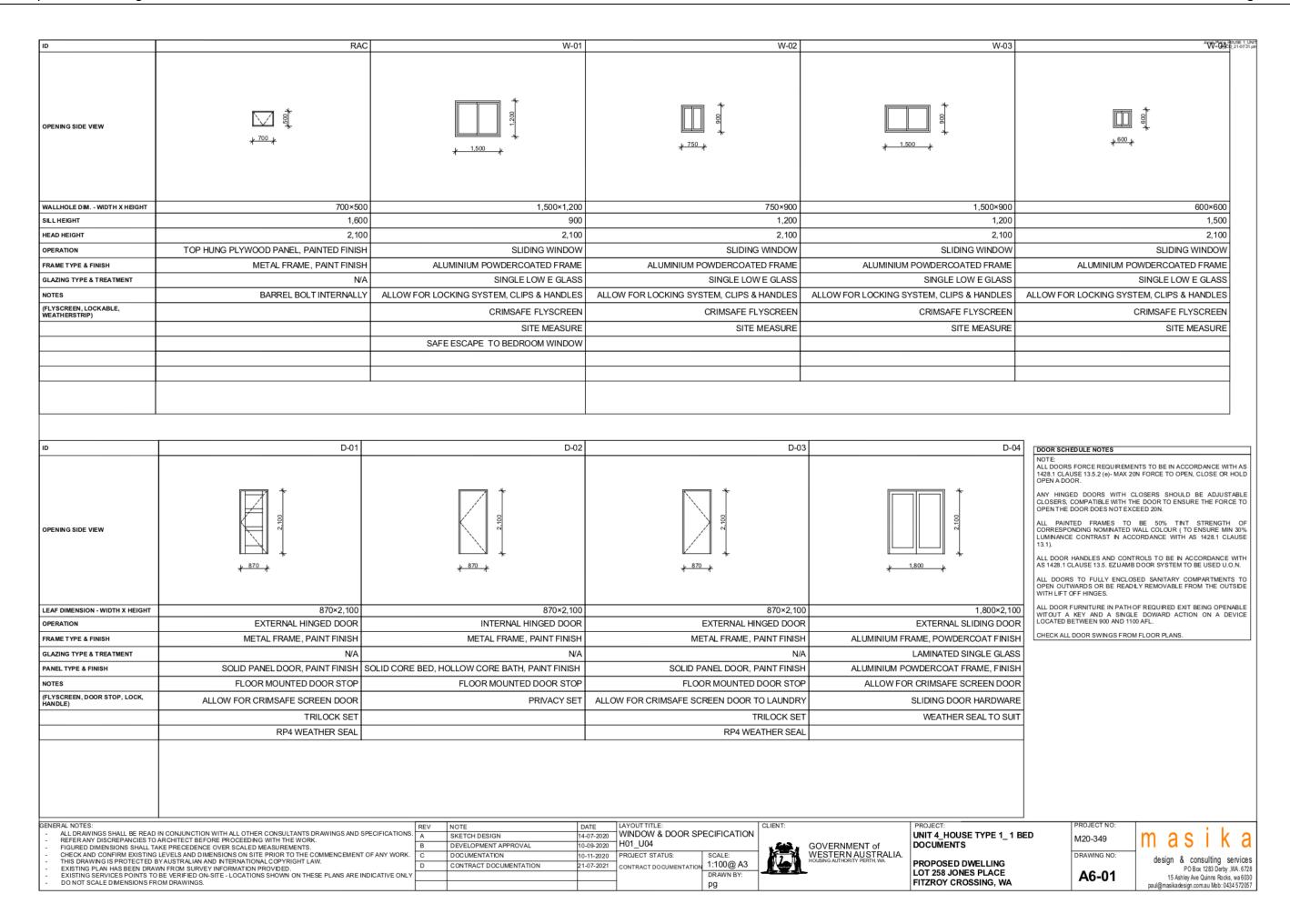
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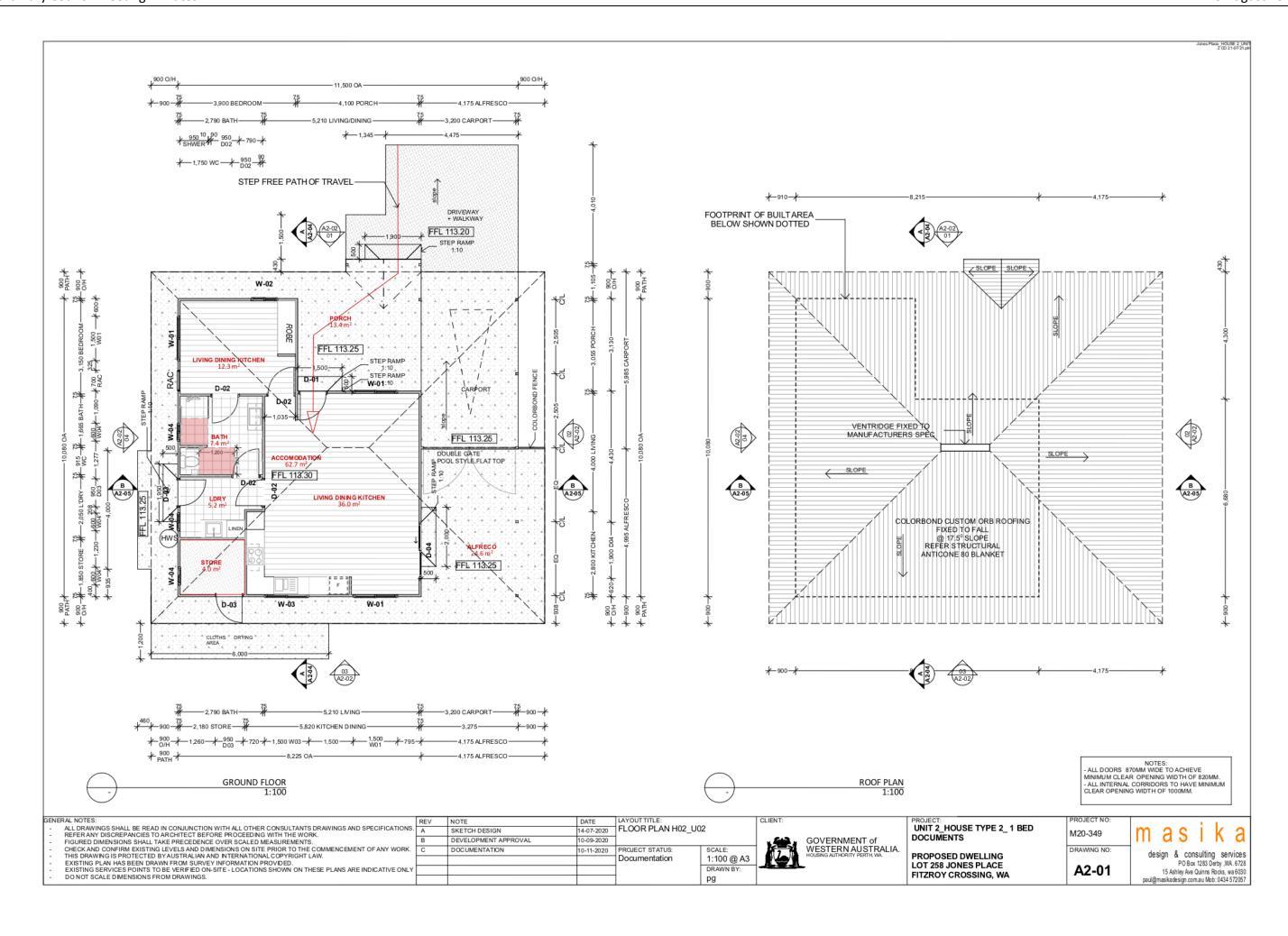
Jones Place HOUSE 1 UNIT 4 CD 21-07-21.plr

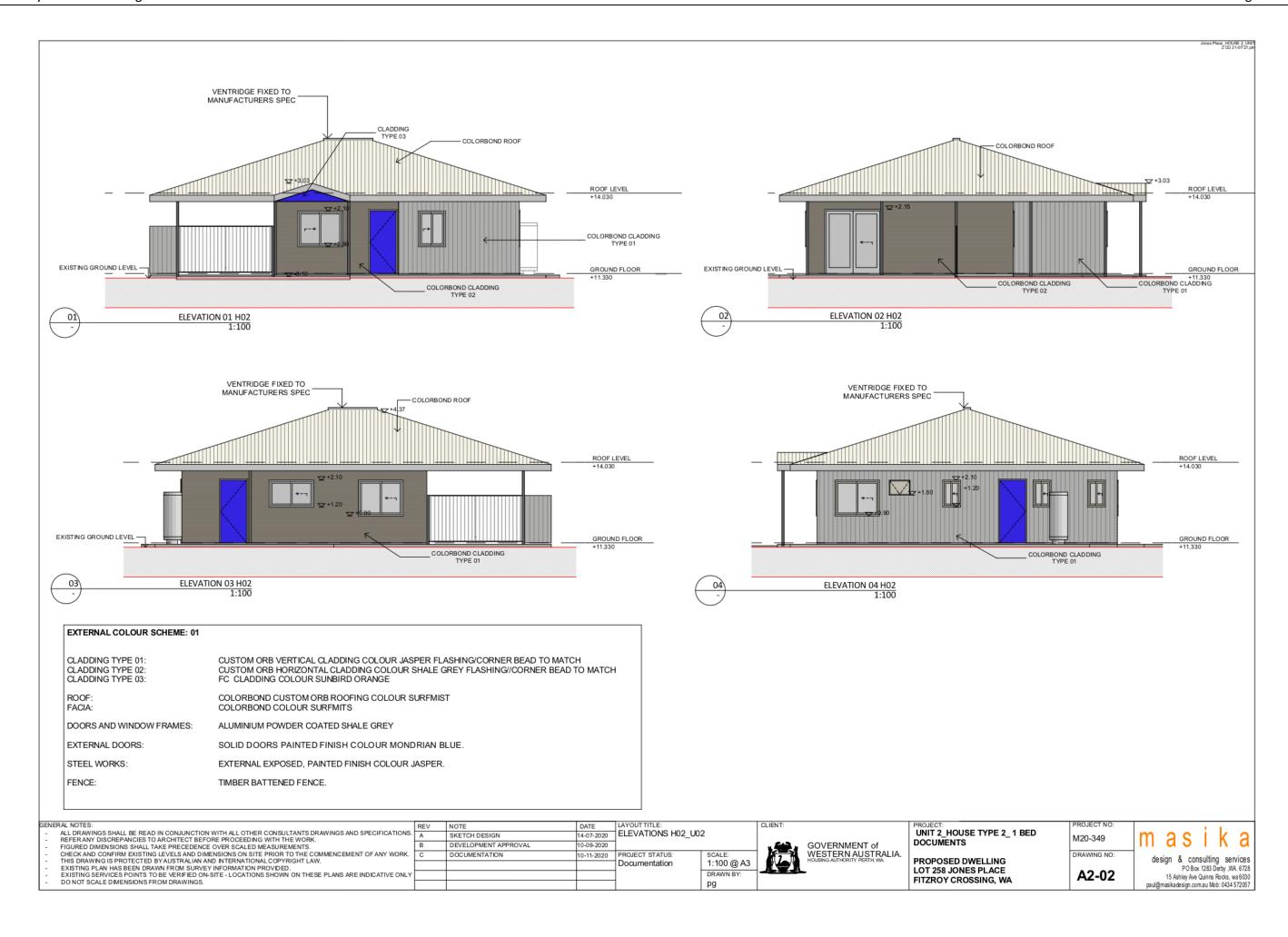


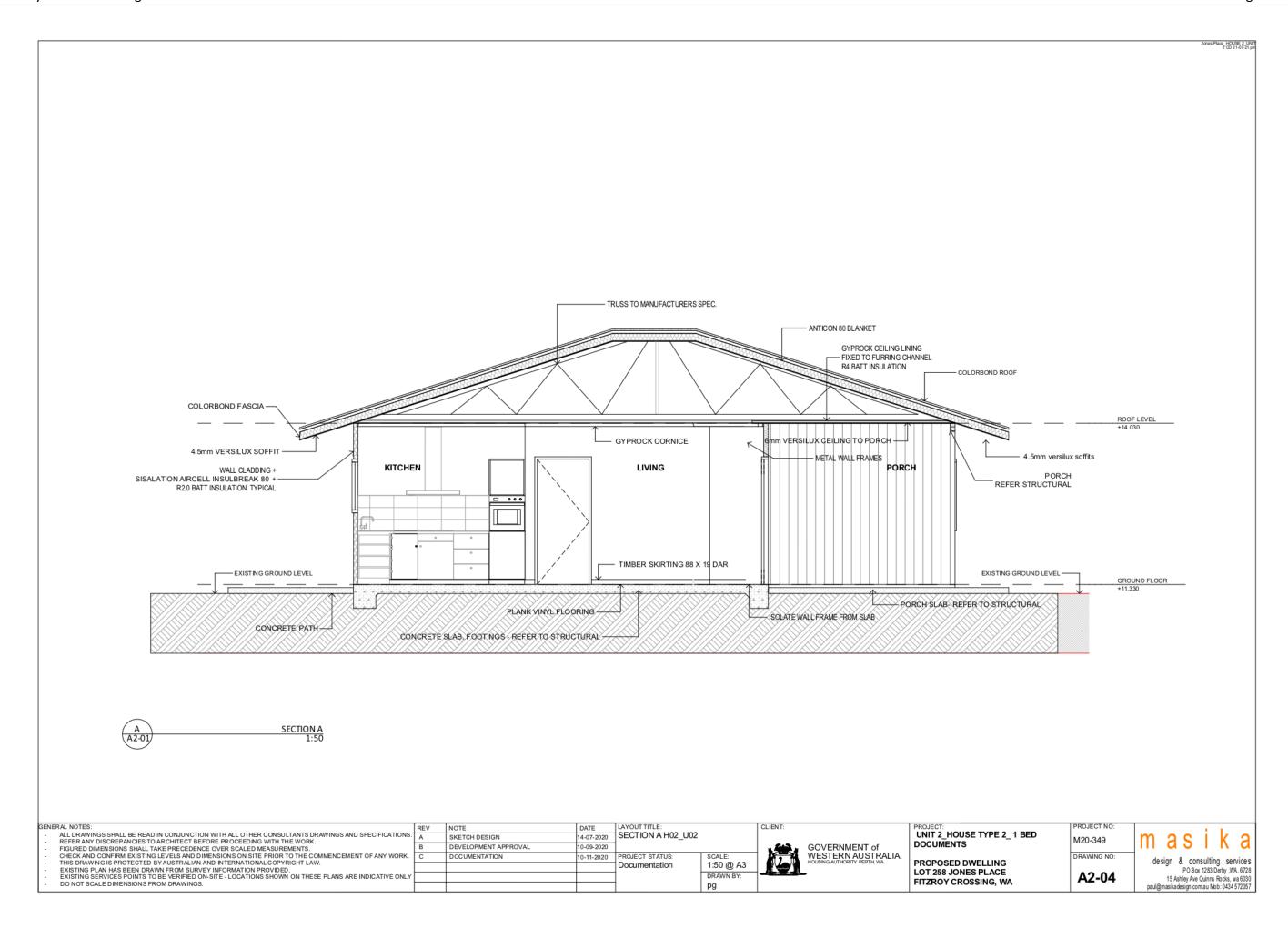


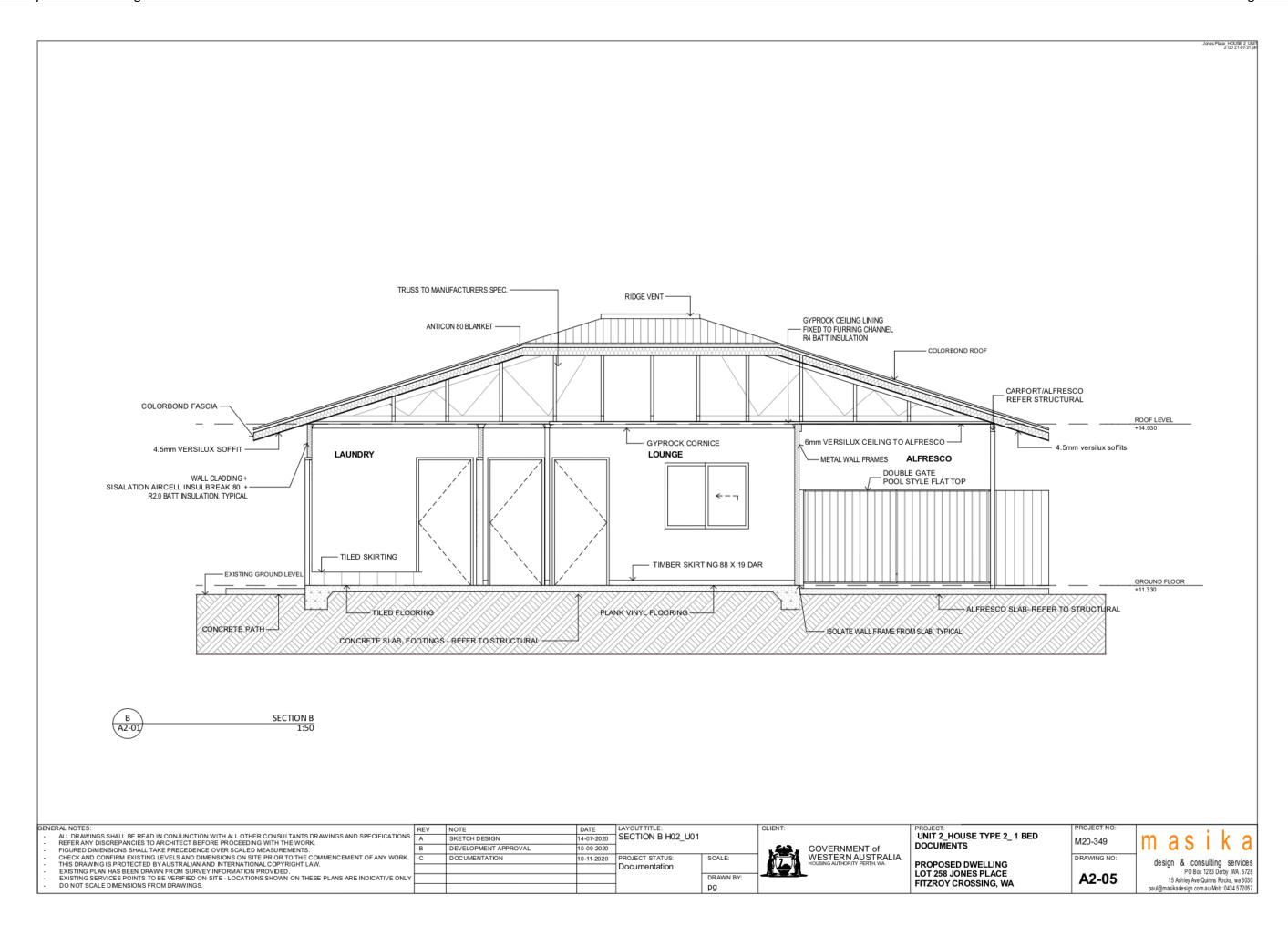












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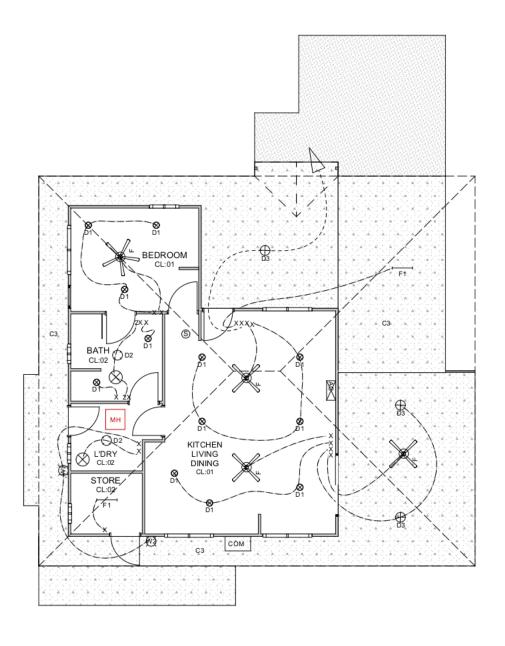
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RCP & LIGHTING PLAN

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LAYOUT TITLE RCP & LIGHTING PLAN H02\_U02 SKETCH DESIGN 14-07-2020 DEVELOPMENT APPROVAL 10-09-2020 DOCUMENTATION PROJECT STATUS 0-11-2020 1:100 @ A3

GOVERNMENT of WESTERN AUSTRALIA.

UNIT 2\_HOUSE TYPE 2\_ 1 BED DOCUMENTS

PROPOSED DWELLING **LOT 258 JONES PLACE** FITZROY CROSSING, WA

ROJECT NO M20-349

DRAWING NO

A3-01

design & consulting services PO Box 1283 Derby ,WA. 6728 15 Ashley Ave Quinns Rocks, wa 6030 paul@masikadesign.com.au Mob: 0434 572057

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pg

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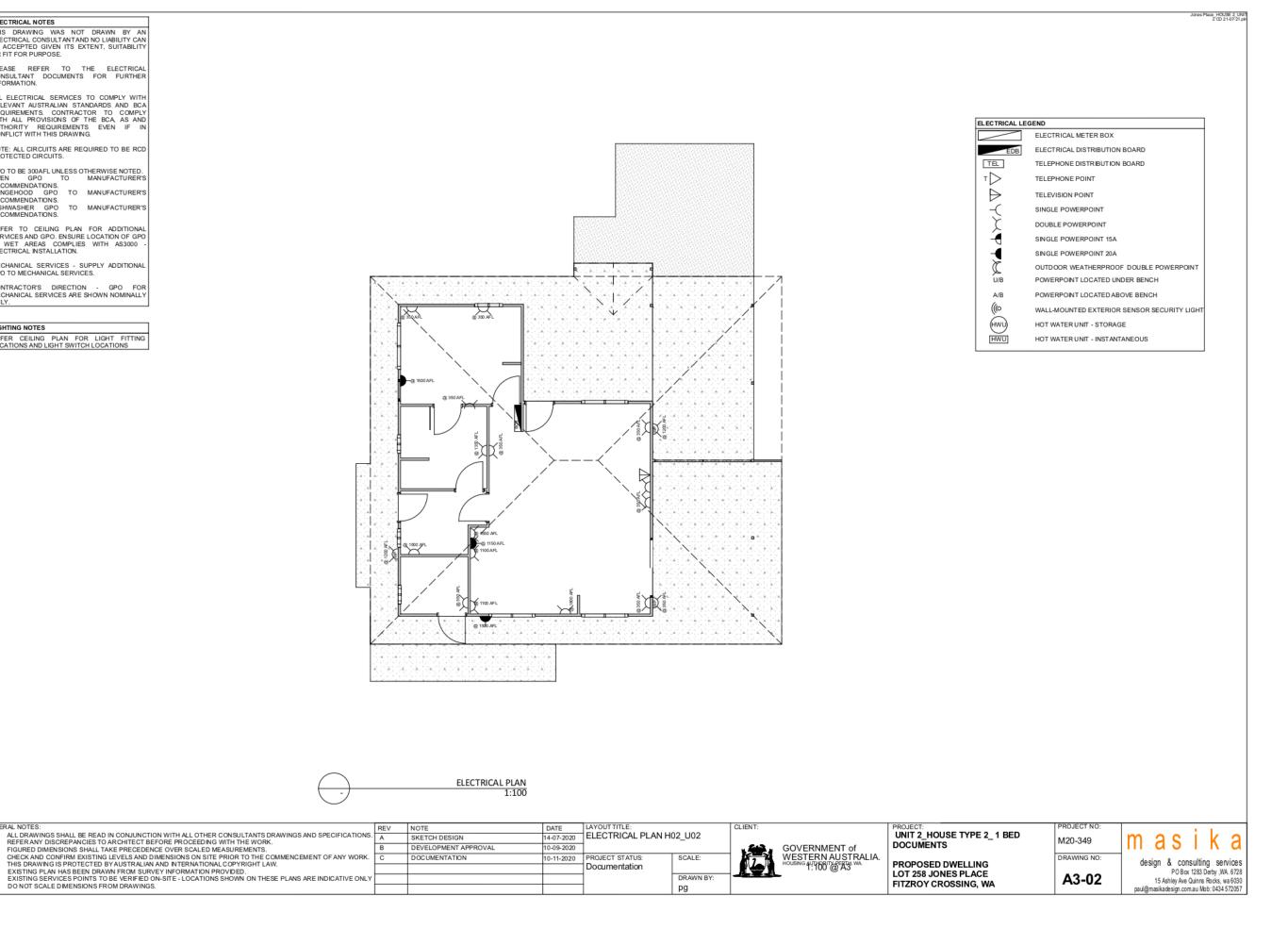
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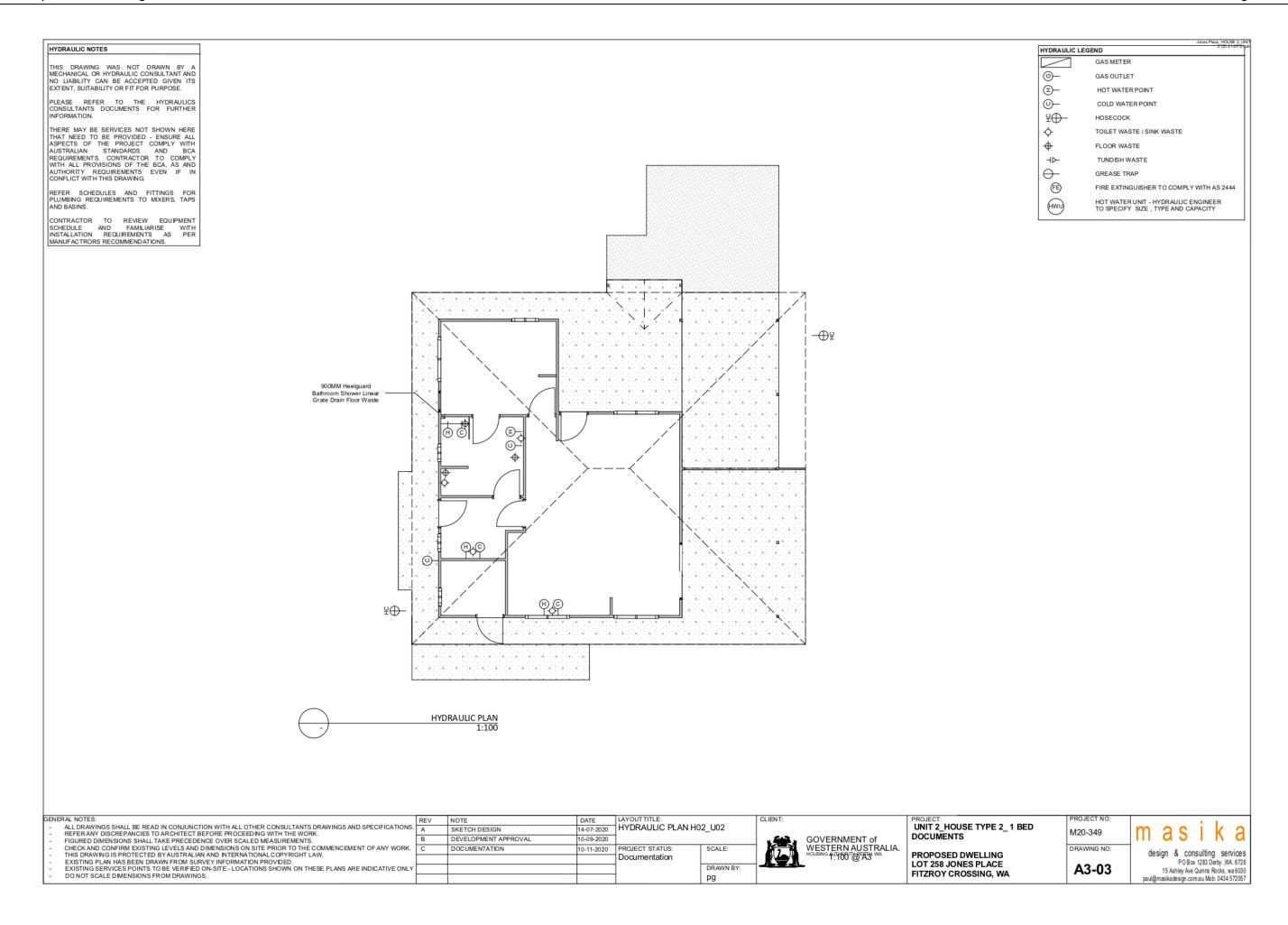
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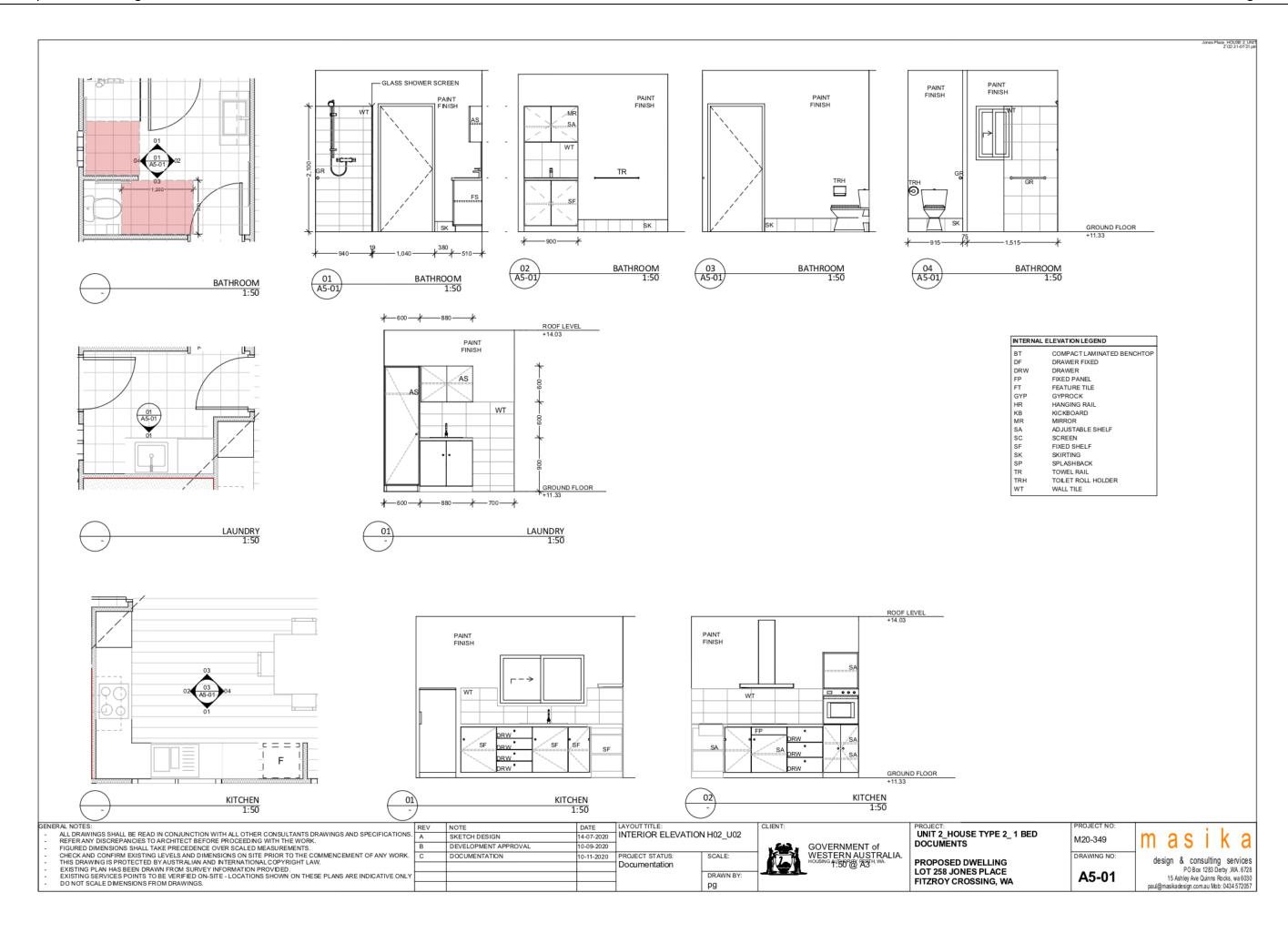
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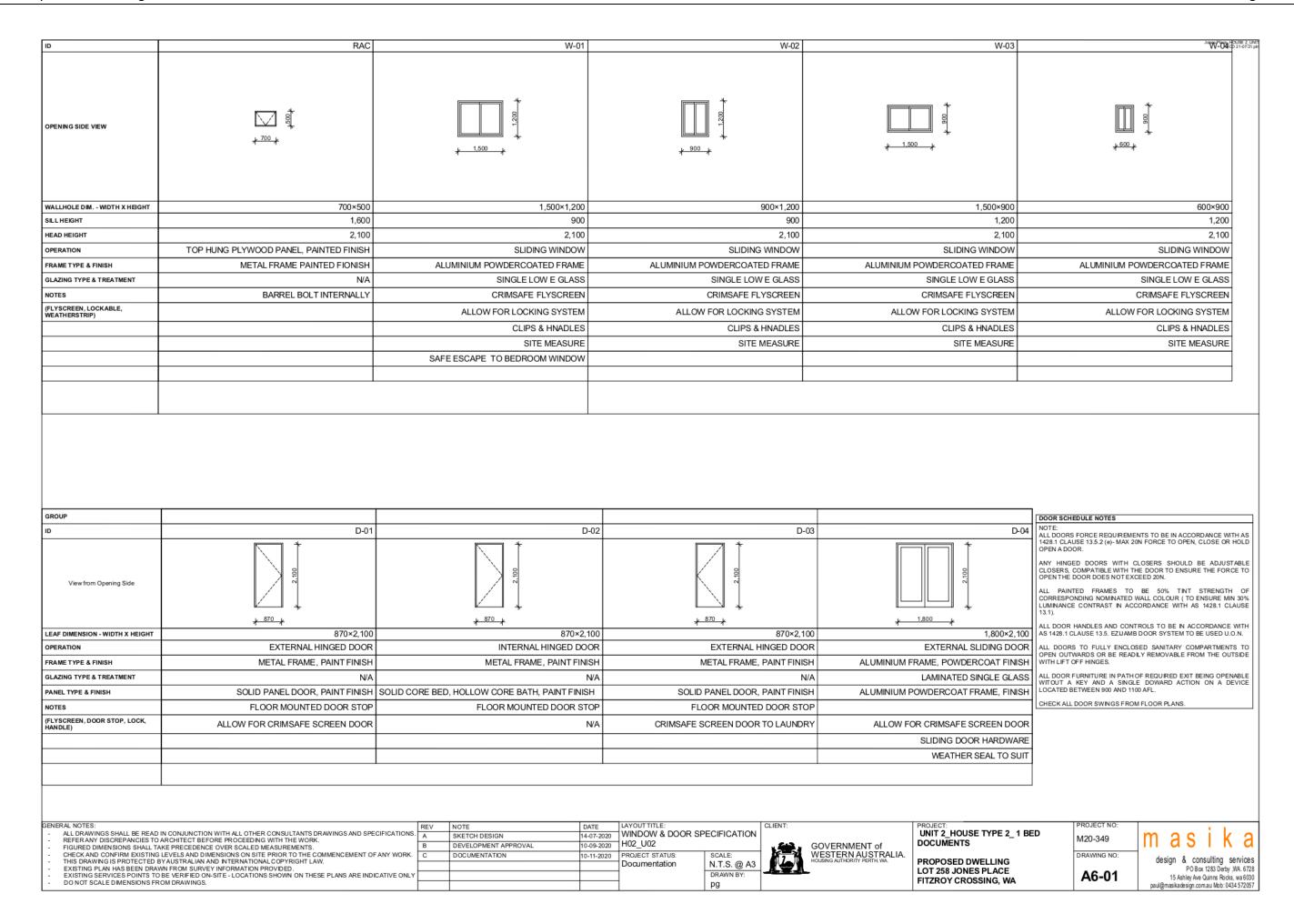
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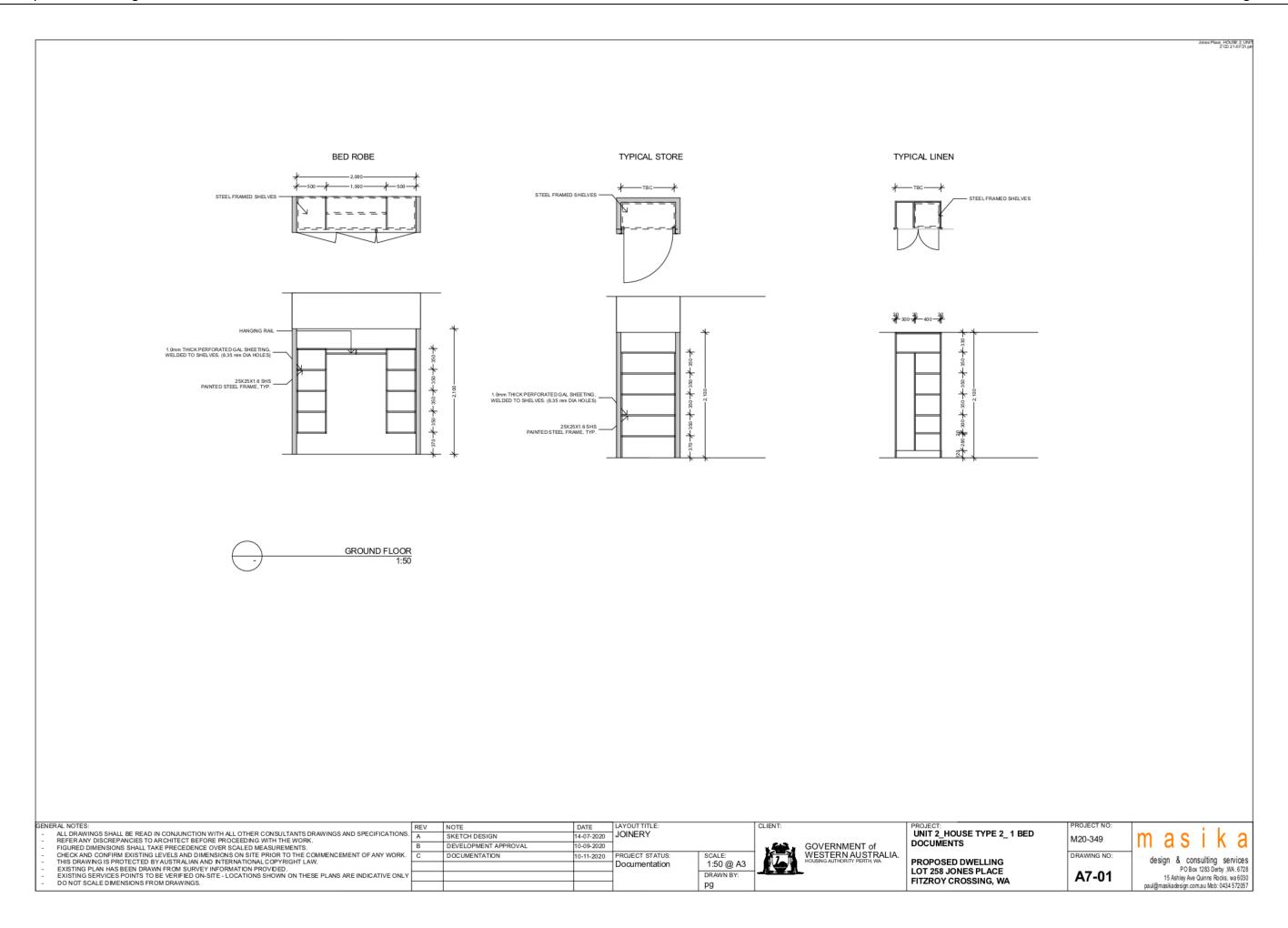


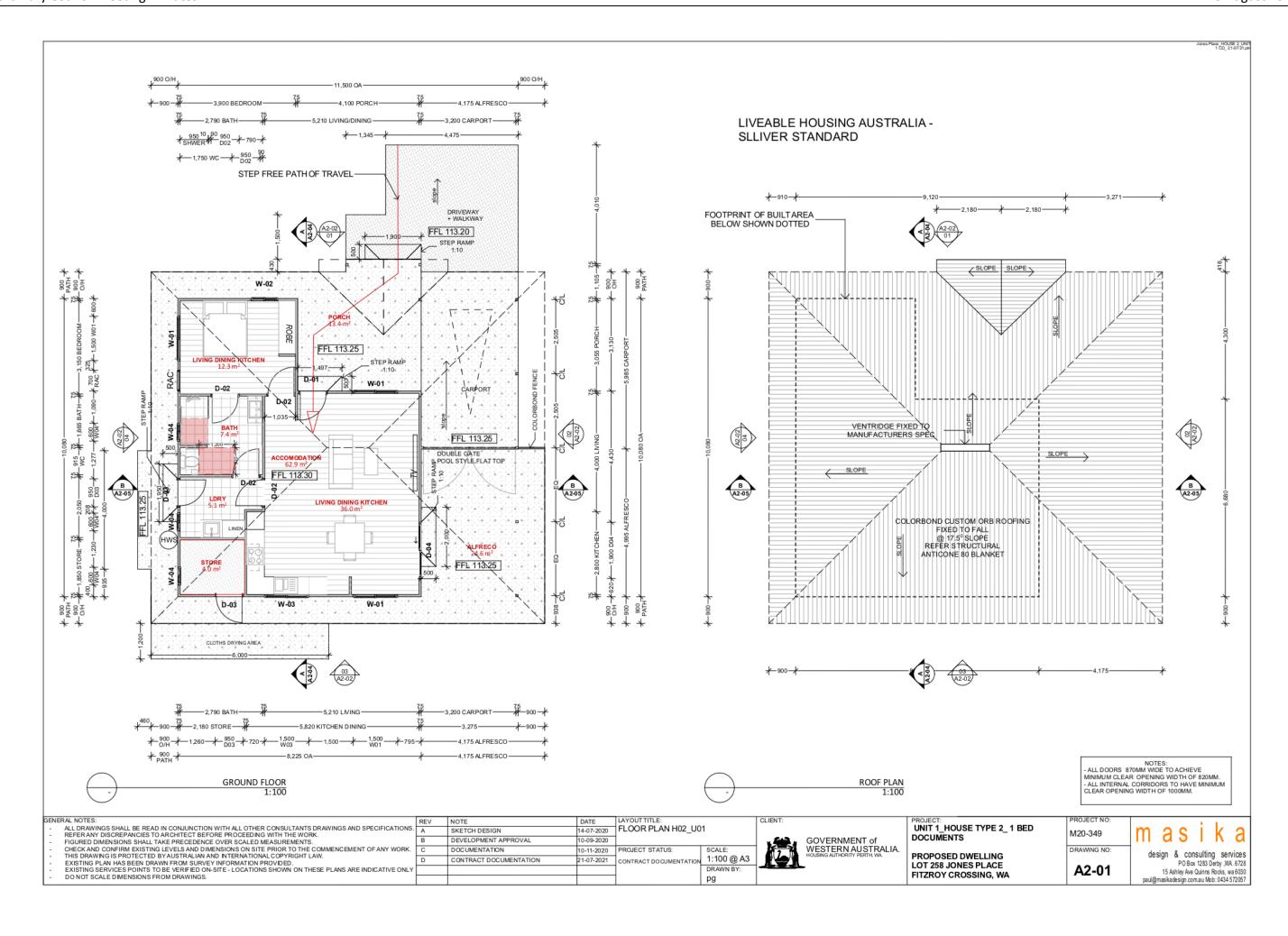
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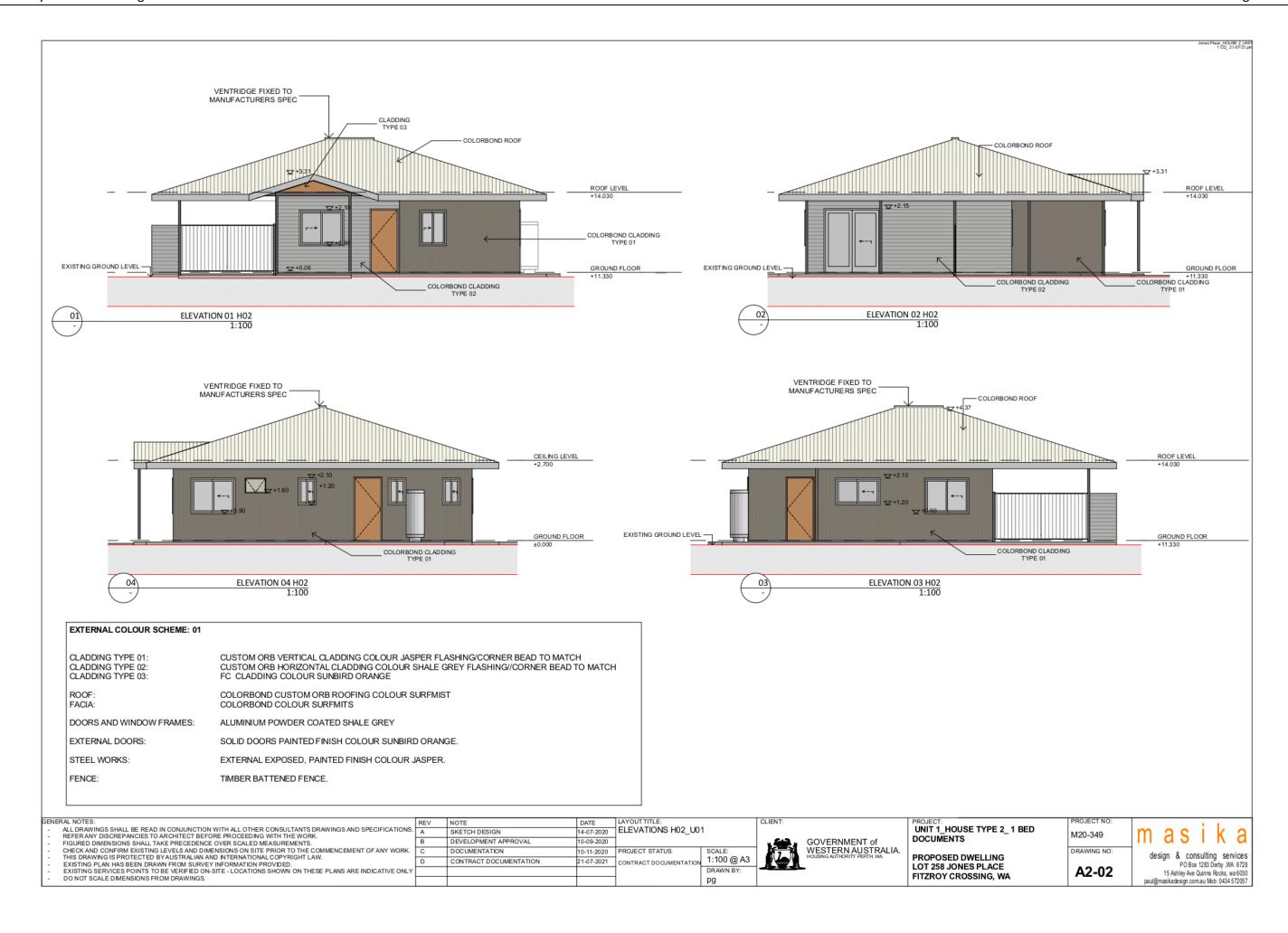


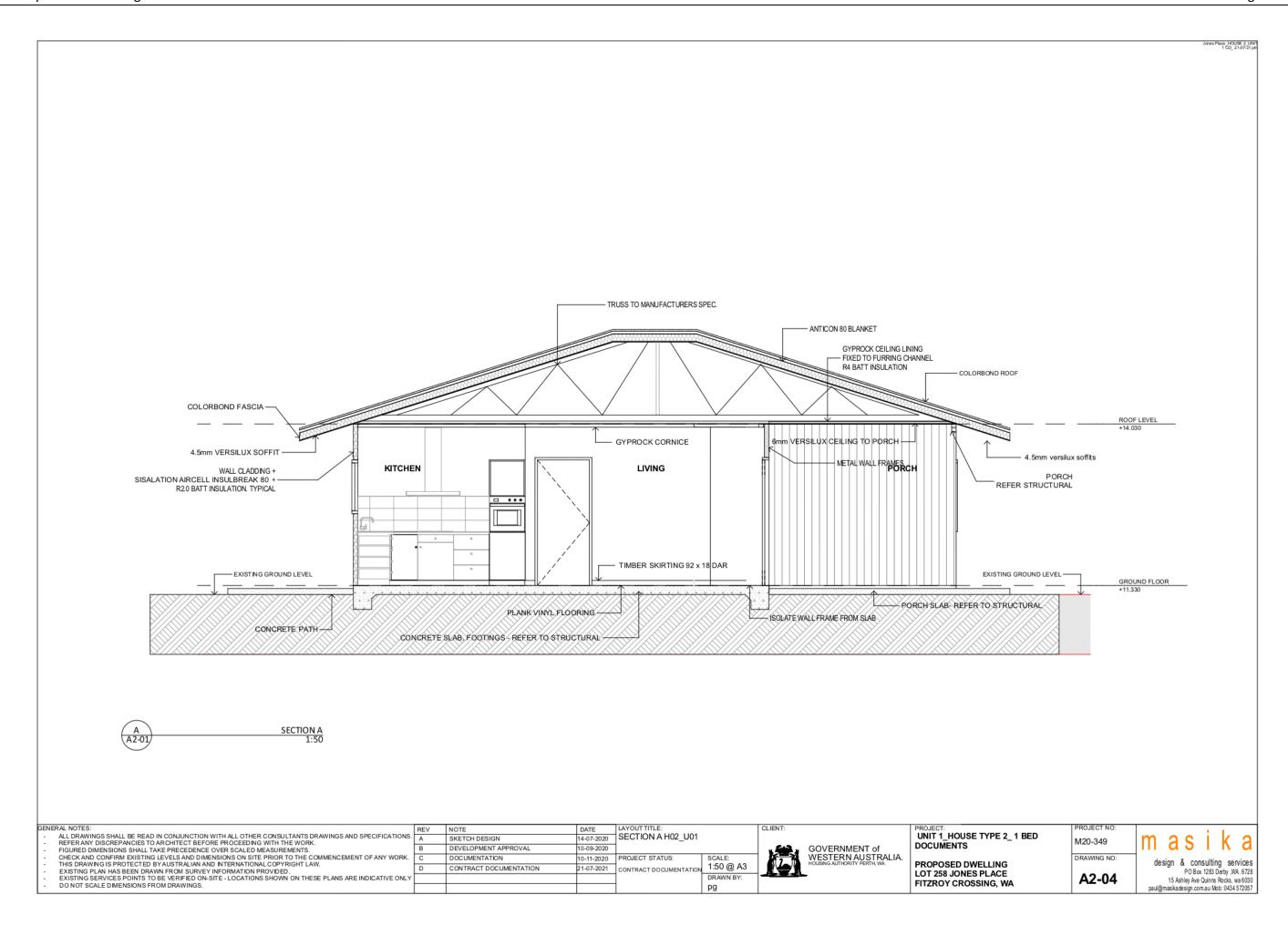


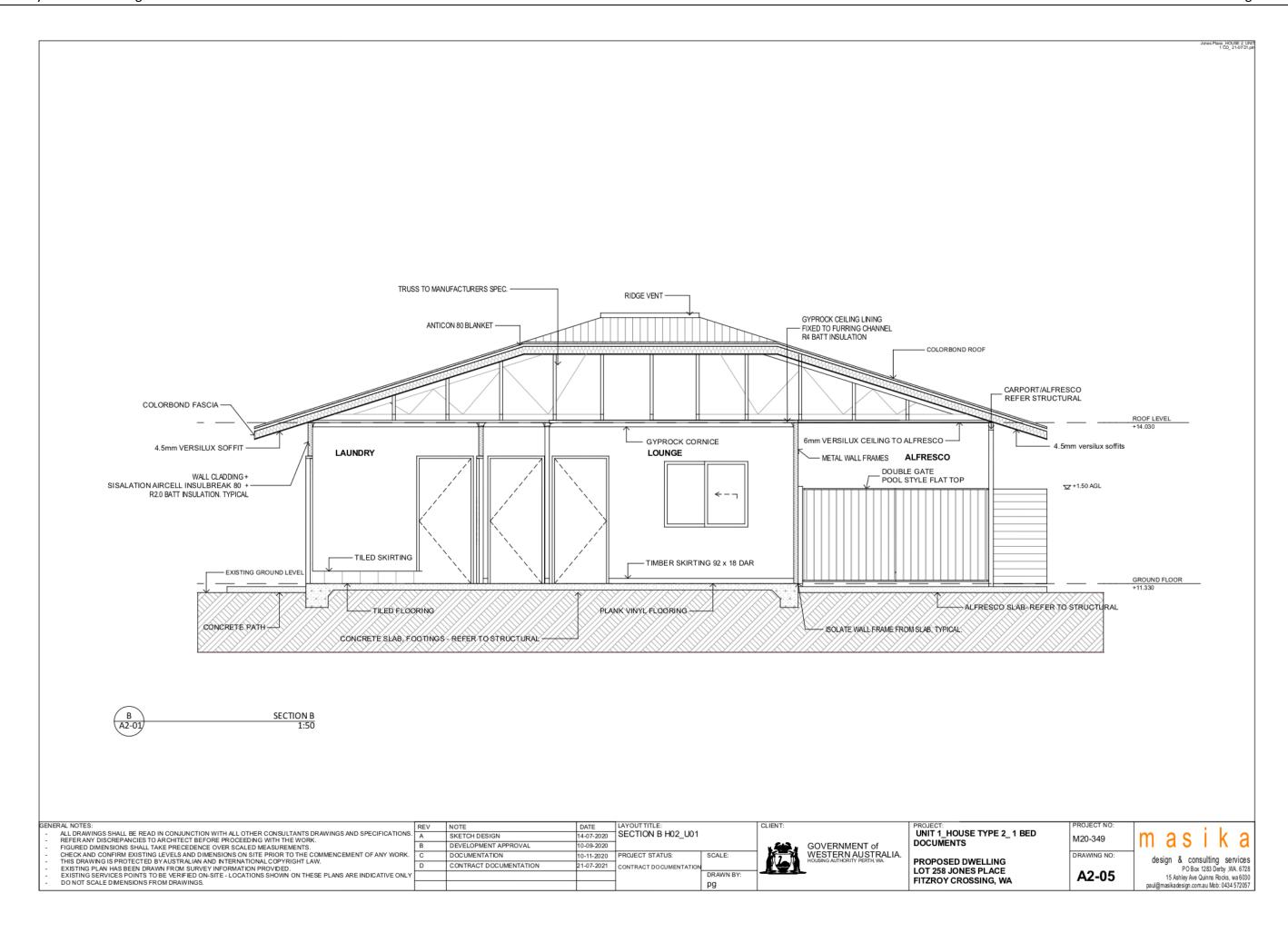












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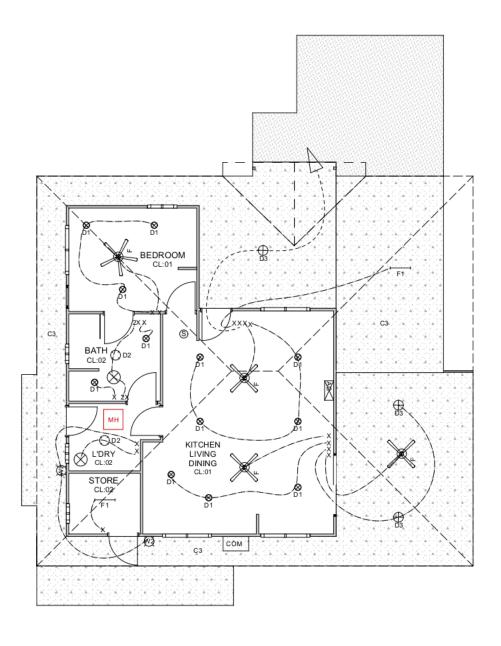
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RCP & LIGHTING PLAN\_U01 SKETCH DESIGN 14-07-2020 DEVELOPMENT APPROVAL 10-09-2020 DOCUMENTATION 10-11-2020 1:100 @ A3 CONTRACT DOCUMENTATION 21-07-2021 CONTRACT DOCUMENTATION pg

GOVERNMENT of WESTERN AUSTRALIA.

UNIT 1\_HOUSE TYPE 2\_ 1 BED DOCUMENTS

PROPOSED DWELLING **LOT 258 JONES PLACE** FITZROY CROSSING, WA

ROJECT NO M20-349

A3-01

DRAWING NO

design & consulting services PO Box 1283 Derby ,WA. 6728 15 Ashley Ave Quinns Rocks, wa 6030 paul@masikadesign.com.au Mob: 0434 572057

Item 14.3 - Attachment 1 Page 141

LAYOUT TITLE

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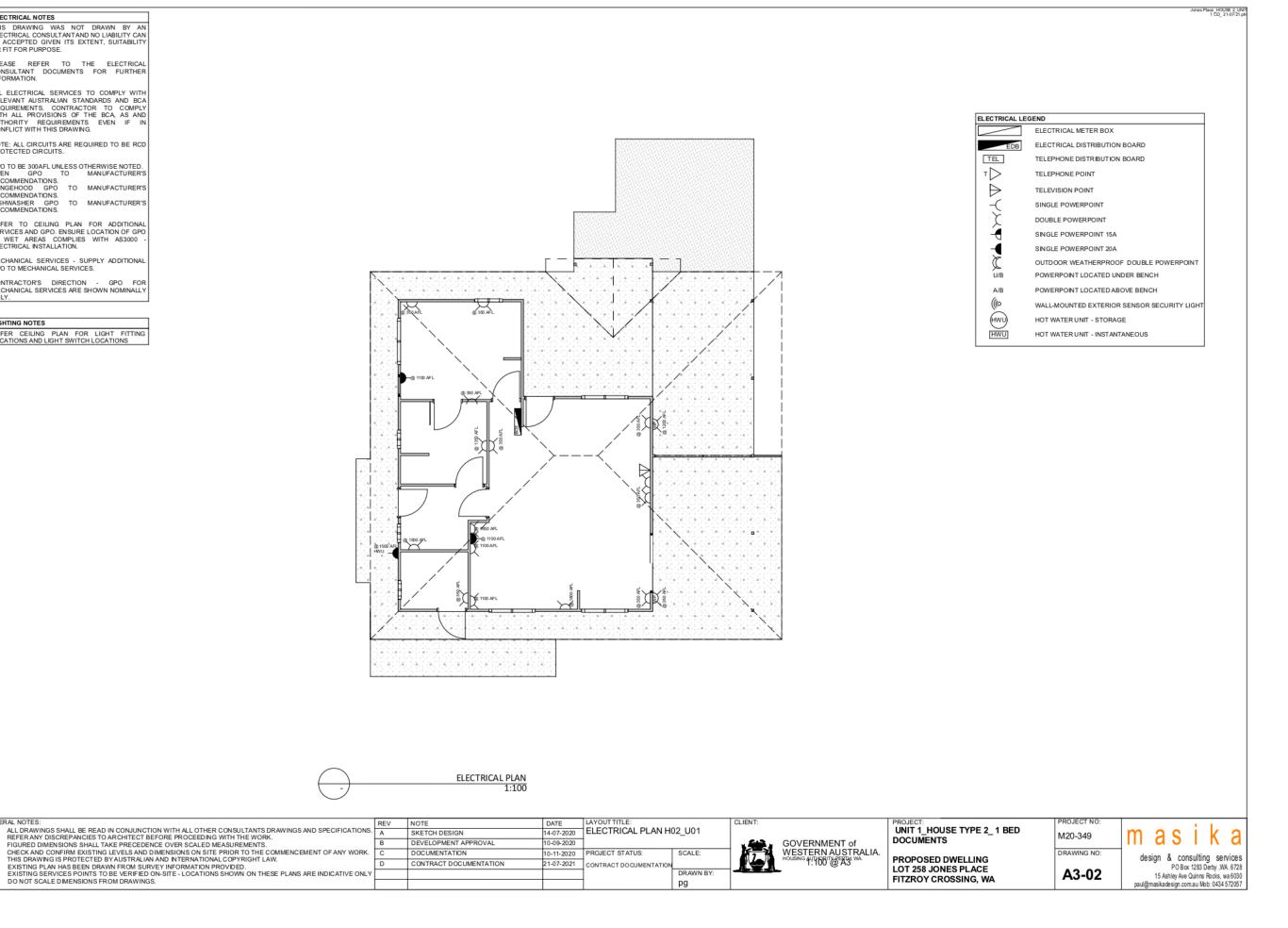
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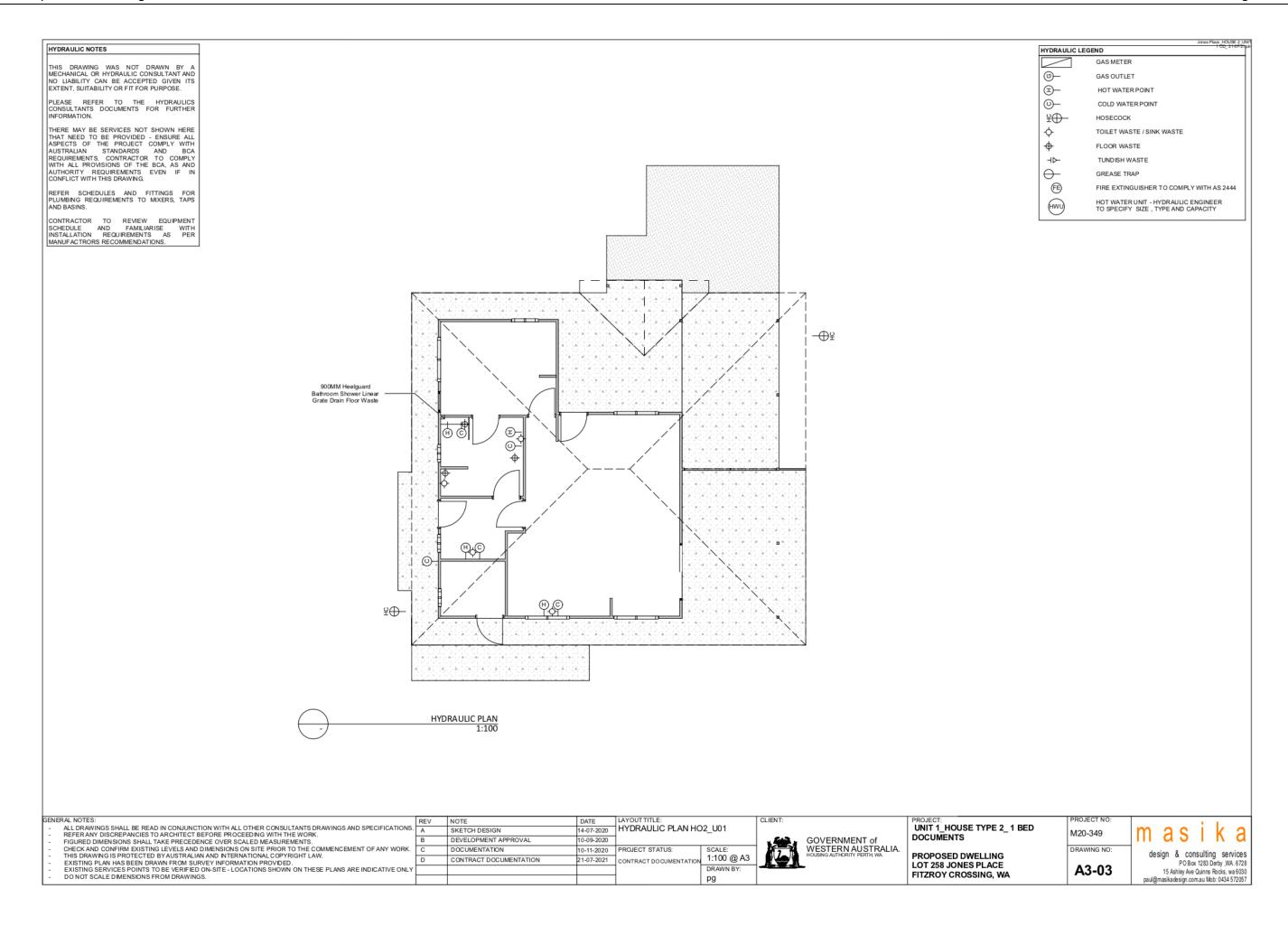
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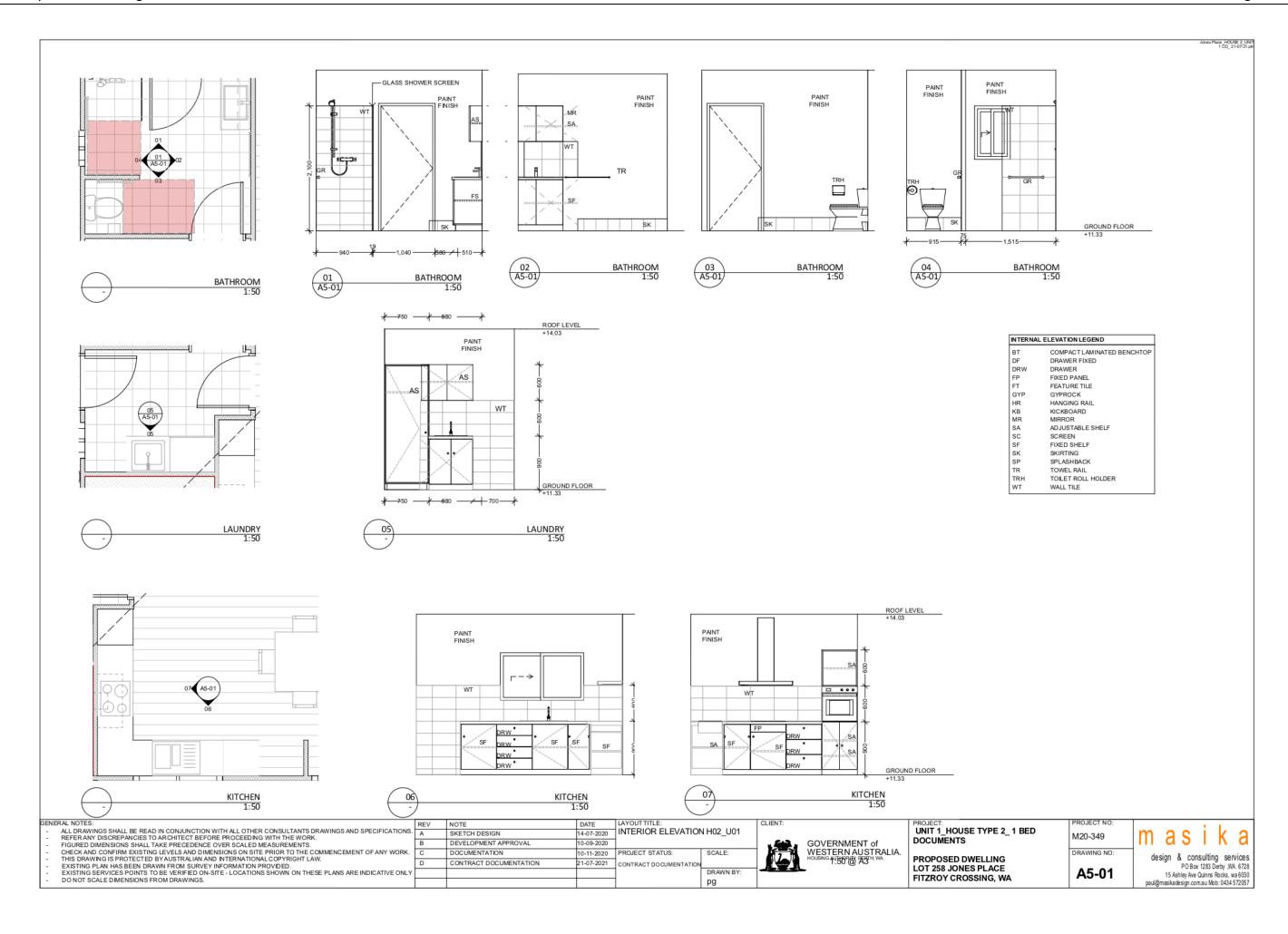
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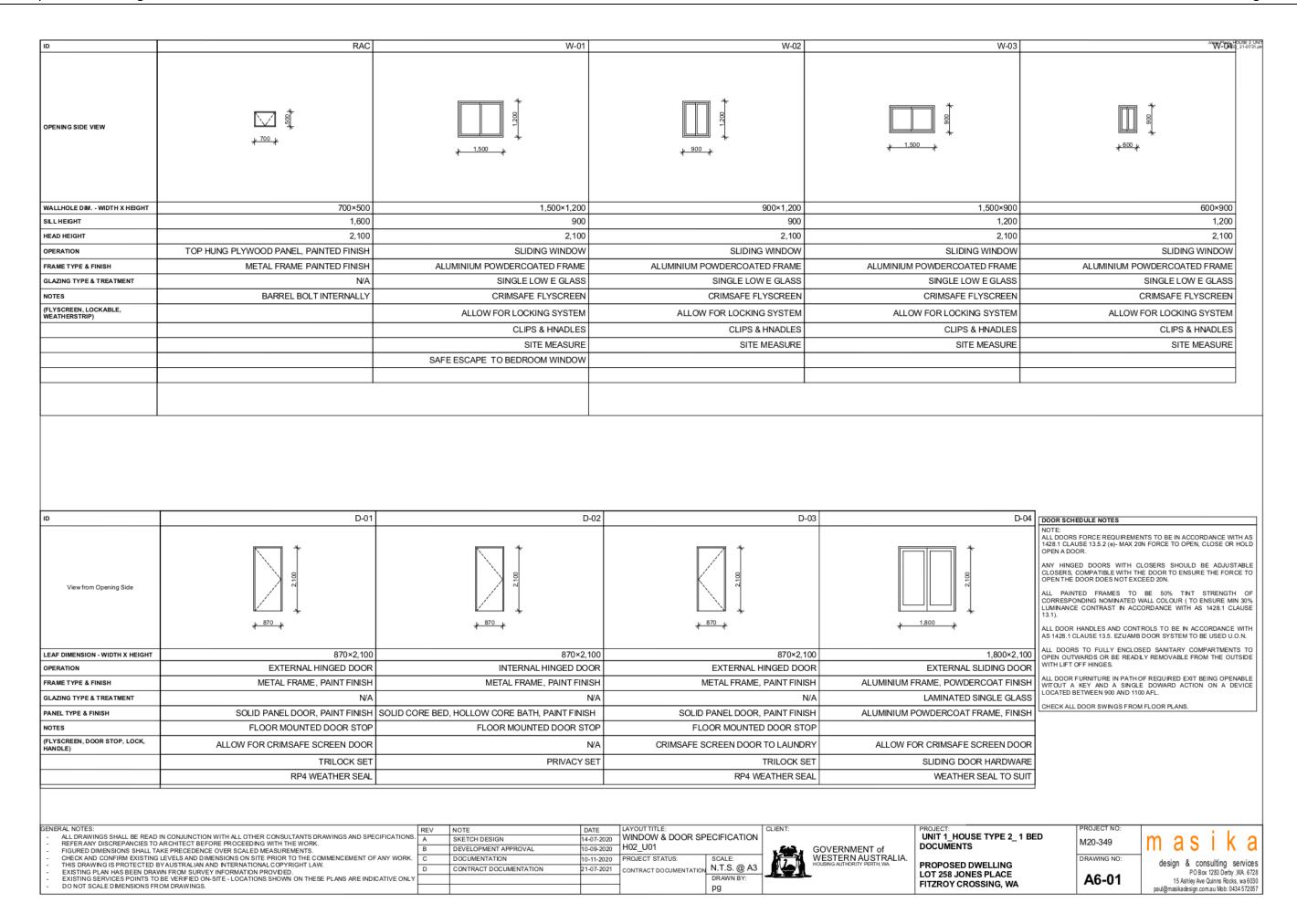


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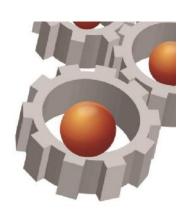


Ordinary Council Meeting Minutes 26 August 2021



Item 14.3 - Attachment 1





Attachment 2
State Planning Policy 7.3 – Assessment Sheet

| Suite 15/29 Collier Road Morley WA 6062 | P.O. Box 688 Inglewood WA 6932 + (08) 9275 4433 | f (08) 9275 4455

YNAMIC CREATIVE PROACTIVE INNOVATIVE PASSIONAT



# GROUPED DWELLINGS 2. PRE-LOCAL GOVERNMENT REFERRAL SUBMISSION

Proponent to complete and submit with design plans

Project Description e.g. 7 grouped dwellings	4 GROUPED DWELLINGS
Site Address	Lot 258 JONES PLACE, FITZROY CROSSING,W.A.
Program	
Project Manager	
Local Authority	SHIRE DERBY WEST KIMBERLEY

Amalgamation/Subdivision	Does the site require an amalgamation or subdivision? Give reason	
Determining Authority	Will the application require approval from the Housing Authority or WAPC?	

Details required to be s	hown on relevant plan:	Provided
	Existing levels to established datum or AHD	YES
	Contours at 0.5m max intervals	YES
Feature survey	Spot levels at all boundaries	YES
	Feature survey to extend 4m beyond the site boundaries showing existing structures, fencing and retaining wall heights.	YES
Arborist report	Tree condition report for all trees (3m+) on site ALL BOABS RETAINED (3)	NO
Other technical reports	BAL Assessment Acoustic report	NA
	Lot boundaries and dimensions	YES
Indicative subdivision plan	Proposed Minimum and average lot areas for the site (Indicate if lot size variation is required).	YES
	Exclusive lot areas and common property lot	YES
	Property address details	YES
	Orientation (north point) and scale 1:200	YES
	Contours, spot levels and FFL	YES
	Location and height of retaining walls (T.O.W & B.O.W)	NA
	All site boundary dimensions	YES
	Dwelling unit numbers	YES
	Abutting public reserves e.g. regional roads, parks, drainage, ROWs and/or PAWs	NA
	Existing and proposed service locations and/or easements (sewer, power poles, switchboards etc)	YES
Site plan	Footprint of dwellings and strata lot boundaries	YES
Oite plan	Dwelling entries and openings	YES
	Site and street trees (mark as retain, remove or new)	YES
	Communal areas and open space calculation table	NA
	Crossovers (mark either existing or new) and pedestrian paths	YES
	Location of landscaping / screening	YES
	Vehicle manoeuvring areas / turning circles	NA
	Car, bicycle and/or motorcycle bays (mark either resident or visitor)	NA
	Street and lot setbacks (if a corner lot, please indicate which is the primary and secondary street)	YES
	Overshadowing of adjoining properties	YES

	Orientation (north point) and scale 1:100	YES
	Finished floor levels	YES
	Sample unit plans with furniture layouts, key room depth dimensions and areas, stair tread numbers, bulkhead height	YES
	Location and size of outdoor living areas	YES
	Location and size stores (dimensions and area)	YES
Floor plans	Visual privacy setbacks / cone of visions notated	NA
	Location of utilities shown to scale (e.g. air conditioning units, meter boxes)	YES
	Location of materials on walls shown (e.g. note where each material starts and stops on walls)	YES
	Buildings above/below and eaves notated	YES
	Strata lot boundary and fencing	YES
	Window and door information (door width notated, window size given by width and height in brick courses, opening panes and/or obscured glazing indicated)	YES
Elevations	Scale 1:100	YES
	Elevations relative to natural ground level	YES
	Building height notated	YES
	Schedule of materials, materials shown in colour and at realistic scale (eg. 1c facebrick shown to scale)	YES
	Major and minor openings, obscured glazing noted	YES
Liveable Housing Australia (LHA)*	Identify on the plans which dwellings are designed to an LHA standard and what level is achieved.	YES
(2.77)	Identify the continuous step free path of travel and entry to the dwelling	YES
*This information is to be used to ensure that DoC Design Brief	Entry to show the proposed extent and design of weather protection	YES
assessment also considers the spatial provision and some features of LHA	Provide all the relevant spatial clearances required for relevant LHA level (silver, gold or platinum)	YES
requirements. LHA Gold and Platinum levels will	Indicate hobless shower	YES
require Access Consultant or LHA Assessor preliminary reports prior to DA lodgement	Indicate silver level compliant ground floor toilet	YES
Checklists and document	s to be provided in addition to plans:	
Department of Communities Design Brief:	Department of Communities Single and Grouped Housing Design Brief.	
Commitmittes Design Brief. Compliance Self – Assessment.	Completed 'Compliance Self-assessment' with justifications provided for variations to applicable clauses (see Appendix of the Design Brief)	
R-Codes Volume 1	Requirements as attached	
Self-Assessment Checklist	Completed assessment noting 'DTC' for deemed-to-comply or 'DP' for any variations requiring a design principles assessment for each relevant clause of the R-Codes	

Details of discussion with Local Authority	Date: Click or tap to enter a date.	Name of Planner	Issues raised by LG:  1.  2.
	Date: Click or tap to enter a date.	Name of Planner	Issues raised by LG: 3. 4. 5.

Signed		
Printed name, company, position	PAUL GILLETT, MASIKA DESIGN & CONSULTING SERVICES, PRINCIPAL	
Date	21/07/2021	



## **GROUPED DWELLINGS**

# R-Codes Volume 1 Self-Assessment Checklist

Proponent to complete and submit with design plans

## General

Development description	NEW BUILDS – 4X SINGLE BED DWELLINGS

# Property details

Address	LOT 258 JONES PLACE
Land area	1372 M²
Title information (Lot type and easements)	

## Planning framework

	State Planning Policy Requirements	SPP 3.7 Bushfire Prone Area	No
	(Check PlanWA map on DPLH website for applicable	SPP 5.4 Road and Rail Noise	No
ivState	SPPs)	SPP 5.1 Aircraft Noise	No
		Other:	
<u>:</u>	Is referral required to external agency? (Main Roads, WAPC, Heritage Council, etc.)	No	
Region	Region Scheme zoning	N/A	
	Local Planning Schemezoning/R-Code	Interim Development Ord	ler No. 9 Fitzroy Crossing
	Development standards applicable to the zoning or area of the site (e.g. Split coding criteria or any special or additional standards for the zoning of the site);	Fitzroy Futures Town Pla	n R20-30
	Local Planning Policies		
Local	Land use permissibility		
_	Special control area		
	Local development plan		
	Structure plan area		
	Development contributions		
	Road widening proposed		
_	t - !		

## Site inspection

Verge infrastructure (lighting, power, water, side entry pit, etc.)	SERVICES PROVIDED
Street trees	NONE AT SITE



# 5.1.1 Site area

R-Codes Vol. 1 deem to comply	Required (Table 1)	Proposed	Compliance DTC or DP
	Minimum lot area Square metres (m²)	260M <sup>2</sup>	DTC
C1.1 and C1.2  – Site area	Average lot area Square metres (m²)	$300M^{2}$	DTC
requirements	Minimum frontage Square metres (m²)	NA	DTC
C1.3	Corner truncations up to a maximum of 20m² to be added to the area of an adjoining lot		DTC
	Battle-axe  -access leg is no more than 20% of site area		NA

# 5.1.2 Street setback

R-Codes Vol. 1 deem to comply	Required (Table 1)	Proposed	Compliance DTC or DP
C2.1 – Primary street	Average setback metres (m)	4M	DTC
	Minimum setback metres (m)	4M	DTC
C2.2 – Secondary street	metres (m)	1.5M	DTC
C2.3 – Corner truncation	(as per secondary street) Square metres (m²)	$20\mathrm{M}^2$	DTC
C2.4 – Porches, verandas, balconies and chimneys	Project lessthan1m into street setback area and less than 20% of frontage or meets average setback	NA	DTC

# 5.1.3 Lot boundary setback

Boundary (select one — north, south, east or west)

Wall/section of wall	Majoropening	Length	Height	Setback required	Setback provided	Compliance DTC or DP
Wall EAST	Υ	8.8m	2.7m	1.5m	6.3m	DTC
Eaves	Project no more	than 750mminto	a setback area	0.75m	6.3m	
Wall <mark>SOUTH</mark>	Υ	10m	2.7m	1.5m	5m	. DTC
Eaves	Project no more	than 750mminto	a setback area	0.75m	5m	DTC



## Boundary (select one — north, south, east or west)

Wall/section of wall	Major opening	Length	Height	Setback required	Setback provided	Compliance DTC or DP
Wall <mark>WEST</mark>	Υ	10m	2.7m	1.5m	2.8m	DTC
Eaves	Project no more	than 750mminto	a setback area	0.75m	2.8m	
Wall NORTH	Υ	5m	2.7m	6m	6.15m	DTC
Eaves	Project no more	than 750mminto	a setback area	0.75m	6.15m	DTC

# 5.1.3 Boundary walls

R-Codes Vol. 1 deem to comply	Permitted	Proposed	Compliance DTC or DP
Boundary	Up to 1 third of boundary length behind street setback line, or 9m, whichever is greater.	NO BOUNDARY WALL PROPOSED	DTC
Wall length		NA	DTC
Maximum height	3.5M	NA	DTC
Average height	3M		
Behind front setback	6M MINIMIUM STREET SETBACK	NA	DTC
Adjacent to existing boundary wall of similar/ greater dimension		NA	DTC
To one side boundary only		NA	DTC

# 5.1.4 Open space

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C4-OpenSpace (refer definition in Appendix 1)		LOT 1 – OPEN SPACE 77% LOT 2 – OPEN SPACE 77% LOT 3 – OPEN SPACE 79% LOT 4 – OPEN SPACE 82%	DTC

## 5.1.5 Communal open space (grouped dwellings only)

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C5 – Grouped dwellings	Is communal open space proposed? If yes, refer 5.1.5 and 5.3.1		

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# 5.1.6 Building height

R-Codes Vol. 1 deem to comply	Required (Table 3)		Proposed	Compliance DTC or DP
Pitched roof				
Top of external wall (roof above)		6m	UNIT 1-4 – 3.3	DTC
Top of pitched roof		9m	UNIT 1-4 - 4.2M	
Concealed, flat	and skillion roof			
Top of external wall (concealed roof)		7m	NO CONCEALED ROOF	DTC

# 5.2.1 Setback of garages and carports

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C1.1 – Garage	4.5m or at least 0.5m behind the dwelling alignment? (Figure 8b)	NA	DTC
(Primary street)	3m where parallel to street	NA	DTC
C1.2 – Carport (Primary street)	As per, 5.1.2, C2.1	UNIT 1&2 – 5.1M UNIT 3&4 – 4.9M	DTC
C1.3 – Setback from right of way of communal street	Manoeuvring space of at least 6m provided?	NA	DTC
C1.4 – Secondary street (if applicable)			
C1.5 – Carports	Maximum 50% of frontage	UNIT 1&2 – 3M/15M = 20% UNIT 3&4 – 3m/12m = 25%	DTC
setback area (if applicable)	Unobstructed views to and from dwelling	Unit 1-4 carport open all sides, except dwelling wall adjoining.	DTC

# 5.2.2 Garage width

R-Codes Vol. 1 deem to comply	Permitted	Proposed	Compliance DTC or DP
C2 – Garage width relative to frontage	%	NA	DTC

0

Item 14.3 - Attachment 1



# 5.2.3 Street surveillance

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C3.1-Entrypoints	Clearly definable entry points visible and accessible from the street	UNIT 1-4 PORCH & FRONT DOOR FACES STREET	DTC
C3.2-Surveillance	At least one major opening from a habitable room of the dwelling faces the street and the pedestrian or vehicular approach to the dwelling	UNIT 1-4 HAS MAJOR OPENING TO STREET	

# 5.2.4 Street walls and fences

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C4 – Fence height	Fancing within front sathack visitally	1.2 HIGH STREET FENCING TO SIDE BOUNDARY WITHIN 6M STEBACK AREA	DTC

# 5.2.5 Sightlines

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C5 – Sightlines	No structures higher than 0.75m within 1.5m of where a driveway meets a public street or two streets intersect	FRONT FENCE 750MM HIGH, NO LETTER BOX,	DTC

# 5.3.1 Outdoor living areas

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
	Area in accordance with Table 1 (R20-30 M²)	UNIT 1&2 42 M <sup>2</sup> UNIT 3&4 32 M <sup>2</sup>	DTC
	Behind front setback	ALL UNITS BEHIND STREET SETBACK ACCESSABLE FROM LIVING	DTC
C1.1 – Outdoor living area	Accessible from habitable room	/DINING.KITCHEN AREAS	
J	Minimum width and length dimension of 4m	ALL UNITS GREATER THAN 4M	DTC
	Two-thirds of the required area without permanent roof cover	UNITS 1&2 – 24 M <sup>2</sup> UNITS 3&4 – 56M <sup>2</sup> +	DTC
	(20m2 for R20 coded sites)		



# 5.3.2 Landscaping

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
	Street setback area without car-parking (except visitor bays) and max. 50% hard surface	UNIT 1 – 62% SOFT SURFACE UNIT 2 – 70% SOFT SURFACE UNIT 3 - 60% SOFT SURFACE UNIT 4 - 47% SOFT SURFACE	DTC DTC DTC
	Disabled access paths connecting all entries to footpath and parking	NA	DTC
	Landscaping between each six car bays to include shade trees	NA	DTC
	Lighting to pathways, communal open space and parking	NA	DTC
C2 – Grouped and multiple dwellings	Bin areas conveniently located and screened	BIN AREA SCREENED	DTC
	Trees<3m in height retained in communal open space	NA	DTC
	Sightlines for pedestrians and vehicles	SIGHTLINES PROVIDED	DTC
	Line of sight between communal open space and at least two major openings	NA	DTC
	Clothes drying areas secure and screened	CLOTHES DRYING BEHIND DWELLING	
	Unroofed visitor bays screened from street	NA	DTC

# 5.3.3 Parking

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C3.1 – Resident parking	1 bays	IBAY	DTC
C3.2 – Visitor parking	1 bays	0	DP

# 5.3.4 Design of car parking spaces

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C4.2-Car space and manoeuvring	As per AS 2890.1	CAR BAY 5.4 L X 2.7 W MIN	
area design	Marked and signposted	NA	
C4.2-Visitor bays	Located outside of security barrier	NA	
	Accessible path provided	NA	
C4.3 – Landscaping	Landscaping between each six consecutive bays	LESS THAN 6 BAYS	

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# 5.3.5 Vehicular access

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C5.1–Access to on-site parking	Provided from right-of-way, or secondary street where no right-of-way exists, or primary street where no secondary street or right-of-way exists	EACH DRIVEWAY PRIMARY STREET – ONLY AVAILABLE	DTC
C5.2 – Driveways to primary and	Minimum width of 3m for driveways serving four dwellings or less	3M EACH ONLY	DTC
secondary streets	Maximum width of 6m		
	Maximum aggregate width of 9m (where more than one driveway proposed)		
	Setback of 0.5m from side lot boundary		
	No closer than 6m to a street corner	9M +	DTC
C5.3 – Driveways	Align at right angle to the street	YES	DTC
	Avoids street trees	NO TREES EXISTING	DTC
	Adequately paved and drained	PAVED & DRAIN TO VERGE	
C5.4 – Driveways design for two-way	Does driveway serve five or more dwellings?	NO	
access and for vehicles to enter the	Is the distance from a car space to the street 15m or more?	NO	
street in a forward gear	Is the street a primary distributor or integrator arterial?	NO	DTC
C5.5 – Driveways for grouped	Minimum width of 4m	NA	DTC
dwellings 5+	Designed for two-way access		
C5.6- Driveways where retaining an existing dwelling	3m where retaining an existing dwelling and driveway services a grouped dwelling		
C5.7 – Driveways for 20 or more grouped dwellings	Minimum width 12m	NA	DTC

# 5.3.6 Pedestrian access

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C6.1	Separate path where communal street serves more than 10 dwellings	NA	DTC
C6.2	Where communal street serves more than two dwellings the configuration of the pedestrian and vehicular route is to be provided with:  • clear sight lines  • adequate lighting  • paving surfaces to slow traffic	NA	DTC
C6.3	Communal street or pathway no closer than 3m to major opening	NA	DTC

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# 5.3.7 Site works

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C7.1 – Site works	0.5m or less between street and building or within 3m of street (whichever lesser)	UNIT 1-4, <0.5M WITHIN 3M OF STREET BOUNDARY	DTC
C7.2 – Site works behind front setback	Complies with building height and setbacks	UNITS 1-4 BUILDING HEIGHT COMPLY	DTC
C7.3 – Site works behind front setback	0.5m or less within 1m of a lot boundary	UNITS 1-4, , <0.5M WITHIN 1M BOUNDARY	DTC

# 5.3.8 Retaining walls

R-Codes Vol. 1 deem to comply		Proposed	Compliance DTC or DP
C8.1 – Setback	Setback in accordance with Table 1	NA	DTC
C8.2–Height and setbacks	Retaining walls less than 0.5m permitted within 1 m of lot boundary to allow for landscaping	NA	DTC

# 5.3.9 Stormwater management

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C9 – Stormwater	Stormwater contained on site	NA	DTC

# 5.4.1 Visual privacy

	-			
R-Codes Vol. 1 deem to comply	Setback required		Proposed	Compliance DTC or DP
			NO UPPER FLOOR NO FILL ABOVE 0.5M	DTC
		m (C1.1)		

# 5.4.2 Solar access

R-Codes Vol. 1 deem to comply (as applicable)	Required	Proposed	Compliance DTC or DP
R25 and lower; or	25% of adjoining site area	UNITS 1-4, LESS THAN 25% OVERSHADOWING JUNE 21, MIDDAY.	DTC
R30-R40; or	35% of adjoining site area		
Higher than R40	50% of adjoining site area		

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# 5.4.3 Outbuildings

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C3	Not attached to a dwelling	NO OUTBUILDINGS PROPOSED	DTC
	Non-habitable		
	Maximum 60m²/10% of site (whichever is less)		
	Maximum wall height 2.4m		
	Maximum ridge height 4.2m		
	Located behind front setback		
	Complies with open space		
	Complies with setbacks		

# 5.4.4 External facilities

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C4.1	Solar collectors proposed	NA	DTC
C4.2	Television aerials, essential plumbing and down pipes permitted	YES	
	Other external fixtures not visible from the primary street	NO FIXTURES	DTC
C4 3	Designed to integrate with the building		
04.3	Are located so as not to be visually obtrusive		
C4.4	Antennas, satellite dishes and the like not visible from the primary and secondary street	TV ANTANNA TO BE LOCATED AT REAR	DTC

# 5.4.5 Utilities and facilities (Grouped Dwellings)

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C5.1	Min 4m² enclosed lockable store room with minimum dimension of 1.5m	PROVIDED	DTC
C5.2	Communal bin store area provided if necessary	NA	
C5.3	Clothes drying areas screened from street	CLOTHES DRYING AREA TO REAR OF DWELLINGS	DTC

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# 5.5.3 Single bedroom dwellings

R-Codes Vol. 1 deem to comply	Required	Proposed	Compliance DTC or DP
C3	Maximum plot ratio of 70sqm	Lot 1: 68.8sqm Lot 2: 68.8sqm Lot 3: 71.1sqm Lot 4: 71.1sqm	DP
	Open space and landscaping in accordance with the requirements of Clause 5.1.4 and 5.3.2	See assessment in Clause 5.1.4 and 5.3.2	DTC
	Parking provided in accordance with Clause 5.3.3 C3.1 and C3.2	See assessment in Clause 5.3.3	DTC
	An outdoor living area in accordance with the requirements of Clause 5.3.1 but reducing the area required by Table 1 by one third.	See assessment in Clause 5.3.1	DTC
	Comply with all other elements of Table 1 and Part 5 as relevant	Complies	DTC

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# **GROUPED DWELLINGS**

# PRELIMINARY PLANNING ASSESSMENT

Proponent to complete and finalise with justifications for any design principles assessment prior to referral to the LGA

R-Codes Vol. 1 Design Principle		Response
5.3.3 P3.1	Adequate car parking is to be provided on-site in accordance with projected need related to:              The type, number and size of dwellings;             The availability of on-street and other off-street parking; and             The proximity of the proposed development to public transport and other facilities.	Sufficient resident parking has been provided on site to meet the demand of residents. Whilst the lack of visitor parking is noted, there is a large verge area capable of accommodating visitor parking.
5.3.3 P3.2	Consideration may be given to a reduction in the minimum number of on-site car parking spaces for grouped and multiple dwellings provided:  • Available street parking in the vicinity is controlled by the local government; and  • The decision maker is of the opinion that a sufficient equivalent number on-street spaces area available near the development.	Whilst it is acknowledged that no formal street parking exists within close proximity to the site, the verge area is more than sufficient to accommodate visitor parking if it is required.
5.5.3 P3	Alternative and affordance housing options for singles or couples where it can be demonstrated that development:  Reduces car dependence, i.e. is located in close proximity to public transport;  Does not impinge upon neighbour amenity; and  Responds to a demand for single bedroom accommodation in the locality which is recognised in the local planning framework.	Whilst the variation to the maximum plot ratio noted, it is only minor being less than a 2% variation. With this in mind, it is noted that the WAPC regularly accept a 5% variation as of right under DCP2.2 when considering subdivision applications.  Further to the above, the dwelling will not impact on the amenity of neighbours with the site capable of accommodating much more built form than what is currently proposed (i.e. 4 three bedroom dwellings).  The single bedroom dwellings also respond to a demand identified by the Department.

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# 14.4 DRAFT MEMORANDUM OF UNDERSTANDING BETWEEN THE SHIRE OF DERBY/WEST KIMBERLEY AND DERBY ANIMAL WELFARE GROUP

File Number: 7115

Author: Robert Paull, Manager Development Services

Responsible Officer: Wayne Neate, Director Technical and Development Services

**Authority/Discretion: Advocacy** 

## **SUMMARY**

Council is requested to formalise the relationship between the Derby Animal Welfare Group (DAWG) and the Shire by endorsing a Memorandum of Understanding (MoU).

### DISCLOSURE OF ANY INTEREST

Nil.

### **BACKGROUND**

DAWG is a local not for profit organisation that:

- provides education to the public in relation to caring for domestic animals;
- promotes desexing of dogs and cats;
- increases access by the community to veterinary services;
- raises community awareness to the legislation governing cruelty to animals;
- co-operate with any other Association or body whose objects are similar to the objects of this Association;
- rehomes abandoned, unwanted and abused domestic animals where possible; and
- cares for abandoned, unwanted and abused domestic animals

DAWG's catchment area is the town of Derby; however they have provided financial assistance for members of the community throughout the Shire.

# STATUTORY ENVIRONMENT

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### STRATEGIC IMPLICATIONS

GOAL	ОUTCOME	STRATEGY
Goal 4: Good governance and an effective organisation	Outcome 4.1: Effective governance and leadership	Strategy 4.1.2: Support strategic alliances, stakeholder forums and advisory committees that assist the Shire in policy development and service planning.

### RISK MANAGEMENT CONSIDERATIONS

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Community:  The MoU with DAWG provides a mechanism to engage, consult and support animal welfare in the Shire. Failure to establish a MoU may be viewed as not valuing the role of DAWG in the community.	Possible	Moderate	Medium	Establish an MoU with DAWG.

## **CONSULTATION**

No external consultation has taken place nor recommended.

## **COMMENT**

DAWG has requested an MOU be established with the Shire (Attachment 1) that addresses the following:

- to work together to increase animal welfare education and promotion;
- provide Shire representation at DAWG's bi-monthly committee meetings;
- for DAWG to offer financial assistance to meet desexing expenses;
- for the Shire, where appropriate to provide the opportunity for DAWG to rehome/foster suitable dogs and cats;
- · to work together to promote community-based dog washes; and
- to share domestic animal statistics, particularly dogs and cats.

Shire Rangers and Aboriginal Environmental Health Unit have worked closely with DAWG over many years with the mutual aim of improving animal welfare in the Shire. The request for the MoU is supported on the basis that it would formalise these arrangements and ensure that the positive community and animal welfare work of DAWG and the Shire continues.

## **VOTING REQUIREMENT**

Simple majority

## **ATTACHMENTS**

ı

## **RESOLUTION 91/21**

Moved: Cr Geoff Davis Seconded: Cr Paul White

That Council with respect to a draft Memorandum of Understanding (MoU) between the Shire of Derby/West Kimberley and Derby Animal Welfare Group:

- (a) Agree to enter into an agreement with the Derby Animal Welfare Group for the purpose of promoting animal welfare in the Shire as provided in Attachment 1; and
- (b) Authorise the Chief Executive Officer to sign the MoU.

<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 



# Memorandum of Understanding between the Shire of Derby/West Kimberley and Derby Animal Welfare Group

### PARTIES:

Derby Animal Welfare Group Referred to in this agreement as DAWG

#### And

Shire of Derby/West Kimberley ABN: 99 934 203 062 30 Loch Street Derby 6728 Referred to in this agreement as 'SDWK'

**DAWG** is and incorporated, not for profit organisation, run by volunteer, with the main source of income stemming from the second hand book shop located at 27 Loch St Derby, and a monthly dog wash. DAWG constitutional objectives are:

- $\hfill \square$  To provide education to the public in relation to caring for domestic animals;
- To promote desexing of dogs and cats;
- To increase access by the community to veterinary services;
- To raise community awareness to the legislation governing cruelty to animals;
- To cooperate with any other association or body whose objects are similar to the objects of this association;
- $\ \square$  To rehome abandoned, unwanted and abused domestic animals where possible;
- ☐ To care for abandoned, unwanted and abused domestic animals

**SDWK** is a local government authority in the Kimberley region of Western Australia. The Shire covers 131,000 square kilometres, including the town sites of Derby, Fitzroy Crossing and Camballin. Through the Shire's Community Development Team the Shire works closely with community members and organisations to support the delivery of community based projects that meet the needs and desires of the community, whilst also seeking to enhance the capacity of the organisations delivering these projects.

### 1. PURPOSE:

- 1.1 To formalise the working relationship between SDWK and DAWG and work collaboratively with the same goals in mind.
- 1.2 Support each party in the caring and proactive management of animal welfare.
- 1.3 Work together to increase animal welfare education and promotion.
- 1.4 Shire, where appropriate to provide the opportunity for DAWG to rehome/foster suitable dogs and cats.
- 1.5 Work together to promote community based dog washes.

### 2. TERM AND SCOPE:

- 2.1 This is a non-binding Memorandum of Understanding (MOU) between SDWK and DAWG. As part of the Parties' mutual commitment, SDWK and DAWG will act in accordance with the spirit and intent of this MOU, even though neither party intends that it be legally binding.
- 2.2 The MOU commences on the date on which it is executed by both parties and continues until termination by either party on the giving of 1 month's written notice to the other.

Derby

 Ø (08) 9191 0999
 Sdwk@sdwk.wa.gov.au

30 Loch Street
PO Box 94, Derby WA 6728

Flynn Drive
PO Box 101, Fitzroy Crossing

ABN: 99 934 203 062

# www.sdwk.wa.gov.au

### www.sdwk.wa.gov.au



- 2.3 The MOU does not preclude the rights of either party to engage in other partnerships and alliances.
- 2.4 The MOU is deemed a public document.

### 3. RELATIONAL CLARITY

- 3.1 The partnership will be managed by SDWK's Manager of Development Services and by DAWG members.
- 3.2 The Parties are committed to maintaining a positive and cooperative working relationship.
- 3.3 The Parties are committed, where practicable to work collaboratively to provide opportunities.
- 3.4 The Parties will collaborate together on specific initiatives relating to the welfare and rehoming of dogs and cats in Derby and Fitzroy Crossing. The Parties acknowledge that they are collaborative partners, committed to openly share appropriate information as befitting to a collaborative relationship.
- 3.5 The Parties acknowledge that no permission is given to use any SDWK/DAWG trademarks, logos or materials without written consent from the other party.
- 3.6 Donations received for the purposes of DAWG will become and remain the property of DAWG following the conclusion of this MOU.

### 4 ROLES AND RESPONSIBILITIES

### SDWK accepts responsibility for:

- 4.1 Shire Rangers to issue DAWG discounted desexing vouchers, which are fully funded by DAWG. Shire Rangers will keep a log of vouchers that are issued, and present these upon request to DAWG. The discounted desexing vouchers will be to an agreed value, where Rangers will evaluate each case individually prior to the issuing of the vouchers. When a voucher is used, the vet (Derby Veterinary Clinic or Broome Veterinary Hospital) will invoice DAWG for the balance which is due.
- 4.2 Openly communicate any requirements or concerns to DAWG, relating to the welfare of cats and dogs.
- 4.3 Share domestic animal statistics, particularly dogs and cats, for our catchment area.
- 4.4 Request any financial assistance relating to the desexing or medical treatment of dogs and cats on a case by case basis
- 4.5 Complying with all relevant legislation pertaining to the management and welfare of dogs and cats.

### DAWG accepts responsibility for:

- 4.6 Supporting SDWK financially with desexing vouchers and medical treatment of dogs and cats on a case by case basis.
- 4.7 Openly communicate any requirements or concerns to SDWK, relating to the welfare of cats and dogs.
- 4.8 Share domestic animal statistics, particularly dogs and cats, for our catchment area.
- 4.9 Organise and be involved in community engagement activities and monthly dog wash
- 4.10 Advocacy and promotion of SDWK initiatives.

## 5. CONFIDENTIALITY

Each party will respect the confidentiality of the other party, their operations and administration of the Project, and make all reasonable effort to guard the reputation of the other party.

### 6. DISPUTE RESOLUTION





- 6.1 If a dispute or difference arises between the Parties out of or in connection with this MOU, either party may give the other a written notice specifying the dispute or difference.
- 6.2 Within **seven (7)** days of the date of the notice, a person holding a position of senior management of each party must meet and undertake negotiations in good faith and on a without prejudice basis with a view to resolving the dispute or difference.

### 7. VARIATION

The Parties may agree to vary any of the items of this MOU. Such agreement must be in writing and signed by both Parties.

in the presence of:	
Signature of witness	Signature of authorised representative
Name of witness	Name and title of authorised representative
Date:	
Signed for <b>SWDK</b> by its authorised representative in the presence of:	
Signature of witness	Signature of authorised representative
	Amanda O'Halloran
	(Chief Executive Officer
Name of witness	
Date:	
Derby	Fitzroy Crossing
<ul> <li>Ø (08) 9191 0999</li> <li>☑ sdwk@sdwk.wa.gov.au</li> <li>30 Loch Street</li> <li>PO Box 94, Derby WA 6728</li> </ul>	Ø (08) 9191 5355     Flynn Drive     Sdwk@sdwk.wa.gov.au     PO Box 101, Fitzroy Crossing
The same of the sa	ABN: 99 934 203 062

At 6:12 pm, Cr Chris Kloss left the meeting.

# 14.5 REQUEST TO REVIEW CONDITION 6 OF DELEGATED PLANNING CONSENT - REPLACEMENT DWELLING AT LOT 179 NO. 11 BELL CREEK WAY, DERBY

File Number: 7060; 05/21

Author: Robert Paull, Manager Development Services

Responsible Officer: Wayne Neate, Director Technical and Development Services

Applicant: K Goodchild

Owner: K Goodchild

Proposal: Replacement Dwelling

Location: Lot 179 No. 11 Bell Creek Way, Derby

Authority/Discretion: Legislative

### **SUMMARY**

The Land Owner is requesting Council review the inclusion of a condition of Planning Consent issued under Delegated Authority requiring a 120,000l water supply for a replacement dwelling.

### **DISCLOSURE OF ANY INTEREST**

Nil

### **BACKGROUND**

Planning Consent for a replacement dwelling at Lot 179 No. 11 Bell Creek Way, Derby was issued under Delegated Authority on 29 July 2021 (Attachment 1). The Planning Consent included 8 conditions and 11 advice notes. Condition 6 and Advise note viii) states as follows:

## Condition 6

"Prior to the issue of a Notice of Completion (BA7), the replacement dwelling shall be provided with a supply of potable water with a minimum capacity of not less than 120,000 litres, of which 10,000 litres shall be kept in reserve for firefighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services".

Advice Note viii)

"Condition 6 (and 3) has been imposed because it is a requirement of Clause 5.6.6(g) of the Shire of Derby-West Kimberly Local Planning Scheme No 5:

"(g) each dwelling shall be provided with a supply of potable water with a minimum capacity of 120,000 litres, of which 10,000 litres shall be kept in reserve for fire fighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services."

The Land Owner objects to the inclusion of Condition 6 (Attachment 2).

### STATUTORY ENVIRONMENT

## Planning and Development Act 2005

## **Development (Local Planning Schemes) Regulations 2015**

Other Matters to be considered – Clause 67 Planning

- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality, including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following:
  - (i) environmental impacts of the development;
  - (ii) the character of the locality;
  - (iii) social impacts of the development.
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environmental or the water resource.
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk.
- (s) the adequacy of
  - (i) the proposed means of access to and egress from the site; and
  - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles.
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.
- (u) the availability and adequacy for the development of the following:
  - (i) public transport services;
  - (ii) public utility services;
  - (iii) storage, management and collection of waste;
  - (iv) access for pedestrians and cyclists;
  - (v) access by older people and people with disability.
- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses.

## State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)

Through an accredited consultant, the applicant had prepared a detailed Bushfire Management Plan to guide development and address bushfire risk (Attachment 3).

## Shire of Derby/West Kimberley Local Planning Scheme No. 5 (LPS No. 5)

Lot 179 No. 11 Bell Creek Way, Derby is zoned Rural Residential under LPS No. 5.

Clause 5.6.6(g) of LPS No 5 states:

"(g) each dwelling shall be provided with a supply of potable water with a minimum capacity of 120,000 litres, of which 10,000 litres shall be kept in reserve for fire fighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services." (Note: A full extract of the Rural Residential Provision as required under Clause 5.6.6 is included as Attachment 4)

## **POLICY IMPLICATIONS**

Local Planning Strategy

## **FINANCIAL IMPLICATIONS**

Nil

### STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY	
Priority 1: Leadership and	1.1 Collaboration and	1.1.1 Maximise local opportunities	
Governance	Partnerships 1.2 Capable, inclusive and effective organisation	1.2.4 Attract and effectively use resources to meet community needs	
	1.3 Effective Communication	1.3.3 Listen to and respond to the needs of our communities	

### **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Legal & Compliance: Council is obligated to comply with its local town planning scheme. In its current form there is little discretion in to avoid implementing Clause 5.6.6(g) of LPS No 5.	Possible	Major	High	Council could delay the requirement of the 120,000l water supply as it reviews LPS No.5. In reviewing LPS No.5, Council could seek to remove the minimum water supply capacity of 120,000l for rural residential areas.

## **CONSULTATION**

No external consultation has taken place.

### COMMENT

LPS No. 5 was adopted by Council in April 1997 where Clause 5.6.6(g) was included in the original Gazetted Town Planning Scheme.

Council may wish to review the inclusion of Clause 5.6.6(g) or similar in its new local Planning scheme, however it is bound by its current provision.

It is noted that the Bush Fire Management Plan (BFMP) has a recommendation that states:

"The site has an existing 22,000 litre water tank that is to be upgraded to allow for firefighting facilities. A minimum of 10,000 litres must be reserved for fighting purposes. Following a recommendation from the local volunteer fire brigade, standpipe is to be located within 3 metres of Bell Creek Way. Connection to standpipe to be metal".

Should Council wish to support the Land Owner, it could vary the implementation period of Clause 5.6.6(g) and follow the recommendation of the BFMB. Council would also need to provide a direction that in the review of the planning scheme that the minimum capacity of not less than 120,000 litres for rural residential areas not be progressed.

In this regard, Condition 6 could be amended to read:

"Prior to the issue of a Notice of Completion (BA7), the replacement dwelling shall be provided with a 22,000 litre water tank with a minimum of 10,000 litres kept in reserve for firefighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services. Within 12 months from receiving a direction of Council, a supply of potable water with a minimum capacity of not less than 120,000 litres will need to be provided on site.

Advice Note viii) could also be amended to read:

"Condition 6 (and 3) has been imposed to reflect the recommendation of the endorsed Bush Fire Management Plan. However, Council notes that Clause 5.6.6(g) of the Shire of Derby-West Kimberly Local Planning Scheme No 5 states:

"(g) each dwelling shall be provided with a supply of potable water with a minimum capacity of 120,000 litres, of which 10,000 litres shall be kept in reserve for fire fighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services."

Council has asked the Shire to ensure that in reviewing the planning scheme that the minimum capacity of not less than 120,000 litres for rural residential areas not be progressed."

### **VOTING REQUIREMENT**

Simple majority

### **ATTACHMENTS**

- 1. Attachment 1 Planning Consent 05/21 U
- 2. Attachment 2 Land Owner Letter U
- 3. Atatchment 3 Endorsed Plans (Inc. Bushfire Management Plan) U
- 4. Attachment 4 Cl5.6.6 Rural Residential General Development Requirements U

## **RESOLUTION 92/21**

Moved: Cr Paul White Seconded: Cr Keith Bedford

- 1. That with respect to the Request to review Condition 6 of Delegated Planning Consent Replacement dwelling at Lot 179 No. 11 Bell Creek Way, Derby, Council:
- 2. Note the Report;
- 3. Request the Chief Executive Officer to ensure that when undertaking the Planning Scheme Review that Clause 5.6.6(g) of Shire of Derby/West Kimberley Local Planning Scheme No. 5 not be progressed.
- 4. Replace Condition 6. and Advice Note viii) of Planning Consent 05/21 to read:

#### Condition 6

Prior to the issue of a Notice of Completion (BA7), the replacement dwelling shall be provided with a 22,000 litre water tank with a minimum of 10,000 litres kept in reserve for firefighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services. Within 12 months from receiving a written direction from Council, a supply of potable water with a minimum capacity of not less than 120,000 litres will need to be provided on site.

## Advice Note viii):

Condition 6 (and 3) has been imposed to reflect the recommendation of the endorsed Bush Fire Management Plan. However, Council notes that Clause 5.6.6(g) of the Shire of Derby-West Kimberly Local Planning Scheme No 5 states:

"(g) each dwelling shall be provided with a supply of potable water with a minimum capacity of 120,000 litres, of which 10,000 litres shall be kept in reserve for fire fighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services."

Council has asked the Shire to ensure that in reviewing the planning scheme that the minimum capacity of not less than 120,000 litres for rural residential areas not be progressed.

<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Andrew Twaddle, Rowena Mouda, Pat

Riley and Keith Bedford

Against: Nil

CARRIED 7/0

At 6:14 pm, Cr Chris Kloss returned to the meeting.



Planning Reference: 05/21

### SHIRE OF DERBY WEST KIMBERLEY LOCAL PLANNING SCHEME No.5

#### **GRANT OF PLANNING CONSENT**

OWNER: Kerri Goodchild

POSTAL ADDRESS: PO Box 1204 Derby WA 6728

APPLICANT: H &M Tracey Construction Pty Ltd

POSTAL ADDRESS: PO Box 34 Broome WA 6725

PROPOSAL: Replacement dwelling

PROPERTY: Lot 179 No. 11 Bell Creek Road, Derby

DATE OF ISSUE: 29 July 2021

Planning Consent to erect a Replacement Dwelling at Lot 179 No. 11 Bell Creek Road, Derby subject to the following conditions:

- 1. All development is to be in accordance with the approved Development Plans (attached) including any amendments placed thereon by the Shire of Derby West Kimberley and except as may be modified by the following conditions.
- The land owner to implement the Compliance Notes of the Bushfire Management Plan prepared by BushfireSmart (dated 12 April 2021) and endorsed as part of this Consent for the life of the development.
- 3. Within three months from the issue of a Notice of Completion (BA7) for the replacement dwelling, the existing dwelling will be either demolished or modified in such a manner that it will be non habitable with all connections to water and septics removed to the satisfaction of the Shire of Derby West Kimberley. The existing dwelling will be used for onsite domestic storage purposes only.
- 4. Within three months of the issue of a Notice of Completion (BA7) for the replacement dwelling, the land owner will place a 'notice on title' advising that the site is subject to a Bushfire Management Plan.
- 5. Prior to the issue of a Notice of Completion (BA7), the replacement dwelling shall be connected to an approved effluent disposal system to the satisfaction of the Shire of Derby West Kimberley and/or the Health Department. Such a system is to be designed and submitted by a plumbing consultant or other suitably qualified person and based on a geotechnical report on the absorptive capacity of the soil and the anticipated water usage.

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- 6. Prior to the issue of a Notice of Completion (BA7), the replacement dwelling shall be provided with a supply of potable water with a minimum capacity of not less than 120,000 litres, of which 10,000 litres shall be kept in reserve for firefighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services.
- 7. Plans submitted with the Building Permit are to show finished ground levels and finished floor levels along with details of storm water and roof run-off disposal to the satisfaction of the Shire of Derby West Kimberley.
- 8. This decision to approve will expire if the development has not substantially commenced and is in continuation within two [2] years of the date of this decision.

#### Advice notes

- The Shire will consider extensions to the approval period for up to two [2] years provided a written request is received no later than the original or extended date of expiry.
- ii. The determination of this application for planning approval has been made under delegated authority. If the owner and/or applicant object to this decision or any of the conditions imposed you may request that Council to reconsider the decision or condition. The right to request reconsideration is separate from and does not impinge upon any right of appeal under the Planning and Development Act 2005.
- iii. Should the owner and/or applicant be aggrieved by this decision, or any of the conditions imposed, there is a right of review under the Planning and Development Act 2005. An application for review must be submitted in accordance with Part XIV of the Planning and Development Act 2005 within 28 days of the date of this decision to: the State Administrative Tribunal, GPO Box U1991, Perth, WA 6845. Further information regarding this right of review is available on the SAT website www.sat.justice.wa.gov.au or by phoning 1300 306 017.
- iv. Condition 2 has been imposed because the site is identified as being located with a Bushfire Prone area: <a href="https://maps.slip.wa.gov.au/landgate/bushfireprone/?center=13978193.5730016,-2061864.89960838,102100&scale=10000">https://maps.slip.wa.gov.au/landgate/bushfireprone/?center=13978193.5730016,-2061864.89960838,102100&scale=10000</a> and development is subject to a Bushfire Management Plan.
- v. Condition 3 has been imposed because Shire of Derby-West Kimberly Local Planning Scheme No 5 only permits one dwelling per Lot (see Advice note vii). Approval of the replacement dwelling is contingent on the existing dwelling being modified such that it is either 'non-habitable' or removed. Reference to Notice of Completion (BA7) is as required under the Building Act 2011 section 33, Building Regulations 2012, regulation 4.
- vi. Condition 4 has been imposed because the Western Australian Planning Commission's State Planning Policy 3.7 part 6.10 Bushfire conditions may be imposed states in part:

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"The decision-maker may impose detailed requirements, including modifications and/ or conditions, on strategic planning proposals, subdivision and development applications to which this policy applies to address bushfire risk management implementation measures, as outlined in the Guidelines. A 'notice on title' advising that the site is located in a bushfire prone area should be required as a condition of any subdivision or development approval. In addition, if a Bushfire Management Plan is required, a notification on title should also be required advising that the site is subject to a Bushfire Management Plan."

- vii. Condition 5 has been imposed because, all new wastewater management systems, or connection to an old system for a new development must meet the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974. A link to the relevant application forms, fees and charges and effluent disposal regulations can be found on the Shires website https://www.sdwk.wa.gov.au/services/health/onsiteeffluent-disposal.aspx
- viii. Condition 6 (and 3) has been imposed because it is a requirement of Clause 5.6.6(g) of the Shire of Derby-West Kimberly Local Planning Scheme No 5:
  - "(g) each dwelling shall be provided with a supply of potable water with a minimum capacity of 120,000 litres, of which 10,000 litres shall be kept in reserve for fire fighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services."
- A Building Permit is required to be issued by the Shire prior to the commencement of ix. any on-site building works.
- The development and use shall at all times comply with the provisions of the Shire of Derby - West Kimberley Local Planning Scheme No. 5, the Health Act 1911, the Building Code of Australia, the Environment Protection Act 1986 and any other relevant Acts, Regulations, Local Laws or Council policies.
- It is the responsibility of the landowner to search the title of the property to ascertain χi. the presence of any easements that in any case must not be built upon.

Robert Paull

Manager, Development Services

Derby

**(08)** 9191 0999

Sdwk@sdwk.wa.gov.au PO Box 94, Derby WA 6728

 Po Box 94

 Po Box

30 Loch Street

Fitzroy Crossing

**(08)** 9191 5355 

Flynn Drive PO Box 101, Fitzroy Crossing

ABN: 99 934 203 062

⊕ www.sdwk.wa.gov.au

Hi Rob

### RE: Planning Consent - Replacement dwelling at Lot 179 No. 11 Bell Creek Way, Derby

Further to the advice received regarding application to build on Lot 179 No. 11 Bell Creek Way, Derby, I would like to object the following item which I would like raised at the next council meeting:

viii) Condition 6 has been imposed because it is a requirement of Clause 5.66(g) of the Shire of Derby-West Kimberly Local Planning Scheme No 5:

"(g) each dwelling shall be provided with a supply of potable water with a minimum capacity of 120,000 litres, of which 10,000 litres shall be kept in reserve for fire fighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services."

Currently on the Lot 179 No. 11 Bell Creek Way, Derby, there is an existing tank at the front of the block which was reserved for firefighting only and has a capacity of 22,713 litres. Suitable connections for the use of the water tank by the Department of Fire and Emergency Services are planned for installation. Further to this regarding firefighting, is the local Hamlet Grove Bushfire Brigade situated one (1) km via road from Lot 179 No. 11 Bell Creek Way.

There is another tank of potable water presently onsite which sufficiently meets the current needs of a two-bedroom dwelling with the capacity of 16,773 litres.

There are two existing bores on the property.

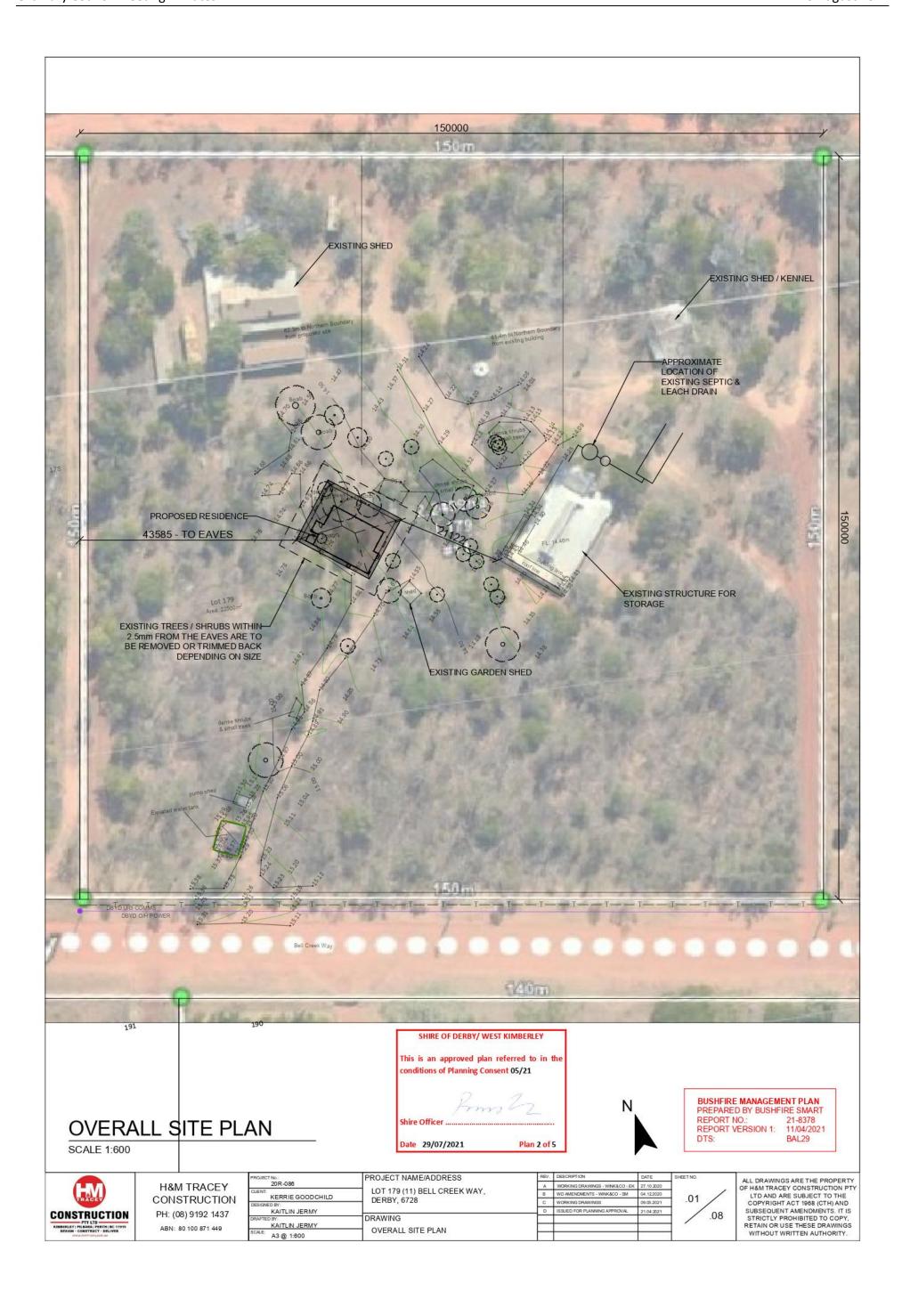
The condition 6, requiring the minimum capacity of not less than 120,000 litres, of which 10,000 litres shall be kept in reserve for firefighting purposes appears overly excessive for water supply needs. Most of the current Hamlet Grove blocks have a 1,000-litre tank capacity for gravity fed potable water supply to households. I consider this item requirement excessive and well over current needs.

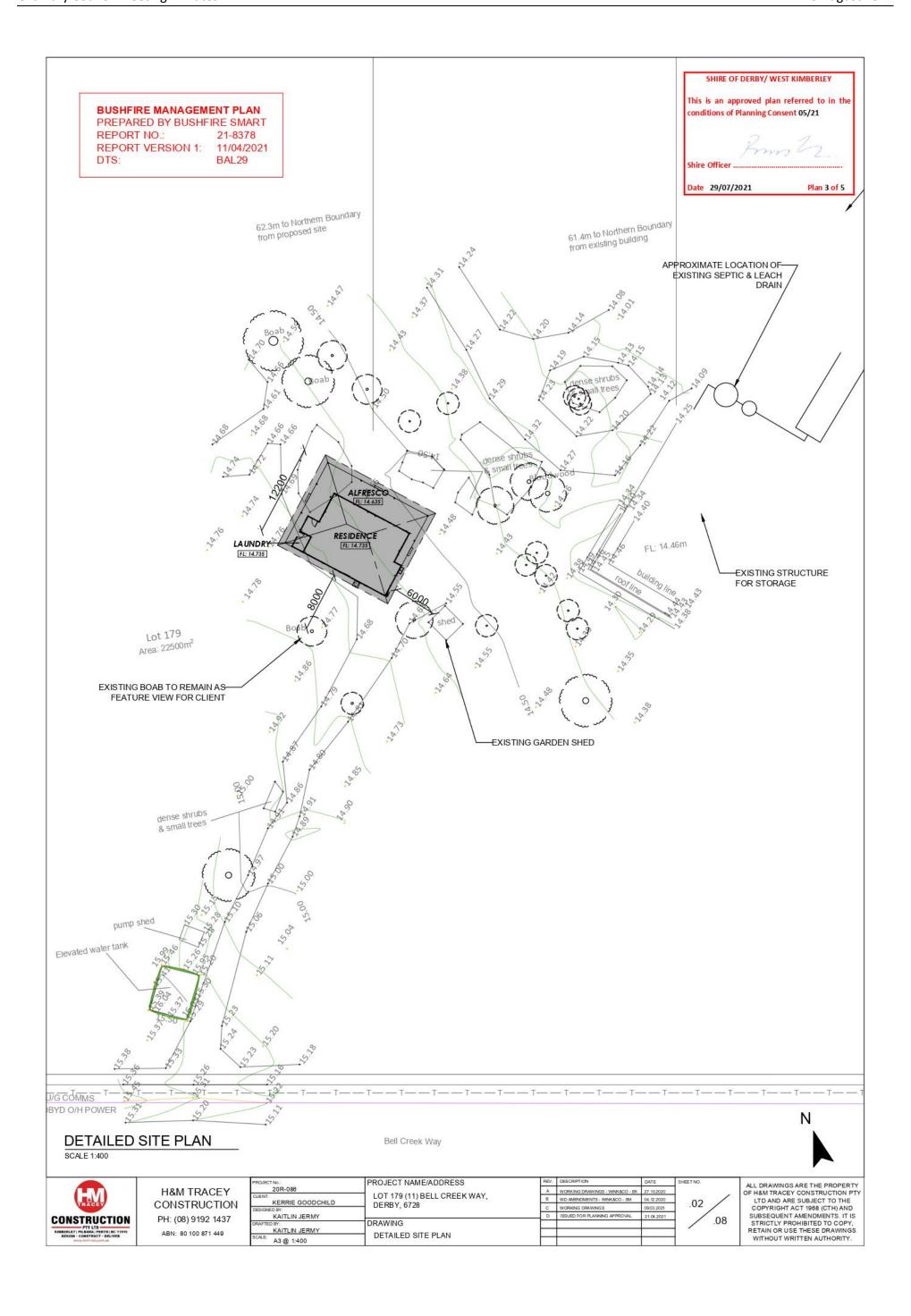
I respectfully request that the Shire to reconsider the decision.

Kind regards

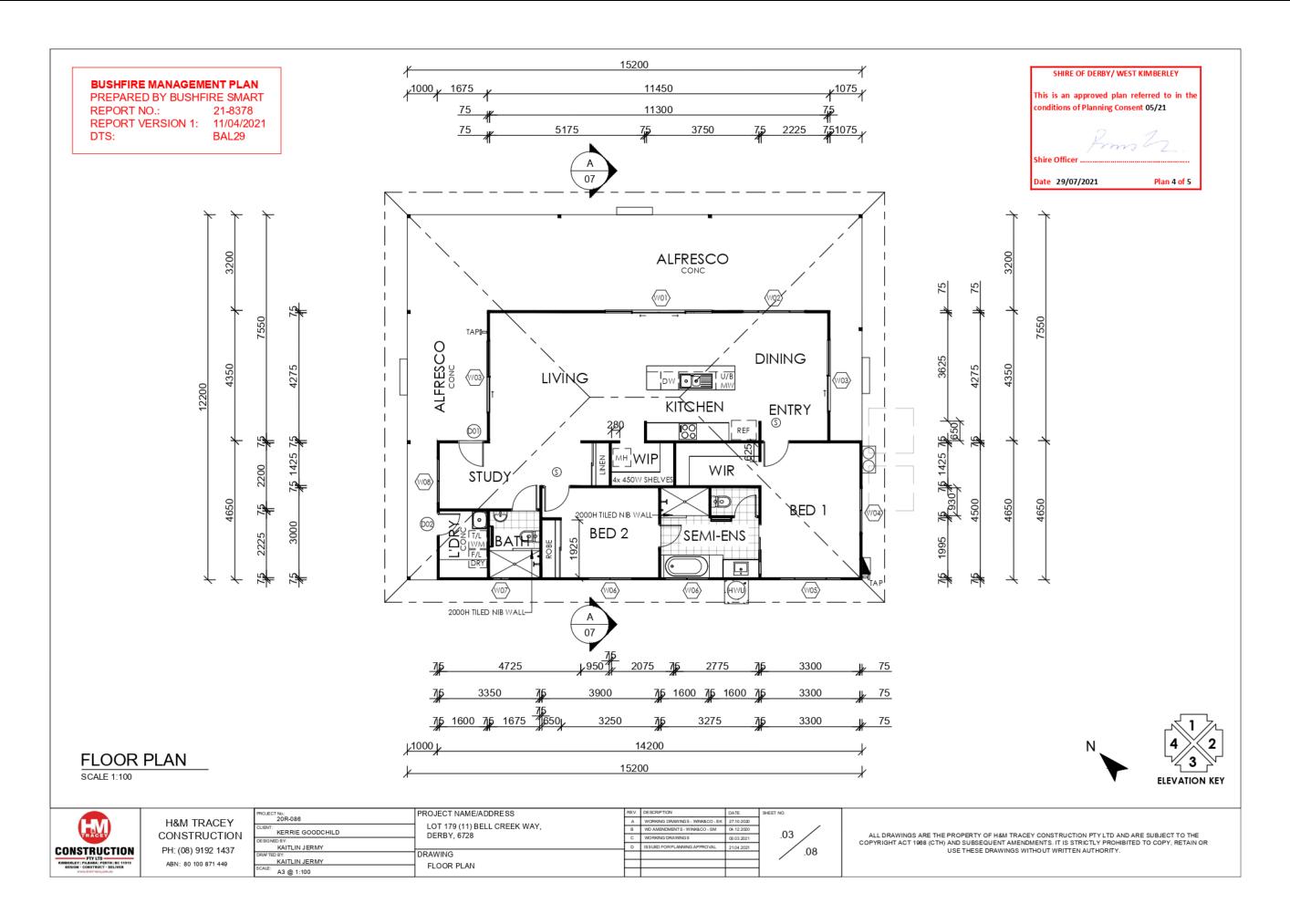
Kerrie Goodchild

Item 14.5 - Attachment 2



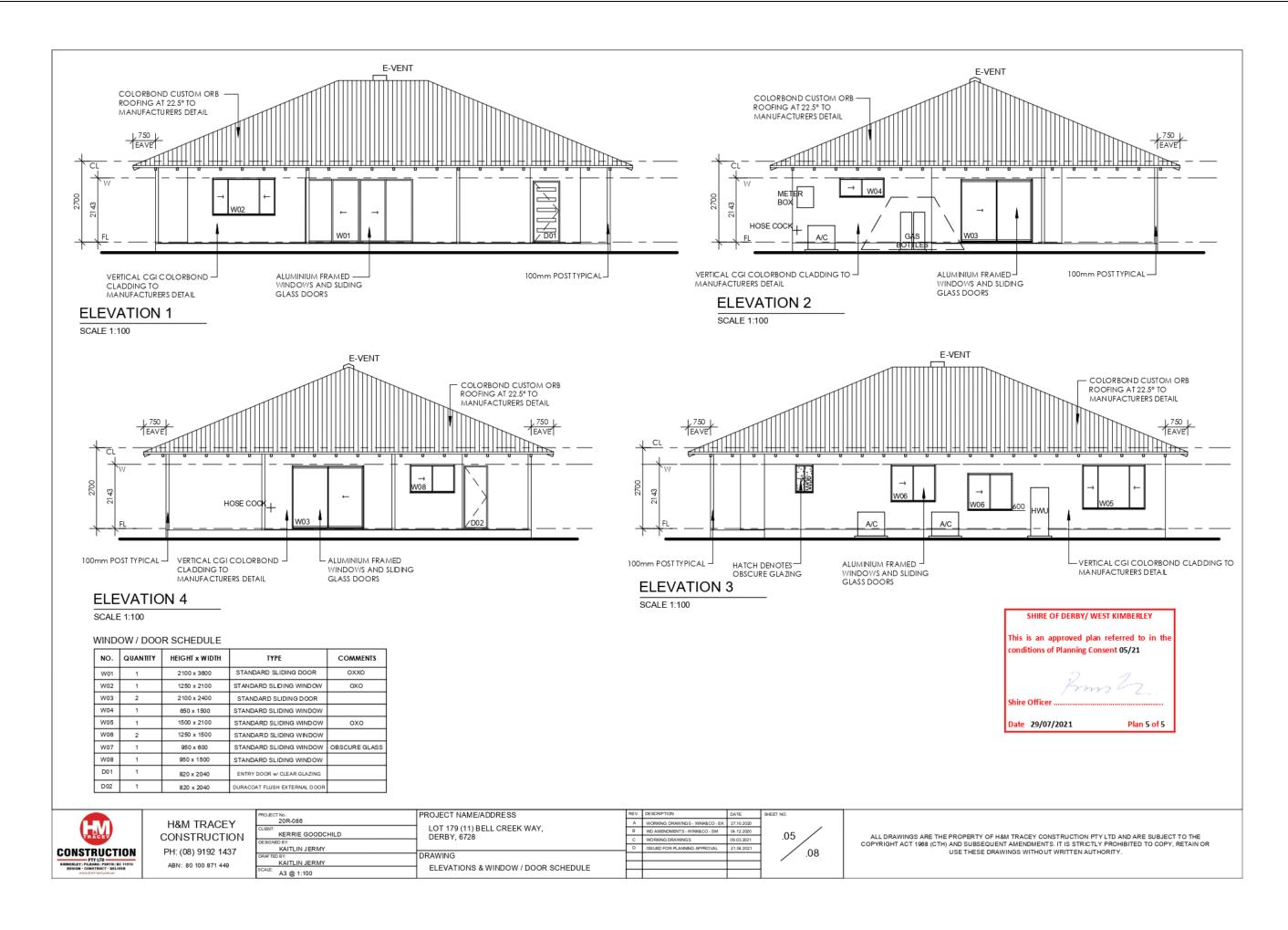


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Item 14.5 - Attachment 3

### 5.6.6 Rural Residential General Development Requirements

In addition to other provisions of the Scheme as may affect it, development of any land included in the Rural Residential Zone shall be subject to the following provisions:

- (a) the breeding or keeping of animals other than as indicated in the definition of Rural Pursuit will not be permitted unless specifically approved by local government and subject to conditions local government deems necessary. Local government shall in considering the approval of the keeping of animals take advice from the Department of Agriculture as to stocking rates;
- (b) notwithstanding any other provision of the scheme the keeping of pigs on land within the Rural Residential zone is prohibited;
- (c) not more than one dwelling house may be constructed on any lot. This provision shall not prevent the local government from consenting to the development of ancillary accommodation, provided such is self-contained, which may be attached to or integrated with or detached from the dwelling.
- (d) in addition to a building licence, the local government's approval to commence development is required for all development, except a single house (unless that house is a repurposed or second-hand building) or an outbuilding of less than 60m2 in area, an application for such approval shall be made in accordance with Part 8 of the deemed provisions;
- (e) in order to enhance the amenity of the land in areas local government considers deficient in tree cover, it may require as a condition of any development approval and request as a condition of subdivision the planting of trees and/or groups of trees of species as specified by the local government;
- (f) no trees or substantial vegetation may be felled, removed or damaged except for:
- (i) clearing associated with approved development within the building envelope;
- (ii) establishment of firebreaks as may be required by a Local Law or a notice issued by the local government or the Department of Fire and Emergency Services;
- (iii) establishment of driveways and fence lines in association with approved development;
- (iv) removal of vegetation that is dead, dying or dangerous, with the written approval of local government;
- g) each dwelling shall be provided with a supply of potable water with a minimum capacity of 120,000 litres, of which 10,000 litres shall be kept in reserve for fire fighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services;
- (h) if, in the opinion of the local government, any lot is overgrazed or severely degraded it may serve notice under the deemed provisions requiring the removal of any stock, until required remedial works are carried out by the landowner to render the land stable and usable;
- (i) the construction of dams and the extraction of surface water from drainage lines delineated on the Structure Plan is not permitted without the prior approval of the Department of Water and the local government;
- (j) strategic firebreaks, as shown on the Structure Plan, shall be constructed and maintained to the satisfaction of the local government and the Department of Fire and Emergency Services;
- (k) a Bush Fire Management Plan shall be prepared by the developer/subdivider to the satisfaction of the Department of Fire and Emergency Services and the local government.

# 14.6 MASTER PLAN AND DEVELOPMENT APPLICATION AT CHARNLEY RIVER STATION – ARTESIAN RANGE WILDLIFE SANCTUARY

File Number: 7060; 08/21

Author: Robert Paull, Manager Development Services

Responsible Officer: Wayne Neate, Director Technical and Development Services

Applicant: Collaborative Design

Owner: The Australian Wildlife Conservancy

Proposal: Master Plan for future development and Development Application for

staff Accommodation

Location: Charnley River – Artesian Range Wildlife Sanctuary,

Lot 1590 on Diagram 69590

C/T Vol 3159 Folio 692 (via Gibb River Road)

Authority/Discretion: Legislative

### **SUMMARY**

Architect, Collaborative Design has prepared a Master Plan for the redevelopment of the Charnley River Pastoral Station site along with an Application for Development Consent for Staff Accommodation (reflecting Stage 1 on the Master Plan). Council is requested to note the Master Plan and to issue Planning Consent for the Staff Accommodation.

### **DISCLOSURE OF ANY INTEREST**

Nil

### **BACKGROUND**

Charnley River Station is Located approximately 3 hours' drive (1 hour by helicopter) from Derby. The Australian Wildlife Conservancy (AWC) operate the Charnley River – Artesian Range Wildlife Sanctuary which comprises two sections:

- 300,000 hectares is the Charnley River Pastoral Station (operated by AWC) and includes the Artesian Range; and
- 37,000 hectares of land owned by the Department of Parks and Wildlife and managed in partnership with AWC.

# The Applicant has advised as follows:

"This arrangement represents an important new public-private partnership approach to conservation. The integrated management of both parcels of land by AWC protects the full length of the Artesian Range. The Sanctuary sits within the biodiverse North Kimberley Bioregion, and supports a rich variety of habitats including rainforest pockets, savannah woodlands, semi-deciduous vine-thickets, mangroves, salt flats and inland wetlands. It is estimated to host more than 1,000 plant species, with initial fieldwork uncovering a large number of threatened and endemic plants, as well as a number of undescribed species.

The northern part of the property comprises the extremely rugged sandstone of the Artesian Ranges, while in the eastern and southern section the landscape is dominated by savannah woodlands of mixed geology, including large areas of basalt-derived soils. On the north-western boundary, where the Charnley River drains into Walcott Inlet, a swathe of mangroves and mudflats adds further diversity to the sanctuary.

The AWC science and land management program at the Artesian Range includes:

- Active fire management delivered by AWC field staff as part of EcoFire, Feral herbivore control targeting feral cattle, donkeys, horses and pigs,
- An extensive survey program designed to (a) measure ecological health; and (b) complete a biological inventory of this unexplored region, with a particular focus on restricted and endemic species, and
- Ongoing scientific research relevant to studies in the region." (Note Attachment 1 Cover Letter and Attachments 2/3 Master Plan).

#### STATUTORY ENVIRONMENT

# Planning and Development Act 2005 (Act)

# Development (Local Planning Schemes) Regulations 2015

Other Matters to be considered – Clause 67 Planning

- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality, including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following:
  - (i) environmental impacts of the development;
  - (ii) the character of the locality;
  - (iii) social impacts of the development.
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environmental or the water resource.

- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk.
- (s) the adequacy of
  - (i) the proposed means of access to and egress from the site; and
  - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles.
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.
- (u) the availability and adequacy for the development of the following:
  - (i) public transport services;
  - (ii) public utility services;
  - (iii) storage, management and collection of waste;
  - (iv) access for pedestrians and cyclists;
  - (v) access by older people and people with disability.
- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses.

# State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)

Through an accredited consultant, AWC has prepared a detailed Bushfire Emergency Plan and Bushfire Management Plan to guide development and address bushfire risk (Attachment 4).

# Shire of Derby West Kimberly Interim Development Order No. 9 (IDO No.9)

Development outside of the Derby Townsite is guided by IDO No. 9.

#### **POLICY IMPLICATIONS**

Local Planning Strategy

#### **FINANCIAL IMPLICATIONS**

Nil

#### STRATEGIC IMPLICATIONS

GOAL	ОUTCOME	STRATEGY
Goal 4: Good governance and an effective organisation	Outcome 4.1: Effective governance and leadership	Strategy 4.1.2: Support strategic alliances, stakeholder forums and advisory committees that assist the Shire in policy development and service planning.

#### **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Community:  The AWC Master Plan provides a long term vision of the redevelopment of the Charnley River Pastoral Station site. Failure to acknowledge the Master Plan and subsequent Applications for Planning Consent may be viewed as not valuing the role of AWC.	Possible	Moderate	Medium	Acknowledge the Master Plan as a long term vision of the Charnley River Pastoral Station and a guide for future Applications for Planning Consent.

#### CONSULTATION

No external consultation has taken place nor recommended.

#### **COMMENT**

Council is requested to note the Master Plan and to issue Planning Consent for the Staff Accommodation as follows:

#### **Master Plan**

The Applicant has advised that the proposed Master Plan has been prepared for AWC and considers:

- site access/approach, circulation (vehicular & pedestrian);
- zoning of the site to achieve a balance between maximising utility and amenity for the various users of the site; and
- buildings:
  - Required accommodation for permanent and temporary staff;
  - Required work areas office, labs etc;
  - o Guest Accommodation and facilities;
  - Existing building condition and possible uses;
  - o Design considerations
- Environmental considerations including micro-climate, landscape, rainwater/stormwater, waste, and sensitive habitat; and
- Service infrastructure location and condition.

The Master Plan addresses the operational, financial, and logistical considerations along with staging. In this regard AWC has identified an urgent need for staff accommodation.

The Master Plan addresses the re-use of existing buildings, the use and location of new buildings and associated infrastructure proposed for the long-term development of the site, with buildings the following buildings to be located within the various use areas:

# Staff Accommodation

- 1. Permanent Staff Accommodation (new)
  - 8 x new houses
    - Living/Dining/Kitchen
    - o 2 x Bedrooms with BIR's
    - Bathroom
    - o Enclosed Deck/Laundry/BBQ
    - Car bay
- 2. Temporary/Seasonal Staff Accommodation (existing)
  - 2x "rondavel (African-style hut)
    - o Bed/Living
    - o Bathroom
- 3. Pilots accommodation (existing)
  - 1x room adjacent to Homestead
    - Bed/Living
    - Bathroom
- 4. Camp Site Host accommodation (existing)
  - 1 x house
    - Living/Dining/Kitchen
    - o 2 x Bedrooms
    - Bathroom/Laundry

# **Staff Amenities**

- 5. Existing Homestead (re-furbish)
  - Communal Kitchen/Dining/Living area
    - TV/Internet room (re-use existing office)
    - Utility areas (cool room, laundry, clotheslines, store)
    - Verandah (outdoor living)
    - Grassed area west of Homestead (BBQ area and Recreation)

# Labs & Offices

- 6. Existing "Single Men's Quarters" building (re-furbish)
  - Staff office
    - Science lab facilities
    - Kitchenette
    - Function space (indoor/outdoor)
    - Animal cages
    - Storage

# Interpretive Centre

- 7. Existing Interpretive Centre (re-furbish)
  - Re-use as Staff Recreation Room if/when Interpretive Centre relocated with Reception)

### Reception

- 8. Existing Maintenance/Workshop building (re-furbish)
  - Reception
  - Ablutions
  - Shop/Equipment Hire
  - Laundry
  - Future Interpretive Centre (TBC)

#### Visitor Accommodation

- 9. Campground (existing)
- 10. Camp Kitchen (existing)
- 11. Campground Ablutions (existing)

#### **New Accommodation**

- 12. 6x new Eco-tents
  - Bedroom
  - Ensuite
  - Deck

#### Other Facilities

- 13 "School" structure (existing)
- 14. "Beverley Springs" structure (existing)

# Maintenance/Workshop

- 15. New workshop (new)
- 16. Relocated generators (relocated)
- 17. New PV solar array and batteries (new)
- 18. New Hanger and helipad for ops flights (new)

The Master Plan is considered to be an effect means to guide development of the Charnley River Station and will provide added visitor and staffing arrangements for its operation. It is considered appropriate for Council to acknowledge the Master Plan and whilst it would not be a statutory plan, it would be used by Shire staff to consider any future development in line with the Master Plan.

# Application for Planning Consent (Attachment 5)

From the Master Plan, the following Items are sought as Stage One Planning Consent:

#### Staff Accommodation

- Permanent Staff Accommodation (new)
  - 8 x new houses
    - Living/Dining/Kitchen
    - o 2 x Bedrooms with BIR's
    - o Bathroom
    - Enclosed Deck/Laundry/BBQ
    - Car bay

# Labs & Offices

- 6. Existing "Single Men's Quarters" building (re-furbish)
  - Staff office
    - Science lab facilities
    - Kitchenette
    - Function space (indoor/outdoor)
    - Animal cages
    - Storage

#### New Accommodation

- 12. 6x new Eco-tents
  - Bedroom
  - Ensuite
  - Deck

The above use/developments are considered appropriate and in line with Clause 67 of the *Development (Local Planning Schemes) Regulations 2015.* 

### **VOTING REQUIREMENT**

Simple majority

#### **ATTACHMENTS**

- 1. Attachment 1 Cover Letter U
- 2. Attachment 2 MasterPlan (with Aerial) 🗓 🖺
- 3. Attachmnet 3 Master Plan (no Aerial) U
- 4. Attachment 4 Bushfire Management Plan 🖟 🖫
- 5. Attachment 5 Application for Planning Consent 4

#### **RESOLUTION 93/21**

Moved: Cr Geoff Davis Seconded: Cr Paul White

That with respect to the Master Plan and Development Application at Charnley River Station – Artesian Range Wildlife Sanctuary that Council:

- 1. Note the Report;
- 2. Acknowledge the Mater Plan prepared by Collaborative Design for The Australian Wildlife Conservancy as a guide to the redevelopment of the Charnley River Pastoral Station; and
- 3. Issue Planning Consent for Staff and Visitor Accommodation as outlined in the Report subject to the following conditions and advice notes:
  - 1. All development is to be in accordance with the approved Development Plans (attached) including any amendments placed thereon by the Shire of Derby West Kimberley and except as may be modified by the following conditions.

- 2. The land owner to implement the Bushfire Management Plan and Bushfire Emergency Plan prepared by BPP Group Pty Ltd t/a Bushfire Prone Planning for the life of the development.
- 3. Within three months of the issue of a Notice of Completion (BA7) for the Staff and Visitor Accommodation, the land owner will place a 'notice on title' advising that the site is subject to a Bushfire Management Plan.
- 4. Prior to the issue of a Notice of Completion (BA7), the Staff and Visitor Accommodation shall be connected to an approved effluent disposal system to the satisfaction of the Shire of Derby West Kimberley and/or the Health Department. Such a system is to be designed and submitted by a plumbing consultant or other suitably qualified person and based on a geotechnical report on the absorptive capacity of the soil and the anticipated water usage.
- 5. Prior to the issue of a Notice of Completion (BA7), the Staff and Visitor Accommodation shall be provided with a sufficient supply of potable water with a minimum capacity for firefighting purposes and shall be fitted with connections as required by the Department of Fire and Emergency Services.
- 6. Plans submitted with the Building Permit are to show finished ground levels and finished floor levels along with details of storm water and roof run-off disposal to the satisfaction of the Shire of Derby West Kimberley.
- 7. This decision to approve will expire if the development has not substantially commenced and is in continuation within two [2] years of the date of this decision.

# **Advice notes**

- The Shire will consider extensions to the approval period for up to two [2] years provided a written request is received no later than the original or extended date of expiry.
- ii. Should the owner and/or applicant be aggrieved by this decision, or any of the conditions imposed, there is a right of review under the Planning and Development Act 2005. An application for review must be submitted in accordance with Part XIV of the Planning and Development Act 2005 within 28 days of the date of this decision to: the State Administrative Tribunal, GPO Box U1991, Perth, WA 6845. Further information regarding this right of review is available on the SAT website www.sat.justice.wa.gov.au or by phoning 1300 306 017.
- iii. Condition 2 has been imposed because the site is identified as being located with a Bushfire Prone area:

https://maps.slip.wa.gov.au/landgate/bushfireprone/?center=13978193.5730016,-2061864.89960838,102100&scale=10000 and development is subject to a Bushfire Management Plan.

iv. Condition 3 has been imposed because the Western Australian Planning Commission's State Planning Policy 3.7 part 6.10 Bushfire conditions may be imposed states in part:

"The decision-maker may impose detailed requirements, including modifications and/ or conditions, on strategic planning proposals, subdivision and development applications to which this policy applies to address bushfire risk management implementation measures, as outlined in the Guidelines.

A 'notice on title' advising that the site is located in a bushfire prone area should be required as a condition of any subdivision or development approval. In addition, if a Bushfire Management Plan is required, a notification on title should also be required advising that the site is subject to a Bushfire Management Plan."

- v. Condition 4 has been imposed because, all new wastewater management systems, or connection to an old system for a new development must meet the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974. A link to the relevant application forms, fees and charges and effluent disposal regulations can be found on the Shires website <a href="https://www.sdwk.wa.gov.au/services/health/onsite-effluent-disposal.aspx">https://www.sdwk.wa.gov.au/services/health/onsite-effluent-disposal.aspx</a>
- vi. A Building Permit is required to be issued by the Shire prior to the commencement of any on-site building works.
- vii. The development and use shall at all times comply with the provisions of the Shire of Derby West Kimberley Local Planning Scheme No. 5, the Health Act 1911, the Building Code of Australia, the Environment Protection Act 1986 and any other relevant Acts, Regulations, Local Laws or Council policies.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 



# Collaborative Design

18 June 2021

Shire of Derby/West Kimberley PO Box 94 DERBY WA 6728

sdwk@sdwk.wa.gov.au

RE: Development Application for Re-development of Charnley River

Dear Rob,

I am the architect working with The Australian Wildlife Conservancy (AWC) on the redevelopment works at Charnley River.

In addition to the plans, attached, we provide the following supplementary information in support of the application.

#### Subject Site

The land subject of this application is:

Lot 1590 on Diagram 69590 C/T Vol 3159 Folio 692 (via Gibb River Road).

Site Area: 300,059 ha

The site is currently held under Pastoral Lease No49960.

AWC sub-leases and manages the property from leaseholders MCRT (Maxwell Charnley River Trust)

#### <u>Background</u>

Charnley River – Artesian Range Wildlife Sanctuary comprises two sections:

- 300,000 hectares is the Charnley River Pastoral Station (operated by AWC) and includes the Artesian Range
- 37,000 hectares of land owned by the Department of Parks and Wildlife and managed in partnership with AWC. This arrangement represents an important new public-private partnership approach to conservation.

The integrated management of both parcels of land by AWC protects the full length of the Artesian Range.

3 Northwood Street PO Box 1395 West Leederville Western Australia 6007 West Leederville Western Australia 6901

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Vihara Pty Ltd trading as Collaborative Design A.B.N. 25 009 254 559

Architects Board of WA License No. 2652

The Sanctuary sits within the biodiverse North Kimberley Bioregion, and supports a rich variety of habitats including rainforest pockets, savannah woodlands, semi-deciduous vine-thickets, mangroves, salt flats and inland wetlands. It is estimated to host more than 1,000 plant species, with initial fieldwork uncovering a large number of threatened and endemic plants, as well as a number of undescribed species.

The northern part of the property comprises the extremely rugged sandstone of the Artesian Ranges, while in the eastern and southern section the landscape is dominated by savannah woodlands of mixed geology, including large areas of basalt-derived soils. On the north-western boundary, where the Charnley River drains into Walcott Inlet, a swathe of mangroves and mudflats adds further diversity to the sanctuary.

The AWC science and land management program at the Artesian Range includes:

- Active fire management delivered by AWC field staff as part of EcoFire,
- Feral herbivore control targeting feral cattle, donkeys, horses and pigs,
- An extensive survey program designed to (a) measure ecological health; and (b) complete a
  biological inventory of this unexplored region, with a particular focus on restricted and endemic
  species, and
- Ongoing scientific research relevant to studies in the region

#### Site Context and Surrounding Development

The subject site for this application is the grounds and associated buildings and infrastructure surrounding the Charnley River Pastoral Station Homestead as identified on the attached plans.

Charnley River is ideally situated, central to AWC's activities in the West Kimberley, to provide:

- An accommodation base for AWC staff,
- Field based research and laboratory facilities to support AWC's activities in the area,
- A service hub to support AWC's remote area work in the region, and
- Facilities to accommodate visitors and promote education of visitors to the site regarding AWC work in the West Kimberley specifically and Australia in general.

#### Master Planning

A master planning exercise undertaken over the last 6 months has established a conceptual design for the redevelopment of the Charnley River Pastoral Station site - a long term vision.

The proposed Masterplan considers:

- 1. Site access/approach, circulation (vehicular & pedestrian),
- 2. Zoning of the site to a chieve a balance between maximising utility and amenity for the various users of the site.
- 3. Buildings
  - a. Required accommodation for permanent and temporary staff
  - b. Required work areas office, labs etc
  - c. Guest Accommodation and facilities
  - d. Existing building condition and possible uses

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- e. Design considerations
- Environmental considerations including micro-climate, landscape, rainwater/stormwater, waste, and sensitive habitat.
- 5. Service infrastructure location and condition.

Operational, financial, and logistical considerations have necessitated a staged approach to the redevelopment. Staging has been determined based on whole of project priorities established during the master planning stage.

AWC has identified an urgent need for staff accommodation as current accommodation on site is limited requiring AWC staff working at Charnley River to commute from Mornington Wilderness Camp, Derby or Broome.

#### Proposed Development

Development Approval is therefore sought for the first stage of development, which will include the following:

- 1. Minor adjustments to internal roadways to improve site circulation,
- 2. Erection of 8 x accommodation units for permanent AWC staff
  - a) 2 to be built in 2021/22
  - b) The remainder to be staged progressively over the next 2 3 years
- 3. Erection of 6 x eco-tents
- 4. Service Infrastructure upgrades to support the above development including:
  - a) Water reticulation
  - b) Power (including PV installation)
  - c) Sewer treatment

Service infrastructure design is currently underway and will be confirmed shortly.

Refurbishment of the existing "Single Mens" Building to accommodate new Labs and Offices for AWC staff.

#### <u>Design</u>

Methodology

The approach to the design has been driven by a desire to utilise existing buildings and infrastructure wherever possible and minimize effects on the existing landscape whilst providing the functionality and serviceability necessary to ensure the long-term sustainability of the facility.

#### Layout

The design has been based on the above methodology and the following guiding principles:

- 1. Response to site/context,
- 2. Functionality,
- Flexibility, and
- 4. Environmental Sustainability

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#### Site

#### Context

Charnley River Station is remote. Located approximately 3 hours drive (1 hour by helicopter) from Derby. Roads are impassable for up to 4 months of the year. The local climate is extreme with high temperatures during the summer and high rainfall during the wet season (Nov – May). Accommodation is therefore required to be durable and sustainable.

#### Topography

The site is located adjacent to two rivers, which transverse the site. The site slopes from east to west. Access during the wet can be severely restricted by flood waters flowing from catchment areas to the east of the site.

The floor levels of the proposed accommodation units will consider historical flood data, local landform and hydrology analysis and anecdotal historical flood information.

New buildings will generally be located on steel or concrete piles to minimize native vegetation clearance and maintain habitat for fauna.

#### Existing Landscape

Existing trees will be retained wherever possible. The location of buildings as shown on the plans are indicative only and final location will be determined on site to maximise retention of the natural landscape.

Existing roadways/tracks have been utilized to reduce the need for any additional clearing of natural vegetation.

#### Services

Electrical supply will be generated using a new photovoltaic array with the existing generator providing a backup power supply.

Potable water will be reticulated from the existing water tanks located on the higher ground east of the site which is supplied from an existing bore.

Existing water and power reticulation is in poor repair and will be replaced. These services will be colocated in a common trench to make trenching as economical as possible.

New toilets will be composting toilets (similar to those currently used at the Mornington Wilderness Camp). Existing toilets will be maintained "as is" in the short term but will be progressively converted to composting. Grey water will be separated from black water and recycled for sub-surface reticulation of landscaped areas or returned to ground via localized leach drains.

Gas bottles are currently used for hot water heating (HWU's) and cooking. Subject to the calculated electrical loads for the site and the capacity of the proposed PV installation, all new HWU heating will

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use electric HWU's (heat pumps). Existing gas hot water units will be progressively replaced, as necessary. Gas hotplates will be replaced with electric (induction) cooktops, subject to the above.

#### Bushfire Management plan

The attached bushfire management plan, and addendum has been undertaken based on the proposed work the subject of this application.

The BMP will be adjusted as required for future works.

#### Functional Requirements

#### Site Works

Access/Circulation

Minor alterations to the existing road network are proposed to simplify access to the site, create a more legible vehicular circulation system within the site and to separate visitor and staff circulation routes to improve efficiency and safety.

The roads shown in light brown on the masterplan indicate roads accessible to visitors. The darker brown roads indicate roads accessible to staff only.

#### 1. Public/Visitor access

Visitors to the site will arrive on the access road which enters the site from the south, travels past the existing helicopter hanger, and across Screwdriver Creek into the site.

The existing road which branches right toward the Homestead at the hanger will be closed to visitors and signed as "Staff Only".

After crossing Screwdriver Creek visitors will be directed left toward the existing workshop which is proposed to be re-purposed as a Reception building (not part of this application). Parking will be provided to the south and west of the Reception building.

Once visitors have booked in, they will be directed around the Reception building and east toward the campground. Campers will turn left (north) into the existing campground. Eco-tent users will follow the road heading toward the existing Homestead (east) which will provide access to the new Eco-tent accommodation. This road will be terminated at a new cul-de-sac allowing vehicles to turn around and head back out of the site. There will be no vehicular access to the existing interpretive centre for visitors. Visitor access to the existing Interpretive Centre and Paradise Pool will be pedestrian only.

Vehicles heading to the gorges will exit the site toward the west, travelling past the new Reception building, then turning right and heading north.

#### 2. Staff Access

Staff will arrive on the access road which enters the site from the southwest and travels west of the existing workshop. The road which branches right at the north of the site will be closed to visitor traffic and signed as "Staff Only". This road will provide private staff access to the proposed maintenance area, staff accommodation, and office/labs. It will then continue to the

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existing Homestead. The existing road from the Homestead across Screwdriver creek to the helicopter pad & hanger will be maintained for staff use only.

The existing link between the above "perimeter" road and the camp ground, which travels across the creek north of the camp ground, will be closed to visitors in order to separate visitor and staff traffic

Access a cross creek crossings is currently being upgraded, to provide improved access between all staff areas.

#### Site Use

Uses on the site have been arranged based on achieving logical groupings of areas to maximise functionality and amenity for all site users.

#### 1. Staff and Visitors

At a high level the site has been separated into Staff and Visitor zones – staff to the east and visitors to the west. This allows AWC staff to carry out their day to day work without unnecessary interruption. By limiting visitor access to staff areas, staff will be able to work more efficiently and be confident they will have the space and privacy they need to rest and recharge during breaks. It will also locate staff amenities, where staff are able to socialize, in an area suitably separate from visitors.

The pedestrian access to Paradise Pools is proposed to be re-directed via the existing track to the south of Screwdriver Creek and will be accessed from the existing road that crosses the creek west of the existing Interpretive Centre. This will further reduce the need for visitors to cross through areas dedicated to staff uses.

#### 2. Staff Accommodation

The staff accommodation areas have been located north of the existing Homestead and will be able to be accessed from the north via the "staff access only" road. This will allow staff to come and go from the site with minimal crossover with visitor traffic. Permanent staff will be located further from the common staff amenities to allow a greater level of privacy. Seasonal staff accommodation will be located closer to the common staff amenities.

#### 3. Staff Amenities

Staff Amenities, including a communal Kitchen/Dining/Living area, outdoor recreation areas and utility areas (cold rooms, laundry etc) is proposed to utilise the existing facilities located at the existing Homestead and surrounds.

#### 4. Labs & Offices

The office and lab facilities for AWC staff will be built within the existing "Single Mens Quarters" building north of the Homestead. This area is considered suitable for this use as it will be centrally located between the proposed permanent staff accommodation area and the area

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around the existing "Rondavels" which is proposed to accommodate seasonal staff. It is also close to the proposed Staff Amenities area .

#### 5. Interpretive Centre

Education of visitors is an important part of AWC's work however the intent is to manage interaction between staff and visitors to increase the quality and effectiveness of its delivery. The existing Interpretive Centre will be maintained in it's current location in the short term but may be co-located with Reception when the new Reception area is developed to allow for easier access, increased visibility and common staffing (with Reception staff).

#### Reception

Reception will be located within the existing Maintenance/Workshop building. In light of the proposed internal road network changes this places the Reception at the Entry to the site and close to visitor's accommodation. It is also adjacent to the road exiting the site for travel to the Gorges so becomes a logical location for canoe hire and similar facilities associated with travel to nearby tourist attractions. The existing building is large enough to incorporate other associated functions if considered appropriate including such things as ablutions, a small shop, laundry and the Interpretive Centre (as noted above).

#### 7. Visitor Accommodation

The existing campground and associated facilities will be maintained for the use of the general public visiting the site. Some existing roads will be removed, or denoted "staff access only" to restrict vehicle access to various parts of the site.

#### 8. Eco-tent Accommodation

An area along the north bank of Screwdriver Creek has been identified as a zone for new ecotent accommodation. This location is close enough to the campground to enable sharing of campground facilities with other visitors but also provides an alternative visitor experience.

#### 9. Maintenance/Workshop

It is proposed to relocate the maintenance building and service infrastructure to the north of the site. This will remove it from its current location adjacent to the visitor's area and reduce crossover of service vehicles with visitor traffic. It will also provide greater separation of noisy activities (workshop and generator) from accommodation areas.

#### Buildings

The master plan shows the proposed re-use of existing buildings, the use and location of new buildings and associated infrastructure proposed for the long-term development of the site.

It includes the buildings to be located within the various use areas proposed above and as listed below. The buildings included in this application for development approval are highlighted in blue.

#### Staff Accommodation

Permanent Staff Accommodation (new)

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#### 8 x new houses

- Living/Dining/Kitchen
- 2 x Bedrooms with BIR's
- Bathroom
- Enclosed Deck/L'dry/BBQ
- Carbay
- 2. Temporary/Seasonal Staff Accommodation (existing)
  - 2x "Rodavels"
  - Bed/Living
  - Bathroom
- 3. Pilots accommodation (existing)

1x room adjacent to Homestead

- Bed/Living
- Bathroom
- 4. Camp Site Host accommodation (existing)

#### 1 x house

- Living/Dining/Kitchen
- 2 x Bedrooms
- Bathroom/Laundry

#### Staff Amenities

- 5. Existing Homestead (re-furbish)
  - Communal Kitchen/Dining/Living area
  - TV/Internet room (re-use existing office when new office completed?)
  - Utility areas (coolroom, laundry, clothelines, store)
  - Verandah (outdoor living)
  - Grassed area west of Homestead (BBQ area and Recreation)

#### Labs & Offices

- 6. Existing "Single Mens Quarters" building (re-furbish)
  - Staff office,
  - Science lab facilities,
  - Kitchenette,
  - Function space (indoor/outdoor)
  - Animal cages,
  - Storage

#### Interpretive Centre

7. Existing Interpretive Centre (re-furbish)

Re-use as Staff Recreation Room if/when Interpretive Centre relocated with Reception)

# <u>Reception</u>

8. Existing Maintenance/Workshop building (re-furbish)

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- Reception,
- Ablutions,
- Shop/Equipment Hire
- Laundry,
- Future Interpretive Centre (TBC)

# Visitor Accommodation

- 9. Campground (existing)
- 10. Camp Kitchen (existing)
- 11. Campground Ablutions (existing)

#### New Accommodation

- 12. 6x new Eco-tents
  - Bedroom
  - Ensuite
  - Deck

#### Other Facilities

- 13. "School" structure (existing)
- 14. "Beverley Springs" structure (existing)

#### Maintenance/Workshop

- 15. New workshop (new)
- 16. Relocated generators (relocated)
- 17. New PV solar array and batteries (new)
- 18. New Hanger and helipad for ops flights (new)

In addition to the above an area to the west of the existing campground between the creek and the road to the west has been identified as a possible location for a future tour operators camp. Operated by an independent operator such as Outback Spirit or similar this area could accommodate 12 eco-tents on raised timber platforms. The adjacent existing building could be refurbished to provide Camp Kitchen and Ablution facilities.

#### Accommodation Units

Discussions are currently being held with 3 x building suppliers for the supply of the permanent staff accommodation.

The current footprints are based on the eco-structures WABi system chalet as detailed in the attached building plans. Whilst the final decision on the supplier may result in a minor adjustment to the building footprints shown, their location on the site will not change.

Building footprints show approximate locations and may be adjusted on site to minimize clearing of natural landscape.

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#### Cultural Engagment

AWC are in early-stage discussions with Traditional Owners in relation to the project and have in principal support, however we will continue to engage with Traditional Owners throughout the process.

#### Council Consultation

We would appreciate the opportunity to discuss any issues or concerns arising from the planning officer's assessment of this submission. In addition, should council require any further information or wish to discuss any of the above please do not hesitate to contact the undersigned by phone or email.

Yours sincerely

Regards Michael Green Principal Architect

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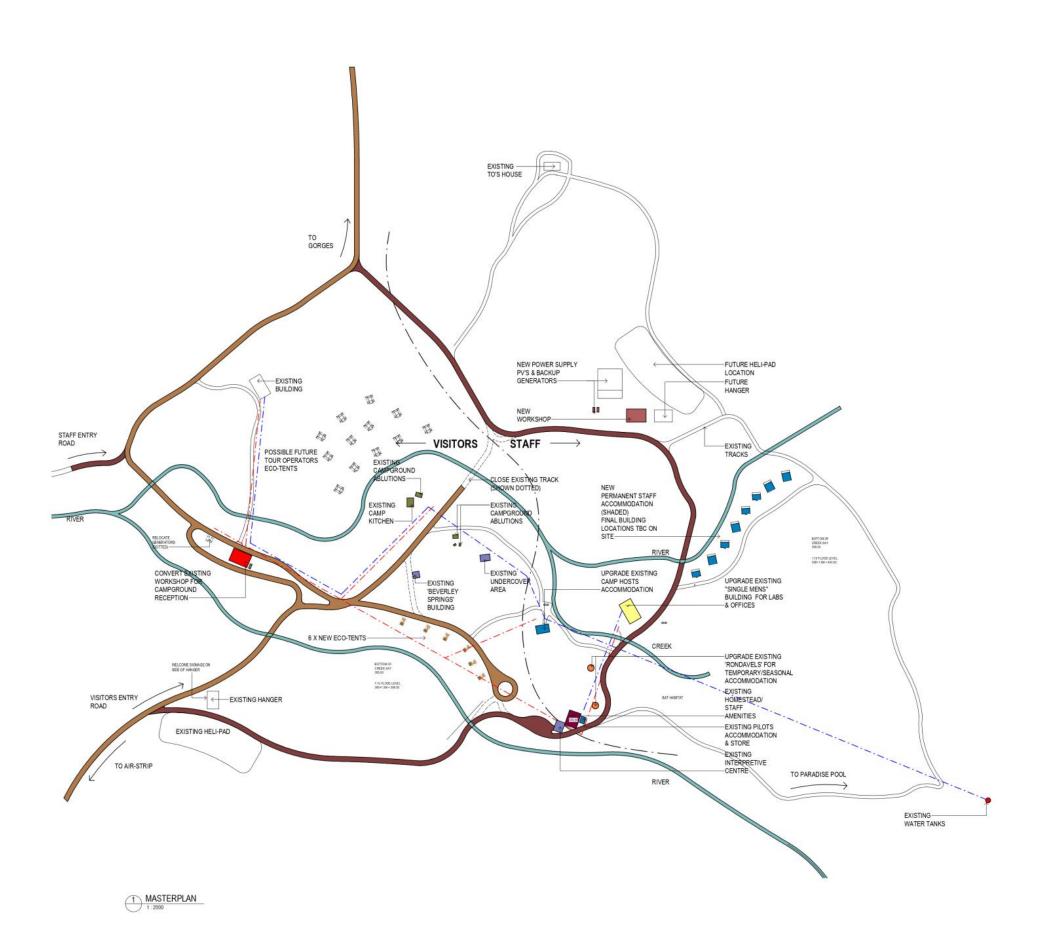
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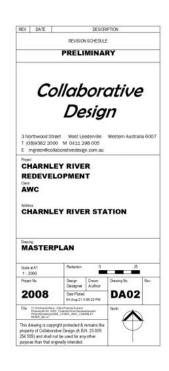


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Ordinary Council Meeting Minutes 26 August 2021







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# **Bushfire Management Plan Coversheet**

This Coversheet and accompanying Bushfire Mana Fire Protection Association Australia under the Bus	-					edited by
Bushfire Management Plan and Site Details						
Site Address / Plan Reference: Charnley River Wildlife San	nctuary					
Suburb: Charnley River			State: W	/A	P/co	de:
Local government area: Shire of Derby- West Kimberley						
<b>Description of the planning proposal:</b> Development Applic	ation					
BMP Plan / Reference Number: 190388	Version	v1.0	D	ate of Issue	24/0	5/2021
Client / Business Name: Australian Wildlife Conservancy						
Reason for referral to DFES				Ye	5	No
Has the BAL been calculated by a method other than n method 1 has been used to calculate the BAL)?	nethod 1 as outlined	l in AS3959 (tick no	if AS3959	2	3	
Have any of the bushfire protection criteria elements by principle (tick no if only acceptable solutions have bee				e C	1	⊠
Is the proposal any of the following special developm	ent types (see SPP	3.7 for definitions)	?			
Unavoidable development (in BAL-40 or BAL-FZ)					]	$\boxtimes$
Strategic planning proposal (including rezoning applica	ations)			С	]	$\boxtimes$
Minor development (in BAL-40 or BAL-FZ)					]	⊠
High risk land-use					]	$\boxtimes$
Vulnerable land-use				Σ	3	
If the development is a special development type as l above listed classifications (E.g. considered vulnerabl						
Vulnerable Land Use (Workers Accommodation). Non compli	ant BPC					
Note: The decision maker (e.g. local government or the more) of the above answers are ticked "Yes".	ne WAPC) should or	lly refer the propos	al to DFES	S for comm	ent if	one (or
BPAD Accredited Practitioner Details and Declara	ation					
Name Kathy Nastov	Accreditation Level Level 3	Accreditation BPAD 27794	No.	<b>Accredi</b> 01/08/2		Expiry
<b>Company</b> Bushfire Prone PLanning		Contact No. 64771144				
I declare that the information provided within this bu	ıshfire management	plan is to the best	of my kn	owledge tr	ue and	d correct
Signature of Practitioner			24/05	/2021		
Signature of Practitioner		Da	te 24/05	/2021		



# Bushfire Management Plan Addendum (BAL Contour Map)

# Charnley River Wildlife Sanctuary

King Leopold Ranges

Shire of Derby-West Kimberley

Planning Stage: Development Application (Standard BMP)

Planning Development Type: Addition to a Class 4 - 9 Building

Bushfire Policy – Specific
Development or Use Type:

N/A

Job Number: 190388

Assessment Date: 31 March 2021

Report Date: 18 June 2021

# Addendum to the Bushfire Emergency Plan

# Information Supporting the Development of the Bushfire Emergency Plan

Location and Use Specific Assessments for the Vulnerable Land Use

# Charnley River Wildlife Sanctuary

Charnley River Station

Shire of Derby-West Kimberley

Vulnerable Land Use Category:

(Guidelines WAPC v1.3)

Category 2: A facility that, due to building or functional design, offers limited access or the number of people may present

evacuation challenges.

Facility/Premises Use Type:

Worker's accommodation

Date Created: 23 April 2021

Associated Bushfire Management Plan Reference No:

190388

# Addendum to the Bushfire Emergency Plan

# Information Supporting the Development of the Bushfire Emergency Plan

Location and Use Specific Assessments for the Vulnerable Land Use

# Charnley River Wildlife Sanctuary

Charnley River Station

Shire of Derby-West Kimberley

Vulnerable Land Use Category:

(Guidelines WAPC v1.3)

Category 2: A facility that, due to building or functional design, offers limited access or the number of people may present

evacuation challenges.

Facility/Premises Use Type:

Date Created:

Worker's accommodation

190388

23 April 2021

Associated Bushfire Management Plan Reference No:

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

Level 1, 159-161 James Street Guildford WA 6055

PO Box 388 Guildford WA 6935

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#### DOCUMENT CONTROL

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Co-Author:				
Review/Authorise: Mike Scott (BPAD Level 3 - No. 27795)  M Low				
	VERSION HISTORY			
Version	Version Details		Date	
1.0	Original		24 May 2021	
-				
BEP (Standard) Supporting In	ormation Template v2.4			

Limitations: Any representation, statement, opinion, or advice expressed or implied in this document is made in good faith based on information available to Bushfire Prone Planning at the time.

The bushfire protection measures established by the Bushfire Management Plan, of which this vulnerability assessment is a part, are considered to be minimum requirements and they do not guarantee that a building will not be damaged in a bushfire, persons injured, or fatalities occur either on the subject site or off the site while evacuating. This is substantially due to the unpredictable nature and behaviour of fire and fire weather conditions. Additionally, the correct implementation of the required bushfire protection measures will depend upon, among other things, the ongoing actions of the landowners and/or operators over which Bushfire Prone Planning has no control.

Bushfire Prone Planning and its employees are not liable, whether by reason of negligence, lack of care or otherwise, to any person for damage or loss whatsoever which has occurred or may occur in relation to that person taking or not taking (as the case may be) action in respect of any representation, statement, opinion or advice referred to herein, except as the law may

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#### 1. PLANNING FOR THE EMERGENCY MANAGEMENT OF A BUSHFIRE EVENT

#### STATE PLANNING POLICY 3.7 PLANNING IN BUSHFIRE PRONE AREAS (SPP 3.7)

State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) establishes:

- The policy intent which includes the preservation of life by implementing effective, risk-based land use planning and development;
- The policy objectives that include the provision that preservation of human life is paramount; and
- The policy measure which establishes the concept of a 'Vulnerable Land Use', define it as a land use where
  persons may be less able to respond in a bushfire emergency; and
- The policy measure that requires a development application for a vulnerable land use to include a Bushfire
  Emergency Plan (or a more concise form of the required information within the bushfire management plan
  when relevant, such as for residential based small scale vulnerable land uses). This is to establish the procedures
  and associated actions for management of a bushfire emergency to ensure the safety of proposed occupants,
  visitors, customers and staff associated with the use of the site.

Consequently, the development of the required Bushfire Emergency Plan is conducted within the context of the protection of life being the primary focus of the bushfire planning framework in WA. It is focussed on:

- The occupants of or visitors to a site, and associated staff, that are considered 'vulnerable' persons because
  their ability to respond appropriately to a bushfire emergency is constrained in some way; and
- Ensuring the safe re-location of those vulnerable persons, either offsite or onsite, in the event of a bushfire
  impacting that site.

#### **DOCUMENTS TO MEET PLANNING AND OPERATIONAL REQUIREMENTS**

Bushfire Prone Planning will prepare two documents, each with a specific purpose, to fulfil the requirements of SPP 3.7.

#### THE BUSHFIRE EMERGENCY PLAN (BEP)

The Bushfire Emergency Plan (BEP) is required as an <u>operational document</u> for use in the bushfire season. It will establish the required operational procedures and associated actions to be conducted for different scenarios before and during the bushfire season, including a bushfire event. Its purpose is to ensure the safety of occupants, visitors and staff of the facility/premises leading up to, during and following a bushfire emergency event.

Because the BEP will be used in the pressured environment of an emergency, it must be as concise and informative as possible and provide clear triggers for the initiation of well-defined procedures. It will not contain information that does not assist with making immediate operational decisions.

Consequently, within this operational document, it is not appropriate to assess risks associated with the proposed location and its use, or to justify why certain procedures/actions are prescribed in the BEP. Hence the requirement for information supporting the development of the BEP to be a separate document.

#### THE BEP SUPPORTING INFORMATION

Developing a BEP for a proposed vulnerable land use must account for:

- The complex and variable characteristics of bushfire threats (flame contact, radiant heat, embers, wind, smoke) that might exist for any given bushfire event and that are specific to a given site; and
- Any constraints, specific to the use of the facility/premises that will dictate the most appropriate responses to a bushfire emergency event to ensure that the level of residual risk to 'vulnerable' persons can be considered acceptable based on each unique circumstance.

Consequently, this will require an assessment of the vulnerabilities of the proposed site, its location, buildings and persons and the subsequent development of site and use specific bushfire protection measures.

To achieve this outcome, Bushfire Prone Planning, prepares an appropriate level of supporting information that informs the development of the BEP and justifies the approach taken in establishing the appropriate procedures and their associated actions.

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Additionally, the supporting information will:

- Assist planning decision makers and their advisors to assess the suitability of the BEP for the specific site and its
  use; and
- 2. Assist persons associated with the facility/premises, who are given bushfire emergency management responsibilities, by improving their understanding and use of the BEP.

Typically, this supporting information will be included as an addendum to the Bushfire Emergency Plan. However, it does not form part of the operational document and can therefore be removed from a printed version of the operational document.

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# 2. ESTABLISH AN EMERGENCY PLANNING TEAM AND IDENTIFY RESPONSIBLE PERSONS

#### GUIDANCE

The Emergency Planning Team (EPT) is to be responsible for the development and documentation of the Bushfire Emergency Plan (BEP), its implementation and its subsequent annual reviews.

The type of facility/premises will dictate the makeup of the EPT. It is to be a consultative group representing those who may work and/or live at the facility/premise and have representation of a competent person for advice (and in practice, the preparation of the Bushfire Emergency Plan).

The EPT will typically consist of senior management, staff, nominated fire wardens and a bushfire consultant. As a minimum it will consist of the bushfire consultant and the owner or operator of the facility/premises.

#### The Emergency Planning Team – Minimum Requirements and Role

The bushfire consultant:

- Prepare the Bushfire Emergency Plan (BEP) formulate the facility/premises specific emergency procedures and actions:
- · Assist with the training of staff and the annual review of the BEP; and
- Consult with the local government and local emergency services as required.

The facility/premise's owner or operator:

- Contribute operational information to inform the preparation of the BEP as required;
- Identify and assign duties and responsibilities to employees regarding the management of a bushfire emergency and ensure they are trained;
- Ensure the BEP is implemented, that the procedures related to preparation of property and people are conducted each year and assist with the annual review; and
- Consult with the local government and local emergency services as required.

#### Responsible Onsite Persons – Bushfire Emergency Management

The EPT will need to identify persons for specific roles when the proposed use will accommodate this. When persons are available to be given the role of fire warden/s, the following indicates their responsibilities.

Role of the Fire Warden:

- Coordinating the implementation of the relevant emergency procedures and their management during an
  emergency event (or exercise);
- Arranging the training of employees in the emergency procedures;
- Reviewing the effectiveness of emergency procedures (after exercises or an emergency event); and
- · Accounting for persons during an emergency event.

Role of the Assistant Fire Warden:

- Implement directions of the Fire Warden;
- · Communicate with the occupants, visitors and other staff and maintain calm; and
- May be required to act as Fire Warden

More information can be sourced from AS 3745 Planning for emergencies in facilities and AS 4083 Planning for emergencies – Health care facilities.



#### THE EMERGENCY PLANNING TEAM

Where the persons who will comprise the EPT have not yet been identified, they will be required to be confirmed prior to operation of the facility/premise and their details included in the Bushfire Emergency Plan (the operational document).

Name	Business/Organisation and Position	Contact Details	Currently Unknown
Aled Hoggett	Regional Operations Manager NW	0438 169 428	
Skye Cameron Greg Williams Strath Barton	Regional Ecologist NW Operations Manager Wilinggin/Charnley Regional Fire Management Officer NW	0409 342 918 0427 102 817 0400 781 083	
Kathy Nastov	Bushfire Prone Planning / Consultant	64771144	

#### AVAILABILITY OF PERSONS TO BE RESPONSIBLE FOR BUSHFIRE EMERGENCY MANAGEMENT

Availability		Details
There will be responsible persons (e.g. owner, manager, caretaker) resident onsite.	X	Personnel are stationed at the site throughout the year on a seasonal/rotational basis.
There will be responsible persons (e.g. owner, manager, caretaker) resident offsite but within proximity of the facility/premises.		
The use of the facility/premises will not be supervised by any persons within proximity.		

### **Identified Onsite Responsible Persons**

Certain person/s will be nominated and trained as the primary contact for occupants/visitors in the event of a bushfire and have an emergency management role for the facility/premises. If persons have not been identified at this stage of planning, they will be required to be confirmed prior to operation of the Facility and their details included in the Bushfire Emergency Plan (the operational document).

Position in the			Bushfire Responsibility	Mobile	Currently	
Premises	Premises Name Title Role		Role	Number	Unknown	
Operations Manager	Greg Williams	Fire Warden	Primary Contact. Responsibility for decision making and managing carrying out of emergency procedures.	0427 102 817		
Senior Land Management Officer	Dale Tucker		Secondary Contact.	9191 4646		

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# 3. ASSESSMENT OF ONSITE PERSONS FACTORS CONTRIBUTING TO VULNERABILITY

CHARACTERISTICS OF PERSONS ONSITE							
VULNERABLE LAND USE CATEGORY	(as per Guidelin	es WAF	PC v1.3	)			
Category 2: A facility that, due to present evacuation challenges.	building or functi	ional d	esign, o	offers limited ac	ccess or the nu	ımber of people may	
FACILITY/PREMISES USE TYPE							
Worker's accommodation and to	urism						
TOTAL PERSONS ONSITE (MAXIMUI	M NUMBERS/AGE	PROFILE	E)				
Occupants	14	Chi	ldren [	<b>X</b> Juveniles	☐ Adults	Seniors	
Staff / Employees	6	Chi	ldren [	Juveniles	☐ Adults	■ Seniors □	
Visitor / Customer	60	Chil	ldren 🖸	Juveniles	X Adults	Seniors X	
Potential Variation of Numbers Do	aily and/or Annua	ılly					
Visitation is seasonal (April to Sept	tember inclusive)						
'VULNERABLE' PERSONS ONSITE (M	AY BE LESS ABLE T	O RESP	OND II	A BUSHFIRE EM	MERGENCY)		
Level of Dependency of	n Facility/Premise	s Manc	geme	nt for Support, A	Assistance and	d/or Direction	
High 🗆	Moderate $\Box$			Low 🔀	Ş	Self-Supporting 🗵	
Applicable Constraints Creati	ng the Depender	псу	Max No.	Description of	Support, Assis to be Prov	tance and/or Direction vided	
Medical Constraints: A level of monealthcare support is required.	edical and						
Mobility Constraints: Age (young health/disability, mental health/dintoxication.				mobile to visit	the site. While	be active, healthy and the possibility of	
Communication Constraints: Non children, mental health/disability.				alcohol availa	ble for sale or	ounted, there is no distribution. All cases	
Awareness Constraints: Visitors to location, children, mental health/disability, intoxication.  of impaired physical or mental health are evacuated off site for any ongoing required treatment.							
Confinement Constraints: Issues w building design and not able to n without authority and assistance.							
Relative Vulnerability Level Associ	iated with the Ch	aracte	ristics o	f Persons Onsite	e		
Low 🗆	Low ☐ Moderate ☒ High ☐ Extreme ☐						
Comments: All visitors are self mobile and have own transport and preparation for visitation to the site. Some children and seniors may be onsite.							

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# ONSITE AVAILABILITY OF BUSHFIRE EMERGENCY MANAGEMENT KNOWLEDGE

Assessment Factors and Comments	Response						
Will there be persons onsite who will have bushfire behaviour knowledge and/or have received training in bushfire awareness and the use of the Bushfire Emergency Plan developed for the proposed use i.e. persons able to be responsible for onsite emergency management?							
Onsite staff (Fire Wardens) have training in basic firefighting operations.							
When onsite responsible persons are available (e.g. aged care, schools, function centres) the required Bushfire Emergency Plan can provide detailed procedures which can be scaled to respond to different scenarios including preparation and pre-emptive procedures. Does this apply?	Yes						
Responsible persons will be available onsite.							
When onsite responsible persons are not available (e.g. short stay holiday rental) the occupants of such premises will have to act independently and therefore emergency procedures must be sufficiently clear and simple (Bushfire Emergency Information). Does this apply?	No						
Will persons onsite have ready and timely access to the official bushfire warnings that are produced by	I						
DFES in the event of an emergency?	Yes						
Warnings may not be available, however the site will likely be notified of a significant event in the area by DBCA/DFES or neighbouring Pastoral Stations.	/						
Likely attendance of emergency services personnel in the initial stages of a bushfire event to provide guidance/instruction.	Unlikely						
Due to the remoteness of the site, it is unlikely that emergency services will be present in the initial stages of incident.	of an						
Existence, location and likely response times of emergency services:							
Emergency Services are located in Derby and Fitzroy Crossing. It is likely that response times will exceed 4 Adjacent property holders including AWC properties have additional trained fire fighting personnel and s fire suppression resources.							
Relative Vulnerability Level Associated with the Onsite Availability of Bushfire Emergency Management Kr	nowledge						
Low Moderate Moderate High Extreme							

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#### 4. ASSESSMENT OF SITE FACTORS CONTRIBUTING TO VULNERABILITY

# BUSHFIRE PRONE VEGETATION, TOPOGRAPHY AND LOCATION OF DEVELOPMENT Assessment Factors and Comments Offsite vegetation types, extent and proximity to subject lot/s: Extensive landscape vegetation connectivity (mostly Woodland and Grassland). Onsite vegetation types, extent and proximity to existing/proposed buildings (including landscaping): Predominantly Woodland and some cleared/managed areas. Small pockets of Forest. Topography: Offsite: Flat, gently undulating Onsite: Flat, gently undulating Fuel fragmentation/discontinuity: Offsite: Continuous fuels, seasonal burning does take place Onsite: generally continuous, only broken up by onsite infrastructure and land use. Seasonal burning does take Considered fire weather conditions: The northern fire season runs from mid August until mid December. There are no specific fire weather conditions to consider however the late dry season is conducive to the worst fire weather for the region, this being the months of October and November. The tourist season operates from February to the end of September. Likely fire runs: The surrounding land will hold running fire. Bushfire can impact from any direction. Potential bushfire forward rates of spread (relative). Likelihood of fast moving unpredictable fire in the vicinity: The surrounding areas of land consist of varying densities of woodland and open grassland. The vegetation is continuous and there is the possibility of fast moving fires in the area. The relative potential for flame contact, high and persistent radiant heat, production of embers, generation of high As the onsite buildings are surrounded by native vegetation there is potential for persistent radiant heat and ember attack. However, seasonal burning is undertaken on lands surrounding the site and vegetation is managed within the vicinity of the site infrastructure. APZ's will be installed around new infrastructure. Relative likelihood of bushfire events: The site falls under the EcoFire program, a regional fire management project covering approximately 3 million ha of the central Kimberley. The program focusses on Early Dry Season burning to reduce late dry season wildfires. Availability of routes suitable for emergency vehicle access to the site from surrounding areas and availability of offsite firefighting water supply: Charnley River is a remote site and is located 1.5hrs (43km) north of the Gibb River Road). Relative Vulnerability Level Associated with Bushfire Prone Vegetation and Topography

High 🗵

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Moderate

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Extreme

Low  $\square$ 



# STRUCTURE/S VULNERABILITY TO BUSHFIRE AND CONSEQUENTIAL LOCAL FIRE

List of Separate Buildings Onsite	Status	BAL Rated Construction	Potential Bushfire Threat Exposure			
			Flame Contact 🗌 High Radiant Heat 🛛 Low			
Workers Accommodation	Proposed	-	Radiant Heat □ Ember Attack ☑ Smoke ☑ High			
			Winds 🗆			
			Flame Contact 🗌 High Radiant Heat 🛛 Low			
2. Eco Tents	Proposed	N/A	Radiant Heat □ Ember Attack ☑ Smoke ☑ High			
			Winds □			
			Flame Contact 🗵 High Radiant Heat 🗵 Low			
2. Main Office/kitchen	Existing	None	Radiant Heat □ Ember Attack ☒ Smoke ☒ High			
			Winds □			
Design features (existing or proposed) that determine reliability, resilience and robustness against the threats of bushfire:						
Building 1: To be constructed to the	correspon	ding BAL rating	(BAL-29)			
Building 2: Not a class of building, c						
Building 3: Building not constructed						
Availability of suitable onsite emerg	<u> </u>		· · · ·			
			access. Firefighting water supply will be from a vater sourced from 2 x 22,750L water tanks. Tanks will			
be fed from 2 onsite bores.		apaon,, min	and seed to the EX 22/ oct water rather rather will			
_			antings and proximity of planting to susceptible			
building elements with regard to se						
Grounds maintenance is good in g			ŭ ,			
applied as an additional bushfire p			on Zones within the subject lot when required to be			
Appropriate APZ's can be adopted						
The likelihood of buildings impacted	d by bushfire	e remainina ha	bitable until the passage of the fire front: Moderate			
			ime due to fine fuels and predominant grass			
understoreys.						
Relative Vulnerability Level Associa		_				
Low 🗖	Moderate		High 🛛 Extreme 🗌			



# AVAILABILITY OF FIRE FIGHTING RESOURCES

Assessment Factors and Comments	Response
Existence, location and likely response times of emergency services:	
Significant additional resources available from Mornington (2 hrs) and Mt House (1 hr)	
Suitable emergency vehicle access will be available:	Yes
To the site from surrounding areas: via existing road networks (off road tracks), albeit they are remote and long distances to travel.  Within the site and around buildings: via existing tracks	require
An adequate supply and appropriately plumbed firefighting water supplies will be available:	Yes
Static: 2 x 22,750L water tanks available onsite, fed from 1 (will be upgraded to 2) bores onsite.  Reticulated: N/A	
Sprinkler suppression systems internal or external to buildings, are/will be installed:	No
Relative Vulnerability Level Associated with Availability of Fire Fighting Resources	
Low Moderate High Extreme	



# 5. ASSESSMENT OF EVACUATION DESTINATIONS, ROUTES, TRANSPORT & TIME

#### SAFER OFFSITE LOCATIONS REQUIREMENTS

Requirements	Required
Suitable offsite evacuation destination or destinations are required either as the priority or as a backup for the proposed development.	
More than one offsite evacuation destination is required due to the extent of bushfire prone vegetation and the potential for evacuation routes to be compromised.	
A building with amenities, drinking water and enough space to accommodate all persons being evacuated.	
A facility/premises with the capacity to provide all required support services for the number of dependent persons that will be evacuated for the period required (this may be for a short or extended time).	
An identified location/area that is available en-route to the evacuation destination (i.e. not used for sheltering), that will not be impacted by the potential impacts of bushfire. The required evacuation times will be calculated for reaching this location.	
An area or building that does not need to provide amenities and will function as a pick-up location for a short time (e.g. pick up by relatives, friends, or taxi). Typically, within the vicinity of a built out urban area (e.g. commercial district).	
A destination, well away from the facility/premises, that is the evacuees home residence or rented accommodation. Typically, this is a self-evacuate scenario.	
An area of enough size to contain all evacuated occupants/visitors and that will not be subject to radiant heat flux greater than 2 kW/m² (@ 1200° K flame temp.)	X

#### IDENTIFIED SAFER OFFSITE LOCATIONS AND THEIR SUITABILITY

Due to the remoteness of the site, offsite locations are not viable unless in circumstances that sufficient time is provided to allow personnel to travel to a safer location.	
Assessment Factors and Comments	Response
Are the off-site locations away from the potential threats of bushfire and/or resilient to bushfire impact?	N/A
The safer location will be onsite. The nearest offsite safer location is Fitzroy Crossing, located approximate away at a distance of 343km.	ely 4.5hrs
If the off-site location is an open area, is it subject to $2  \text{kW/m}^2$ (@ $1200^{\circ}$ K flame temp.) or less of radiant heat flux?	N/A
The safer location will be onsite and will provide an open area that is subject to no more than 2kW/m <sup>2</sup>	
Do the off-site locations have the required support services and amenities?	Yes
Fitzroy Crossing is a townsite that provides all required amenities but is located 4.5hrs travel away.	
Can the off-site location accommodate the number of persons who will be evacuating?	Yes
Yes, the area is an open area.	

Has the local government, local emergency management committee and/or the Department of

It is considered that evacuation offsite is a non-viable option due to distance and travel time.

Communities been consulted in the identification of an off-site location?

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N/A

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Identified Locations



Has the owner/operator of t be used as a safe shelter if o	he off-site location been conta an evacuation is required?	cted and confirmed that t	he location can	N/A
	he off-site locations provided cong and opening the location (if		numbers any	N/A
Relative Vulnerability Level	Associated with the Availability	of Suitable Safer Offsite Loc	cations	
Low 🗆	Moderate 🗆	High 🗆	Extreme l	X

# IDENTIFIED EVACUATION ROUTES AND THEIR SUITABILITY

Assessment Fact	ors Comments	Response		
s more than one evacuation route required - to an off-site safer location or to more than one off-site ocation - due to the high risk nature of the route due to potential bushfire threats?				
Evacuating offsite would require travel through exten	nsive areas of bushfire prone vegetation regardless	of location.		
Are the necessary evacuation route/s available?				
Various networks of roads (tracks) are available, all tr	avel extensive distances through bushfire prone ve	getation.		
Will the roads be constructed to public road standard	ds?	N/A		
No new roads will be created. All travel is via 4wd ac	cess only.			
Will the routes require travelling through or towards bushfire prone vegetation?				
All evacuation routes will require travel through bushf	ire prone vegetation.			
Is there a location en-route along the available evac low bushfire threat to evacuees before reaching the time taken to reach this location can be considered location?	e designated safer offsite location – such that the	1		
Relative Vulnerability Level Associated with Availabili	ity of Suitable Evacuation Routes			

BUSHFIRE PRONE

Information Supporting Development of the Site/Use Specific BEP

# EVACUATION TRANSPORT REQUIREMENTS AVAILABILITY AND SUITABILITY

	Assessme	ent Factors and Comn	nents		Response
Have occupants with	n support needs been	considered when det	erminin	g vehicle types required?	N/A
All visitors and staff w	vill have their own trans	sport.			
Are ambulances or c	other vehicles supplying	g specialised support	for dep	endent persons required?	N/A
***	ises provide its own tra nt vehicles (capacity)?	nsport for all occupar	nts, visito	ors/customers, and staff - and	N/A
All visitors and staff w	vill have their own trans	sport.			
Will occupants, visito (capacity)?	rs/customers and staff	use their own vehicle	s - and	will there be sufficient vehicles	Yes
Is it possible that occ own transport?	supants, visitors/custom	ners, or staff will be dro	pped o	at the facility/premises without	No
Is a community bus o	and driver expected to	be available when re	equired	ś	N/A
Will third party (comr	mercial) transport prov	iders be required to so	upply ve	ehicles?	No
	mmercial) transport provehicles and capacity			agreed to an arrangement to ergency?	N/A
		•		oort provider to provide the ted by the same bushfire?	N/A
EXPECTED MAXIMUM	PERSON NUMBERS				
Person Type	Using Own Vehicles or Onsite Transport	Using Alternative Transport		Details (as necessary)	
Occupants	14				
Visitors / Customers	60		All visit	ors self drive into site	
Staff/Employees	6				
VEHICLE SOURCE					
Occupants	Own Vehicles 🛛	Onsite Facility Vehic	les 🗵	Offsite Facility or Third Party Ve	hicles 🗌
Visitors / Customers	Own Vehicles 🛛	Onsite Facility Vehic	les 🗌	Offsite Facility or Third Party Ve	hicles 🗌
Staff/Employees	Own Vehicles	Onsite Facility Vehic	les 🗵	Offsite Facility or Third Party Ve	hicles $\Box$



VEHICLE AND DRIVER ARRANGEMENTS						
Location / Organisation	Vehicle Type / Capacity	Number of Vehicles	Contact Details (name & phone)	Date Arranged		
Facility/Premises Vehicles						
Australian Wildlife Conservancy	4WD Utes	8	Operations Manager 08 9191 4646			
Staff private vehicles	4WD Utes or Passenger Vehicles	6				
Relative Vulnerability Level As	sociated with Availo	ability of Suita	ble Evacuation Transport			
Low 🗷	Low X Moderate High Extreme					
Comments: AWC assigns 4WD utility vehicles for most positions, with sufficient passenger carrying capacity for safe transport all staff and dependents at any given time.  Staff generally also have their own private 4WD vehicle located on site at their accommodation unit.  All visitors need to drive their own 4WD vehicle to site to access the property.						

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## TIME REQUIRED TO INITIATE AND COMPLETE THE EVACUATION PROCEDURE

The time it takes to coordinate and move occupants from the facility/premises to another location is the minimum time required to evacuate safely. This time needs to be considered within the context of the likely time available given the type of bushfire scenario that the site may be subject to and to ensure that any evacuation is instigated early. Relevant considerations for the bushfire scenario include the possibility of rapid onset fire (i.e. fire starting in close to the site and evacuation routes), proximity of vegetation, potential rates of spread and residence times. If the time required is highly likely to be too long, then identifying/providing shelter in place options become a priority.

		Estimated Time (hrs:min)				
Actions		Less Dependent / Lower Care Persons		High Dependency / High Care Persons		
	Own Transport	Provided Transport	Own Transport	Provided Transport		
Assess the situation and make decision to evacuate.	0:10	0:0	0:0	0:0		
Inform drivers (and bring onsite vehicles to the assembly area (can be staff, residents, or visitors/customers).	0:10	0:0	0:0	0:0		
Contact outside transport provider and complete delivery of required vehicles to the facility/premises (a prior organised arrangement).	0:0	0:0	0:0	0:0		
Inform and prepare persons to evacuate.	0:10	0:0	0:0	0:0		
Move persons to the assembly area.	0:10	0:0	0:0	0:0		
Board all persons into the vehicles. Re-evaluate availability of evacuation route.	0:05	0:0	0:0	0:0		
Total Prepare Time <sup>1</sup>	0:45	0:0	0:0	0:0		
Travel Time – to furthest designated safe destination	4:35	0:0	0:0	0:0		
Travel Time - to first safe location en-route <sup>2</sup>	0:0	0:0	0:0	0:0		
Total Required Time	5:20	0:0	0:0	0:0		
Note: In calculating the total time required, consideration is given to the ability to simultaneously carry out relevant stated actions.  Note: Applied as the required travel time if relevant (i.e. considerable time to safe destination but safety en-route is reached much sooner).						
The Practicality of Designating Safe (early) Evacuation as Primary Prod	cedure Affe	r Considera	tion of Time	Required		
Evacuation offsite is considered not feasible due to the remoteness of the facility, it is anticipated evacuation offsite would take approximately 5 hours and 20 minutes. Relocation to a safer location onsite would take in order of 47 minutes (with an estimated 2 minute travel time to the safer location from other areas onsite).						
Relative Vulnerability Level Associated with the Time Required to Evacu	ate					
Low Moderate Hi	gh 🔲		Extreme	X		

Comments: Evacuation offsite is considered to have an associated Extreme Vulnerability compared with relocation

to a safer area onsite, which is considered to have a Moderate level of vulnerability.



# SUMMARY ASSESSMENT OF THE EVACUATION REQUIREMENTS

	Assessment Factors and	Comments		Response
Are suitable offsite safer locations available?				
The closest townsite is Fitzroy	Crossing, which is considered	a non viable option due t	o distance to travel	
Are suitable evacuation routes available?				
	vacuation routes are gravel tro do not meet the required crite		e vegetation. They o	are
Is suitable evacuation transp	ort readily available?			Yes
available? This requires consideration o	ns outside were untenable - w f the location of the bushfire pr anable expectations of fire bet	one vegetation relative t	o the facility /	No
, ,,	e is the response to an emerge for the proposed facility/premi		resents the least	No
No, due to remoteness of fa	cility			
,				
·	Associated with Evacuation Ov	erall		

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# 6. ASSESSMENT OF THE AVAILABILITY AND SUITABILITY OF SHELTER IN PLACE OPTIONS

Identified Shelter in Place Building or Area	
Name: Open Space Area Description: 2kW area located at the helipad. Location: Helipad Area	
Assessment Factors and Comments	Response
The open area shelter is subject to maximum radiant heat flux of 2 kW/m2 (@ 1200° K flame temp.).	Yes
An open area that will be subject to less than 2kW/m² of radiant heat can be created onsite.	·
The location can provide adequate amenities for the expected period of sheltering.	Yes
A shed is located within the open area, this can provide for shade and water as required.	
The location of the open area has multiple exit points to different adjacent locations.	Yes
The emergency services have good access in and around the open area.	Yes
Hydrants/fire hoses/tanks are available within a short distance from the open space area	Partially Satisfies
Water will be available on mobile fire vehicles that can be positioned at the open space area	i.
There are staff trained and able to monitor for situational awareness	N/A
Staff will be trained in bushfire awareness and the operation of the Bushfire Emergency Plan.	
Relative Vulnerability Level Associated with the Designated Shelter in Place Building	
Low <b>X</b> Moderate ☐ High ☐	Extreme
Comments: The relative vulnerability relates to that of the Open Space Area rather than a buil	ding.

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# 7. DETERMINATION OF THE PRIMARY EMERGENCY MANAGEMENT PROCEDURE TO BE APPLIED

There are two primary procedure options – evacuation or shelter in place. The intent of both is to change (lessen) the potential consequences of the emergency bushfire event to the degree necessary to ensure the level of residual risk to persons is acceptable.

This is achieved by limiting the exposure of persons (occupants/visitors/customers/staff) to the threats of bushfire by ensuring their re-location to a safer offsite (evacuation) or onsite location (shelter in place). The key considerations are:

Safe evacuation away from the emergency event will always present the least risk. However, the primary requirement is for it to be safe. In practice 'safe' equates to evacuation being conducted early as being on roads when a bushfire is in the vicinity is a high risk action. Otherwise, sheltering-in-place in an identified suitable location, is likely to provide greater protection to persons.

There are additional issues to be considered in determining the degree of safety that can be provided by evacuation. Two of these are considered below;

- The selection of the primary procedure, in the context of bushfire, must apply an understanding of whether
  there is a greater residual risk associated with evacuation or sheltering in place in a fit for purpose location,
  for the specific site and its use.
  - This requires due consideration of the types of occupants and their level of dependency on assistance and medical support. An example is the high risk of injury or mortality in evacuating a group of sick or elderly occupants, highly dependent on medical care.
- In certain circumstances there may only be a single primary procedure option available. Consequently, other bushfire protection measures (contingency measures) will be required to be applied to compensate for the limitation to the greatest extent possible. For example:
  - Where there is no shelter in place option very early evacuation or site closure at times of greatest risk will likely be required; and
  - Where there is no evacuation option a shelter in place option and additional bushfire protection measures will likely be required.

	Analysis of the Assessments Conducted					
	- their impact on the determination of the primary procedure to apply)					
Assessed Relative			Contribution to Selection of	Relative We (less 1⇒5	_	
	Vulnerability Source	Vulnerability Level of Persons/Buildings	Evacuation as the Primary Procedure	Evacuation	Shelter in Place	
1.	Dependency level of persons onsite	Relatively Low	Major and negative to evacuation	2	4	
2.	Availability onsite of persons to be responsible for bushfire emergency management.	Relatively Low	Major and negative to evacuation	2	4	
3.	Availability of timely bushfire emergency warnings to inform evacuation decisions.	Relatively Moderate	Major and negative to evacuation	1	5	
4.	Availability emergency services and/or firefighting equipment and the likelihood of emergency services attendance.	Relatively High	Major and negative to evacuation	1	5	
5.	Vulnerability (to bushfire) of location.	Relatively High	Major and negative to evacuation	1	5	

# BUSHFIRE PRONE

## Information Supporting Development of the Site/Use Specific BEP

_					
6.	Vulnerability (to bushfire) of buildings onsite.	Relatively High	Significant and positive to evacuation	3	3
7.	Ability to apply complementary bushfire protection measures.	Relatively Moderate	Significant and negative to evacuation	2	4
8.	Availability of suitable offsite evacuation destinations.	Relatively Moderate	Major and negative to evacuation	4	3
9.	Availability of suitable evacuation routes	Relatively High	Major and negative to evacuation	1	5
10.	Availability of suitable evacuation transport	Relatively Low	Neutral to evacuation	5	3
11.	Expected time required to complete the evacuation procedure is likely less than is expected to be available for likely bushfire scenarios at the site.	Relatively Low	Major and negative to evacuation	1	5
12.	Availability of suitable shelter in place location.	Relatively Moderate	Significant and negative to evacuation	3	4
			Totals	26	50

The determined Primary Procedure for the proposed development/use is:

## SHELTER-IN-PLACE

- 1. For this Site and Facility/Premises, it has been assessed that this procedure will result in a tolerable level of risk to the persons to which it is to apply and presents less risk compared to implementing an evacuation;
- Do not apply the evacuation procedure at this facility/premises, for these persons unless specifically instructed by emergency services at the site.



# 8. ADDITIONAL BUSHFIRE PROTECTION MEASURES (TO BE INCORPORATED INTO THE BUSHFIRE MANAGEMENT PLAN)

For the proposed development/use, the following additional bushfire protection measures have been identified as being required to be established and maintained. They are additional to those established by the 'Acceptable Solutions' of the Guidelines for Planning in Bushfire Prone Areas (WAPC 2017 v1.3) or any relevant 'Position Statement' (WAPC).

These measures will be incorporated into the BMP as recommended measures and will be added to the list of responsibilities of the landowner/operator to implement and maintain.

Additional Bushfire Protection Measures	- To Implement at Design Stage or Prior to Ope	ration
Bushfire Protection Measure	Relevant Site Specific Details	Application
Ensure the Bushfire Emergency Plan is developed.		To be applied
Complete all actions of the Pre-Season Prepare Procedure established in the Bushfire Emergency Plan, prior to initial operation.		To be applied
To reduce the risks from gas flaring or explosion, the installation of LP Gas cylinders must be in accordance with AS 1596:2014. This includes 6m separation from any combustible materials, the use of metal piping and fittings, safety valves directed away from the building and persons access/egress routes and tethers securing cylinders upright to be non-combustible.	Installation and use of gas are proposed for the development. Compliance with these requirements will increase the robustness of the new building design by ensuring additional heat/flame load is not placed on the structure. It is a suitable and effective treatment.	Recommended to be applied
Install emergency sprinkler system to buildings/site.		Not practical or cost effective to be applied
Landscaping design is to ensure that the designated shelter in place open area is not subject to radiant heat levels exceeding 2 kW/m² (12000K flame temperature) by establishing the required sized APZ (an area containing minimal fuel in a low threat state).	Separation from bushfire prone vegetation is a primary and highly effective risk treatment.  For the designated shelter in place open area the required APZ dimensions are 123m radius.	To be applied
Improve vehicular access - number of routes / turnarounds / signage.	Provide adequate access including tumaround areas to new accommodation buildings and eco tents, Access should be provided in accordance with the guidelines provided in Section 5.3 – Element 3 and Appendix 2 of the BMP.	Recommended to be applied
Inform potential occupants/visitors - by using appropriate signage - of the increased bushfire risk due to limited access/water/shelter and the requirement for them to understand the emergency procedures established for the site/facility/premises and prepare (i.e. shared responsibility).		Recommended to be applied



Additional Bushfire Protection Measures - Ongoing Operational					
Bushfire Protection Measure	Relevant Site Specific Details	Application			
Each year complete the actions of the Pre-Season Prepare Procedure established in the Bushfire Emergency Plan.		To be applied			
Cease operation of the facility/premises and/or evacuate all persons in response to fire weather expectations (annually) or forecasts daily) as per the Pre-Emptive Procedure established by the Bushfire Emergency Plan.		Not practical or cost effective to be applied			
A responsible person, with appropriate bushfire emergency training, must always be present on-site (staff / caretaker / landowner) to oversee emergency management procedures.	To achieve the greatest effectiveness from a Bushfire Emergency Plan this an important protection measure.	To be applied			

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# 9. EMERGENCY MANAGEMENT PROCEDURES TO BE APPLIED THROUGH THE BUSHFIRE EMERGENCY PLAN

Procedure and Associated Triggers	To Be Applied	Procedure Status	Justification for Application Decision
Safe (Early) Evacuation Procedure A bushfire is identified. An EMERGENCY or WATCH AND ACT warning is in place, or when no bushfire warning has been issued.	Yes	Secondary Procedure	Remoteness of site in not conducive to evacuation
Sheltering in Place Procedure A bushfire is identified. An EMERGENCY or WATCH AND ACT warning is in place, or when no bushfire warning has been issued.	Yes	Sole Primary Procedure	Appropriate due to remoteness of site and that a 2kW open area can be achieved.
Elevated Threat Procedure A bushfire is identified. A bushfire 'ADVICE' warning is in place, or when no bushfire warning has been issued.	Yes	Secondary Procedure	
Pre-Emptive Procedure  Application is relevant when other emergency procedures cannot be implemented to the level of safety required. The intent of the pre-emptive procedure is to change the potential consequences of a bushfire event by avoiding the exposure of persons to the potential threats. The procedure is applied in response to forecasts for fire weather to be more extreme than 'normal bushfire weather conditions'1. It can be applied in two ways.			Due to the remoteness of the site (long travel distances) and workers living onsite, this
<ol> <li>Pre-emptive closing of the facility/premises: For certain periods of the year when the likelihood of adverse fire weather conditions is greatest, shut down operations and prevent persons from entering the facility/premises.</li> </ol>	No	N/A	procedure is not feasible to apply.
<ol> <li>Pre-emptive evacuation of the facility/premises: When a         Total Fire Ban is declared or the forecast fire danger rating         (FDR) is Catastrophic or Extreme, relocate all persons on-         site to the designated off-site safer location/s.     </li> </ol>	No	N/A	
Recovery Procedure  A bushfire is identified. The bushfire is controlled, or the fire front has moved past the facility/premises. Prior evacuation or sheltering in place may have been implemented.	Yes	Secondary Procedure	An essential procedure
In-Season Prepare Procedure No bushfire is identified. The forecast fire danger rating (FDR) is Severe, Very High, High, or Low-Moderate.	Yes	Secondary Procedure	An essential procedure
Pre-Season Prepare Procedure	Yes	Secondary Procedure	An essential procedure
Note <sup>1</sup> 'Normal Bushfire Weather Conditions' represent fire weather	er that is e	xperienced o	on a more frequent basis

Note<sup>1</sup> Normal Bushfire Weather Conditions' represent fire weather that is experienced on a more frequent basis, rather than the less frequent extreme fire weather conditions.

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BEP (Standard) Supporting Information Template v2.4

**Limitations:** Any representation, statement, opinion, or advice expressed or implied in this document is made in good faith based on information available to Bushfire Prone Planning at the time.

The bushfire protection measures established by the Bushfire Management Plan, of which this vulnerability assessment is a part, are considered to be minimum requirements and they do not guarantee that a building will not be damaged in a bushfire, persons injured, or fatalities occur either on the subject site or off the site while evacuating. This is substantially due to the unpredictable nature and behaviour of fire and fire weather conditions. Additionally, the correct implementation of the required bushfire protection measures will depend upon, among other things, the ongoing actions of the landowners and/or operators over which Bushfire Prone Planning has no control.

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## 1. PLANNING FOR THE EMERGENCY MANAGEMENT OF A BUSHFIRE EVENT

### STATE PLANNING POLICY 3.7 PLANNING IN BUSHFIRE PRONE AREAS (SPP 3.7)

State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) establishes:

- The policy intent which includes the preservation of life by implementing effective, risk-based land use planning and development;
- The policy objectives that include the provision that preservation of human life is paramount; and
- The policy measure which establishes the concept of a 'Vulnerable Land Use', define it as a land use where
  persons may be less able to respond in a bushfire emergency; and
- The policy measure that requires a development application for a vulnerable land use to include a Bushfire
  Emergency Plan (or a more concise form of the required information within the bushfire management plan
  when relevant, such as for residential based small scale vulnerable land uses). This is to establish the procedures
  and associated actions for management of a bushfire emergency to ensure the safety of proposed occupants,
  visitors, customers and staff associated with the use of the site.

Consequently, the development of the required Bushfire Emergency Plan is conducted within the context of the protection of life being the primary focus of the bushfire planning framework in WA. It is focussed on:

- The occupants of or visitors to a site, and associated staff, that are considered 'vulnerable' persons because
  their ability to respond appropriately to a bushfire emergency is constrained in some way; and
- Ensuring the safe re-location of those vulnerable persons, either offsite or onsite, in the event of a bushfire
  impacting that site.

### **DOCUMENTS TO MEET PLANNING AND OPERATIONAL REQUIREMENTS**

Bushfire Prone Planning will prepare two documents, each with a specific purpose, to fulfil the requirements of SPP 3.7.

### THE BUSHFIRE EMERGENCY PLAN (BEP)

The Bushfire Emergency Plan (BEP) is required as an <u>operational document</u> for use in the bushfire season. It will establish the required operational procedures and associated actions to be conducted for different scenarios before and during the bushfire season, including a bushfire event. Its purpose is to ensure the safety of occupants, visitors and staff of the facility/premises leading up to, during and following a bushfire emergency event.

Because the BEP will be used in the pressured environment of an emergency, it must be as concise and informative as possible and provide clear triggers for the initiation of well-defined procedures. It will not contain information that does not assist with making immediate operational decisions.

Consequently, within this operational document, it is not appropriate to assess risks associated with the proposed location and its use, or to justify why certain procedures/actions are prescribed in the BEP. Hence the requirement for information supporting the development of the BEP to be a separate document.

## THE BEP SUPPORTING INFORMATION

Developing a BEP for a proposed vulnerable land use must account for:

- The complex and variable characteristics of bushfire threats (flame contact, radiant heat, embers, wind, smoke) that might exist for any given bushfire event and that are specific to a given site; and
- 2. Any constraints, specific to the use of the facility/premises that will dictate the most appropriate responses to a bushfire emergency event to ensure that the level of residual risk to 'vulnerable' persons can be considered acceptable based on each unique circumstance.

Consequently, this will require an assessment of the vulnerabilities of the proposed site, its location, buildings and persons and the subsequent development of site and use specific bushfire protection measures.

To achieve this outcome, Bushfire Prone Planning, prepares an appropriate level of supporting information that informs the development of the BEP and justifies the approach taken in establishing the appropriate procedures and their associated actions.

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Additionally, the supporting information will:

- Assist planning decision makers and their advisors to assess the suitability of the BEP for the specific site and its
  use; and
- 2. Assist persons associated with the facility/premises, who are given bushfire emergency management responsibilities, by improving their understanding and use of the BEP.

Typically, this supporting information will be included as an addendum to the Bushfire Emergency Plan. However, it does not form part of the operational document and can therefore be removed from a printed version of the operational document.

\*\*\*



## 2. ESTABLISH AN EMERGENCY PLANNING TEAM AND IDENTIFY RESPONSIBLE PERSONS

### GUIDANCE

The Emergency Planning Team (EPT) is to be responsible for the development and documentation of the Bushfire Emergency Plan (BEP), its implementation and its subsequent annual reviews.

The type of facility/premises will dictate the makeup of the EPT. It is to be a consultative group representing those who may work and/or live at the facility/premise and have representation of a competent person for advice (and in practice, the preparation of the Bushfire Emergency Plan).

The EPT will typically consist of senior management, staff, nominated fire wardens and a bushfire consultant. As a minimum it will consist of the bushfire consultant and the owner or operator of the facility/premises.

## The Emergency Planning Team – Minimum Requirements and Role

The bushfire consultant:

- Prepare the Bushfire Emergency Plan (BEP) formulate the facility/premises specific emergency procedures and actions:
- · Assist with the training of staff and the annual review of the BEP; and
- Consult with the local government and local emergency services as required.

The facility/premise's owner or operator:

- Contribute operational information to inform the preparation of the BEP as required;
- Identify and assign duties and responsibilities to employees regarding the management of a bushfire emergency and ensure they are trained;
- Ensure the BEP is implemented, that the procedures related to preparation of property and people are conducted each year and assist with the annual review; and
- Consult with the local government and local emergency services as required.

## Responsible Onsite Persons – Bushfire Emergency Management

The EPT will need to identify persons for specific roles when the proposed use will accommodate this. When persons are available to be given the role of fire warden/s, the following indicates their responsibilities.

Role of the Fire Warden:

- Coordinating the implementation of the relevant emergency procedures and their management during an
  emergency event (or exercise);
- Arranging the training of employees in the emergency procedures;
- Reviewing the effectiveness of emergency procedures (after exercises or an emergency event); and
- · Accounting for persons during an emergency event.

Role of the Assistant Fire Warden:

- Implement directions of the Fire Warden;
- · Communicate with the occupants, visitors and other staff and maintain calm; and
- May be required to act as Fire Warden

More information can be sourced from AS 3745 Planning for emergencies in facilities and AS 4083 Planning for emergencies – Health care facilities.



## THE EMERGENCY PLANNING TEAM

Where the persons who will comprise the EPT have not yet been identified, they will be required to be confirmed prior to operation of the facility/premise and their details included in the Bushfire Emergency Plan (the operational document).

Name	Business/Organisation and Position	Contact Details	Currently Unknown
Aled Hoggett	Regional Operations Manager NW	0438 169 428	
Skye Cameron Greg Williams Strath Barton	Regional Ecologist NW Operations Manager Wilinggin/Charnley Regional Fire Management Officer NW	0409 342 918 0427 102 817 0400 781 083	
Kathy Nastov	Bushfire Prone Planning / Consultant	64771144	

## AVAILABILITY OF PERSONS TO BE RESPONSIBLE FOR BUSHFIRE EMERGENCY MANAGEMENT

Availability		Details
There will be responsible persons (e.g. owner, manager, caretaker) resident onsite.	X	Personnel are stationed at the site throughout the year on a seasonal/rotational basis.
There will be responsible persons (e.g. owner, manager, caretaker) resident offsite but within proximity of the facility/premises.		
The use of the facility/premises will not be supervised by any persons within proximity.		

## **Identified Onsite Responsible Persons**

Certain person/s will be nominated and trained as the primary contact for occupants/visitors in the event of a bushfire and have an emergency management role for the facility/premises. If persons have not been identified at this stage of planning, they will be required to be confirmed prior to operation of the Facility and their details included in the Bushfire Emergency Plan (the operational document).

Position in the	Name		Bushfire Responsibility	Mobile	Currently
Facility / Premises	Name	Title	Role	Number	Unknown
Operations Manager	Greg Williams	Fire Warden	Primary Contact. Responsibility for decision making and managing carrying out of emergency procedures.	0427 102 817	
Senior Land Management Officer	Dale Tucker		Secondary Contact.	9191 4646	

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Extreme  $\Box$ 



Information Supporting Development of the Site/Use Specific BEP

### 3. ASSESSMENT OF ONSITE PERSONS FACTORS CONTRIBUTING TO VULNERABILITY

#### CHARACTERISTICS OF PERSONS ONSITE VULNERABLE LAND USE CATEGORY (as per Guidelines WAPC v1.3) Category 2: A facility that, due to building or functional design, offers limited access or the number of people may present evacuation challenges. FACILITY/PREMISES USE TYPE Worker's accommodation and tourism TOTAL PERSONS ONSITE (MAXIMUM NUMBERS/AGE PROFILE) Occupants 14 Children 🗵 Juveniles Adults 🗵 Seniors Staff / Employees 6 Children Juveniles Adults 🗵 Seniors Children 🗵 Seniors X Visitor / Customer 60 Juveniles X Adults 🔀 Potential Variation of Numbers Daily and/or Annually Visitation is seasonal (April to September inclusive) 'VULNERABLE' PERSONS ONSITE (MAY BE LESS ABLE TO RESPOND IN A BUSHFIRE EMERGENCY) Level of Dependency on Facility/Premises Management for Support, Assistance and/or Direction Low 🗵 Hiah 🔲 Self-Supporting 🗵 Moderate Max Description of Support, Assistance and/or Direction Applicable Constraints Creating the Dependency to be Provided No. Medical Constraints: A level of medical and healthcare support is required. Mobility Constraints: Age (young /old), physical health/disability, mental health/disability, All staff and visitors need to be active, healthy and intoxication. mobile to visit the site. While the possibility of intoxication cannot be discounted, there is no Communication Constraints: Non-English speaking, alcohol available for sale or distribution. All cases children, mental health/disability. of impaired physical or mental health are evacuated off site for any ongoing required Awareness Constraints: Visitors to location, children, treatment. mental health/disability, intoxication. Confinement Constraints: Issues with numbers and building design and not able to move/respond without authority and assistance. Relative Vulnerability Level Associated with the Characteristics of Persons Onsite

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High 📙

Moderate 🔀

children and seniors may be onsite.

Comments: All visitors are self mobile and have own transport and preparation for visitation to the site. Some

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# ONSITE AVAILABILITY OF BUSHFIRE EMERGENCY MANAGEMENT KNOWLEDGE

Assessment Factors and Comments	Response
Will there be persons onsite who will have bushfire behaviour knowledge and/or have received training in bushfire awareness and the use of the Bushfire Emergency Plan developed for the proposed use i.e. persons able to be responsible for onsite emergency management?	Yes
Onsite staff (Fire Wardens) have training in basic firefighting operations.	
When onsite responsible persons are available (e.g. aged care, schools, function centres) the required Bushfire Emergency Plan can provide detailed procedures which can be scaled to respond to different scenarios including preparation and pre-emptive procedures. Does this apply?	Yes
Responsible persons will be available onsite.	
When onsite responsible persons are not available (e.g. short stay holiday rental) the occupants of such premises will have to act independently and therefore emergency procedures must be sufficiently clear and simple (Bushfire Emergency Information). Does this apply?	No
Will persons onsite have ready and timely access to the official bushfire warnings that are produced by	I
DFES in the event of an emergency?	Yes
Warnings may not be available, however the site will likely be notified of a significant event in the area by DBCA/DFES or neighbouring Pastoral Stations.	/
Likely attendance of emergency services personnel in the initial stages of a bushfire event to provide guidance/instruction.	Unlikely
Due to the remoteness of the site, it is unlikely that emergency services will be present in the initial stages of incident.	of an
Existence, location and likely response times of emergency services:	
Emergency Services are located in Derby and Fitzroy Crossing. It is likely that response times will exceed 4 Adjacent property holders including AWC properties have additional trained fire fighting personnel and s fire suppression resources.	
Relative Vulnerability Level Associated with the Onsite Availability of Bushfire Emergency Management Kr	nowledge
Low Moderate Moderate High Extreme	

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## 4. ASSESSMENT OF SITE FACTORS CONTRIBUTING TO VULNERABILITY

# BUSHFIRE PRONE VEGETATION, TOPOGRAPHY AND LOCATION OF DEVELOPMENT

Assessment Factors and Comments
Offsite vegetation types, extent and proximity to subject lot/s:
Extensive landscape vegetation connectivity (mostly Woodland and Grassland).
Onsite vegetation types, extent and proximity to existing/proposed buildings (including landscaping):
Predominantly Woodland and some cleared/managed areas. Small pockets of Forest.
Topography:
Offsite: Flat, gently undulating Onsite: Flat, gently undulating
Fuel fragmentation/discontinuity:
Offsite: Continuous fuels, seasonal burning does take place Onsite: generally continuous, only broken up by onsite infrastructure and land use. Seasonal burning does take place
Considered fire weather conditions:
The northern fire season runs from mid August until mid December. There are no specific fire weather conditions to consider however the late dry season is conducive to the worst fire weather for the region, this being the months of October and November. The tourist season operates from February to the end of September.
Likely fire runs:
The surrounding land will hold running fire. Bushfire can impact from any direction.
Potential bushfire forward rates of spread (relative). Likelihood of fast moving unpredictable fire in the vicinity:
The surrounding areas of land consist of varying densities of woodland and open grassland. The vegetation is continuous and there is the possibility of fast moving fires in the area.
The relative potential for flame contact, high and persistent radiant heat, production of embers, generation of high winds:
As the onsite buildings are surrounded by native vegetation there is potential for persistent radiant heat and ember attack. However, seasonal burning is undertaken on lands surrounding the site and vegetation is managed within the vicinity of the site infrastructure. APZ's will be installed around new infrastructure.
Relative likelihood of bushfire events:
The site falls under the EcoFire program, a regional fire management project covering approximately 3 million ha of the central Kimberley. The program focusses on Early Dry Season burning to reduce late dry season wildfires.
Availability of routes suitable for emergency vehicle access to the site from surrounding areas and availability of offsite firefighting water supply:
Charnley River is a remote site and is located 1.5hrs (43km) north of the Gibb River Road).
Relative Vulnerability Level Associated with Bushfire Prone Vegetation and Topography
Low Moderate High K Extreme

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# STRUCTURE/S VULNERABILITY TO BUSHFIRE AND CONSEQUENTIAL LOCAL FIRE

List of Separate Buildings Onsite	Status	BAL Rated Construction	Potential Bushfire Threat Exposure	
			Flame Contact 🗌 High Radiant Heat 🗵 Low	
Workers Accommodation	Proposed	-	Radiant Heat □ Ember Attack ☒ Smoke ☒ High	
			Winds □	
			Flame Contact 🗆 High Radiant Heat 🗵 Low	
2. Eco Tents	Proposed	N/A	Radiant Heat □ Ember Attack ☒ Smoke ☒ High	
			Winds □	
			Flame Contact 🗵 High Radiant Heat 🗵 Low	
2. Main Office/kitchen	Existing	None	Radiant Heat □ Ember Attack ☒ Smoke ☒ High	
			Winds □	
Design features (existing or propose bushfire:	ed) that det	ermine reliabili	ty, resilience and robustness against the threats of	
Building 1: To be constructed to the	correspon	ding BAL rating	(BAL-29)	
Building 2: Not a class of building, o				
Building 3: Building not constructed to a standard, susceptible to both embers and radiant heat				
Availability of suitable onsite emergency vehicle access and firefighting water supply:				
			access. Firefighting water supply will be from a vater sourced from 2 x 22,750L water tanks. Tanks will	
be fed from 2 onsite bores.	00 0001110 0	араспу, чипт ч	valor socieda from 2 x 22,7 ooe wardi familis. Tarikis wiii	
Conditions of the grounds in terms of landscaping, types of plantings and proximity of planting to susceptible				
building elements with regard to se				
Grounds maintenance is good in g			,	
Capacity to establish required or greater sized Asset Protection Zones within the subject lot when required to be applied as an additional bushfire protection measure:				
Appropriate APZ's can be adopted for new buildings.				
			abitable until the passage of the fire front: Moderate	
understoreys.	ellering Will	be for a short t	ime due to fine fuels and predominant grass	
Relative Vulnerability Level Associated with Structure/s Construction and Location				
Low 🗆	Moderate		High <b>⊠</b> Extreme □	

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Information Supporting Development of the Site/Use Specific BEP

# AVAILABILITY OF FIRE FIGHTING RESOURCES

Assessment Factors and Comments	Response				
Existence, location and likely response times of emergency services:					
Significant additional resources available from Mornington (2 hrs) and Mt House (1 hr)					
Suitable emergency vehicle access will be available:	Yes				
To the site from surrounding areas: via existing road networks (off road tracks), albeit they are remote and require long distances to travel.  Within the site and around buildings: via existing tracks					
An adequate supply and appropriately plumbed firefighting water supplies will be available:	Yes				
Static: 2 x 22,750L water tanks available onsite, fed from 1 (will be upgraded to 2) bores onsite.  Reticulated: N/A					
Sprinkler suppression systems internal or external to buildings, are/will be installed:	No				
Relative Vulnerability Level Associated with Availability of Fire Fighting Resources					
Low Moderate High Extreme					



## 5. ASSESSMENT OF EVACUATION DESTINATIONS, ROUTES, TRANSPORT & TIME

## SAFER OFFSITE LOCATIONS REQUIREMENTS

Requirements	Required
Suitable offsite evacuation destination or destinations are required either as the priority or as a backup for the proposed development.	
More than one offsite evacuation destination is required due to the extent of bushfire prone vegetation and the potential for evacuation routes to be compromised.	
A building with amenities, drinking water and enough space to accommodate all persons being evacuated.	
A facility/premises with the capacity to provide all required support services for the number of dependent persons that will be evacuated for the period required (this may be for a short or extended time).	
An identified location/area that is available en-route to the evacuation destination (i.e. not used for sheltering), that will not be impacted by the potential impacts of bushfire. The required evacuation times will be calculated for reaching this location.	
An area or building that does not need to provide amenities and will function as a pick-up location for a short time (e.g. pick up by relatives, friends, or taxi). Typically, within the vicinity of a built out urban area (e.g. commercial district).	
A destination, well away from the facility/premises, that is the evacuees home residence or rented accommodation. Typically, this is a self-evacuate scenario.	
An area of enough size to contain all evacuated occupants/visitors and that will not be subject to radiant heat flux greater than 2 kW/m $^2$ (@ 1200 $^\circ$ K flame temp.)	X

## IDENTIFIED SAFER OFFSITE LOCATIONS AND THEIR SUITABILITY

I	
	Identified Locations

Due to the remoteness of the site, offsite locations are not viable unless in circumstances that sufficient time is provided to allow personnel to travel to a safer location.

provided to allow personnel to travel to a sater location.			
Assessment Factors and Comments	Response		
Are the off-site locations away from the potential threats of bushfire and/or resilient to bushfire impact?	N/A		
The safer location will be onsite. The nearest offsite safer location is Fitzroy Crossing, located approximate away at a distance of 343km.	ely 4.5hrs		
If the off-site location is an open area, is it subject to 2 kW/m² (@ 1200° K flame temp.) or less of radiant heat flux?	N/A		
The safer location will be onsite and will provide an open area that is subject to no more than 2kW/m <sup>2</sup>			
Do the off-site locations have the required support services and amenities?	Yes		
Fitzroy Crossing is a townsite that provides all required amenities but is located 4.5hrs travel away.			
Can the off-site location accommodate the number of persons who will be evacuating?	Yes		
Yes, the area is an open area.			
Has the local government, local emergency management committee and/or the Department of Communities been consulted in the identification of an off-site location?	N/A		
It is considered that evacuation offsite is a non-viable option due to distance and travel time.			

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Has the owner/operator of be used as a safe shelter if o	the off-site location been contain an evacuation is required?	cted and confirmed that the	ne location can	N/A
	the off-site locations provided coing and opening the location (if		numbers any	N/A
Relative Vulnerability Level	Associated with the Availability	of Suitable Safer Offsite Loc	ations	
Low 🗖	Moderate	High 🗆	Extreme	X

# IDENTIFIED EVACUATION ROUTES AND THEIR SUITABILITY

Assessment Fact	ors Comments	Response		
Is more than one evacuation route required - to an off-site safer location or to more than one off-site location - due to the high risk nature of the route due to potential bushfire threats?				
Evacuating offsite would require travel through exten	nsive areas of bushfire prone vegetation regardless	of location.		
Are the necessary evacuation route/s available?		Yes		
Various networks of roads (tracks) are available, all tr	avel extensive distances through bushfire prone ve	getation.		
Will the roads be constructed to public road standard	ds?	N/A		
No new roads will be created. All travel is via 4wd ac	cess only.			
Will the routes require travelling through or towards bushfire prone vegetation?				
All evacuation routes will require travel through bushf	ire prone vegetation.			
Is there a location en-route along the available evac low bushfire threat to evacuees before reaching the time taken to reach this location can be considered location?	e designated safer offsite location – such that the	1		
Relative Vulnerability Level Associated with Availabili	ity of Suitable Evacuation Routes			



# **EVACUATION TRANSPORT REQUIREMENTS AVAILABILITY AND SUITABILITY**

	Assessme	ent Factors and Comn	nents		Response
Have occupants with	n support needs been	considered when det	erminin	g vehicle types required?	N/A
All visitors and staff w	vill have their own trans	sport.			
Are ambulances or o	other vehicles supplying	g specialised support	for dep	endent persons required?	N/A
***	ises provide its own tra it vehicles (capacity)?	nsport for all occupar	nts, visito	ors/customers, and staff - and	N/A
All visitors and staff w	vill have their own trans	sport.			
Will occupants, visito (capacity)?	rs/customers and staff	use their own vehicle	s - and	will there be sufficient vehicles	Yes
Is it possible that occ own transport?	supants, visitors/custom	ners, or staff will be ard	pped o	at the facility/premises without	No
Is a community bus and driver expected to be available when required?					N/A
Will third party (commercial) transport providers be required to supply vehicles?  No					No
	mmercial) transport provehicles and capacity			agreed to an arrangement to ergency?	N/A
				port provider to provide the ted by the same bushfire?	N/A
EXPECTED MAXIMUM	PERSON NUMBERS				
Person Type	Using Own Vehicles or Onsite Transport	Using Alternative Transport		Details (as necessary)	
Occupants	14				
Visitors / Customers	60		All visit	ors self drive into site	
Staff/Employees	6				
VEHICLE SOURCE					
Occupants	Own Vehicles 🗵	Onsite Facility Vehic	les 🗵	Offsite Facility or Third Party Ve	hicles 🗌
Visitors / Customers	Own Vehicles 🛛	Onsite Facility Vehic	les 🗌	Offsite Facility or Third Party Ve	ehicles
Staff/Employees	Own Vehicles	Onsite Facility Vehic	les 🛛	Offsite Facility or Third Party Ve	hicles 🗌



VEHICLE AND DRIVER ARRANGEMENTS					
Location / Organisation	Vehicle Type / Capacity	Number of Vehicles	Date Arranged		
Facility/Premises Vehicles					
Australian Wildlife Conservancy	4WD Utes	8	Operations Manager 08 9191 4646		
Staff private vehicles	4WD Utes or Passenger Vehicles	6			
Relative Vulnerability Level As	sociated with Availo	ability of Suita	ble Evacuation Transport		
Low 🗷	Moderate 🗆	]	High 🗌 Extre	eme 🗆	
Comments: AWC assigns 4WD utility vehicles for most positions, with sufficient passenger carrying capacity for safe transport all staff and dependents at any given time.  Staff generally also have their own private 4WD vehicle located on site at their accommodation unit.  All visitors need to drive their own 4WD vehicle to site to access the property.					

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## TIME REQUIRED TO INITIATE AND COMPLETE THE EVACUATION PROCEDURE

The time it takes to coordinate and move occupants from the facility/premises to another location is the minimum time required to evacuate safely. This time needs to be considered within the context of the likely time available given the type of bushfire scenario that the site may be subject to and to ensure that any evacuation is instigated early. Relevant considerations for the bushfire scenario include the possibility of rapid onset fire (i.e. fire starting in close to the site and evacuation routes), proximity of vegetation, potential rates of spread and residence times. If the time required is highly likely to be too long, then identifying/providing shelter in place options become a priority.

		Estimated Time (hrs:min)			
Actions	Less Dependent / Lower Care Persons		High Dependency / High Care Persons		
	Own Transport	Provided Transport	Own Transport	Provided Transport	
Assess the situation and make decision to evacuate.	0:10	0:0	0:0	0:0	
Inform drivers (and bring onsite vehicles to the assembly area (can be staff, residents, or visitors/customers).	0:10	0:0	0:0	0:0	
Contact outside transport provider and complete delivery of required vehicles to the facility/premises (a prior organised arrangement).	0:0	0:0	0:0	0:0	
Inform and prepare persons to evacuate.	0:10	0:0	0:0	0:0	
Move persons to the assembly area.	0:10	0:0	0:0	0:0	
Board all persons into the vehicles. Re-evaluate availability of evacuation route.	0:05	0:0	0:0	0:0	
Total Prepare Time <sup>1</sup>	0:45	0:0	0:0	0:0	
Travel Time – to furthest designated safe destination	4:35	0:0	0:0	0:0	
Travel Time - to first safe location en-route <sup>2</sup>	0:0	0:0	0:0	0:0	
Total Required Time	5:20	0:0	0:0	0:0	
Note <sup>1</sup> : In calculating the total time required, consideration is given to the ability to simultaneously carry out relevant stated actions.  Note <sup>2</sup> : Applied as the required travel time if relevant (i.e. considerable time to safe destination but safety en-route is reached much sooner).					
The Practicality of Designating Safe (early) Evacuation as Primary Procedure After Consideration of Time Required					
Evacuation offsite is considered not feasible due to the remoteness of the facility, it is anticipated evacuation offsite would take approximately 5 hours and 20 minutes. Relocation to a safer location onsite would take in order of 47 minutes (with an estimated 2 minute travel time to the safer location from other areas onsite).					
Relative Vulnerability Level Associated with the Time Required to Evacu	ate				
Low ☐ Moderate ☐ Hig	gh 🔲		Extreme	X	
Comments: Evacuation offsite is considered to have an associated Extr		ability com	pared with	relocation	

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to a safer area onsite, which is considered to have a Moderate level of vulnerability.



# SUMMARY ASSESSMENT OF THE EVACUATION REQUIREMENTS

	Assessment Factors and	Comments		Response
Are suitable offsite safer loca	ations available?			No
The closest townsite is Fitzroy	Crossing, which is considered	a non viable option due t	o distance to travel	
Are suitable evacuation routes available?				No
	vacuation routes are gravel tro do not meet the required crite		e vegetation. They o	are
Is suitable evacuation transp	ort readily available?			Yes
Can it be most reasonably expected that the time required to initiate and complete the evacuation procedure - before conditions outside were untenable - would fit within the likely window of time available?  This requires consideration of the location of the bushfire prone vegetation relative to the facility / premises and the most reasonable expectations of fire behaviour in that vegetation.			No	
, ,,	e is the response to an emerge for the proposed facility/premi		resents the least	No
No, due to remoteness of fa	cility			
,				
·	Associated with Evacuation Ov	erall		

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# 6. ASSESSMENT OF THE AVAILABILITY AND SUITABILITY OF SHELTER IN PLACE OPTIONS

Identified Shelter in Place Building or	Area			
Name: Open Space Area Description: 2kW area located at the Location: Helipad Area	helipad.			
Assess	ment Factors and Cor	nments		Response
The open area shelter is subject to m temp.).	aximum radiant heat	flux of 2 kW/m2 (@ 120	0º K flame	Yes
An open area that will be subject to	less than 2kW/m² of ro	adiant heat can be cre	ated onsite.	
The location can provide adequate amenities for the expected period of sheltering.				Yes
A shed is located within the open ar	ea, this can provide fo	or shade and water as	required.	
The location of the open area has m	ultiple exit points to d	fferent adjacent locat	ions.	Yes
<del>-</del>				
The emergency services have good	access in and around	I the open area.		Yes
Hydrants/fire hoses/tanks are availal	ole within a short dista	nce from the open spo	ice area	Partially Satisfies
Water will be available on mobile fire	e vehicles that can be	positioned at the ope	n space area.	
There are staff trained and able to n	nonitor for situational c	iwareness .		N/A
Staff will be trained in bushfire aware	ness and the operation	on of the Bushfire Emerg	gency Plan.	
Relative Vulnerability Level Associate	ed with the Designate	d Shelter in Place Build	ing	
Low X	Moderate $\square$	High □		Extreme $\square$
Comments: The relative vulnerability	relates to that of the	Open Space Area rath	er than a build	ing.

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# 7. DETERMINATION OF THE PRIMARY EMERGENCY MANAGEMENT PROCEDURE TO BE APPLIED

There are two primary procedure options – evacuation or shelter in place. The intent of both is to change (lessen) the potential consequences of the emergency bushfire event to the degree necessary to ensure the level of residual risk to persons is acceptable.

This is achieved by limiting the exposure of persons (occupants/visitors/customers/staff) to the threats of bushfire by ensuring their re-location to a safer offsite (evacuation) or onsite location (shelter in place). The key considerations are:

Safe evacuation away from the emergency event will always present the least risk. However, the primary requirement is for it to be safe. In practice 'safe' equates to evacuation being conducted early as being on roads when a bushfire is in the vicinity is a high risk action. Otherwise, sheltering-in-place in an identified suitable location, is likely to provide greater protection to persons.

There are additional issues to be considered in determining the degree of safety that can be provided by evacuation. Two of these are considered below;

- The selection of the primary procedure, in the context of bushfire, must apply an understanding of whether
  there is a greater residual risk associated with evacuation or sheltering in place in a fit for purpose location,
  for the specific site and its use.
  - This requires due consideration of the types of occupants and their level of dependency on assistance and medical support. An example is the high risk of injury or mortality in evacuating a group of sick or elderly occupants, highly dependent on medical care.
- 2. In certain circumstances there may only be a single primary procedure option available. Consequently, other bushfire protection measures (contingency measures) will be required to be applied to compensate for the limitation to the greatest extent possible. For example:
  - Where there is no shelter in place option very early evacuation or site closure at times of greatest risk will likely be required; and
  - Where there is no evacuation option a shelter in place option and additional bushfire protection measures will likely be required.

	Analysis of the Assessments Conducted						
	- their impact on the determination of the primary procedure to apply)						
		Assessed Relative	Contribution to Selection of	Relative Weight Score (less 1⇒5 greater)			
	Vulnerability Source	Vulnerability Level of Persons/Buildings	Evacuation as the Primary Procedure	Evacuation	Shelter in Place		
1.	Dependency level of persons onsite	Relatively Low	Major and negative to evacuation	2	4		
2.	Availability onsite of persons to be responsible for bushfire emergency management.	Relatively Low	Major and negative to evacuation	2	4		
3.	Availability of timely bushfire emergency warnings to inform evacuation decisions.	Relatively Moderate	Major and negative to evacuation	1	5		
4.	Availability emergency services and/or firefighting equipment and the likelihood of emergency services attendance.	Relatively High	Major and negative to evacuation	1	5		
5.	Vulnerability (to bushfire) of location.	Relatively High	Major and negative to evacuation	1	5		

# BUSHFIRE PRONE

## Information Supporting Development of the Site/Use Specific BEP

Vulnerability (to bushfire) of buildings onsite.	Relatively High	Significant and positive to evacuation	3	3
Ability to apply complementary bushfire protection measures.	Relatively Moderate	Significant and negative to evacuation	2	4
Availability of suitable offsite evacuation destinations.	Relatively Moderate	Major and negative to evacuation	4	3
Availability of suitable evacuation routes	Relatively High	Major and negative to evacuation	1	5
10. Availability of suitable evacuation transport	Relatively Low	Neutral to evacuation	5	3
Expected time required to complete the evacuation procedure is likely less than is expected to be available for likely bushfire scenarios at the site.	Relatively Low	Major and negative to evacuation	1	5
Availability of suitable shelter in place location.	Relatively Moderate	Significant and negative to evacuation	3	4
		Totals	26	50

The determined Primary Procedure for the proposed development/use is:

## SHELTER-IN-PLACE

- 1. For this Site and Facility/Premises, it has been assessed that this procedure will result in a tolerable level of risk to the persons to which it is to apply and presents less risk compared to implementing an evacuation;
- Do not apply the evacuation procedure at this facility/premises, for these persons unless specifically instructed by emergency services at the site.

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# 8. ADDITIONAL BUSHFIRE PROTECTION MEASURES (TO BE INCORPORATED INTO THE BUSHFIRE MANAGEMENT PLAN)

For the proposed development/use, the following additional bushfire protection measures have been identified as being required to be established and maintained. They are additional to those established by the 'Acceptable Solutions' of the Guidelines for Planning in Bushfire Prone Areas (WAPC 2017 v1.3) or any relevant 'Position Statement' (WAPC).

These measures will be incorporated into the BMP as recommended measures and will be added to the list of responsibilities of the landowner/operator to implement and maintain.

Additional Bushfire Protection Measures	- To Implement at Design Stage or Prior to Ope	ration
Bushfire Protection Measure	Relevant Site Specific Details	Application
Ensure the Bushfire Emergency Plan is developed.		To be applied
Complete all actions of the Pre-Season Prepare Procedure established in the Bushfire Emergency Plan, prior to initial operation.		To be applied
To reduce the risks from gas flaring or explosion, the installation of LP Gas cylinders must be in accordance with AS 1596:2014. This includes 6m separation from any combustible materials, the use of metal piping and fittings, safety valves directed away from the building and persons access/egress routes and tethers securing cylinders upright to be non-combustible.	Installation and use of gas are proposed for the development. Compliance with these requirements will increase the robustness of the new building design by ensuring additional heat/flame load is not placed on the structure. It is a suitable and effective treatment.	Recommended to be applied
Install emergency sprinkler system to buildings/site.		Not practical or cost effective to be applied
Landscaping design is to ensure that the designated shelter in place open area is not subject to radiant heat levels exceeding 2 kW/m² (12000K flame temperature) by establishing the required sized APZ (an area containing minimal fuel in a low threat state).	Separation from bushfire prone vegetation is a primary and highly effective risk treatment.  For the designated shelter in place open area the required APZ dimensions are 123m radius.	To be applied
Improve vehicular access - number of routes / turnarounds / signage.	Provide adequate access including turnaround areas to new accommodation buildings and eco tents, Access should be provided in accordance with the guidelines provided in Section 5.3 – Element 3 and Appendix 2 of the BMP.	Recommended to be applied
Inform potential occupants/visitors - by using appropriate signage - of the increased bushfire risk due to limited access/water/shelter and the requirement for them to understand the emergency procedures established for the site/facility/premises and prepare (i.e. shared responsibility).		Recommended to be applied



Additional Bushfire Protection Measures - Ongoing Operational					
Bushfire Protection Measure	Relevant Site Specific Details	Application			
Each year complete the actions of the Pre-Season Prepare Procedure established in the Bushfire Emergency Plan.		To be applied			
Cease operation of the facility/premises and/or evacuate all persons in response to fire weather expectations (annually) or forecasts daily) as per the Pre-Emptive Procedure established by the Bushfire Emergency Plan.		Not practical or cost effective to be applied			
A responsible person, with appropriate bushfire emergency training, must always be present on-site (staff / caretaker / landowner) to oversee emergency management procedures.	To achieve the greatest effectiveness from a Bushfire Emergency Plan this an important protection measure.	To be applied			

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# 9. EMERGENCY MANAGEMENT PROCEDURES TO BE APPLIED THROUGH THE BUSHFIRE EMERGENCY PLAN

Procedure and Associated Triggers	To Be Applied	Procedure Status	Justification for Application Decision
Safe (Early) Evacuation Procedure A bushfire is identified. An EMERGENCY or WATCH AND ACT warning is in place, or when no bushfire warning has been issued.	Yes	Secondary Procedure	Remoteness of site in not conducive to evacuation
Sheltering in Place Procedure A bushfire is identified. An EMERGENCY or WATCH AND ACT warning is in place, or when no bushfire warning has been issued.	Yes	Sole Primary Procedure	Appropriate due to remoteness of site and that a 2kW open area can be achieved.
Elevated Threat Procedure A bushfire is identified. A bushfire 'ADVICE' warning is in place, or when no bushfire warning has been issued.	Yes	Secondary Procedure	
Pre-Emptive Procedure Application is relevant when other emergency procedures cannot be implemented to the level of safety required. The intent of the pre-emptive procedure is to change the potential consequences of a bushfire event by avoiding the exposure of persons to the potential threats. The procedure is applied in response to forecasts for fire weather to be more extreme than 'normal bushfire weather conditions'1. It can be applied in two ways.			Due to the remoteness of the site (long travel distances) and workers living onsite, this
Pre-emptive closing of the facility/premises: For certain periods of the year when the likelihood of adverse fire weather conditions is greatest, shut down operations and prevent persons from entering the facility/premises.	No	N/A	procedure is not feasible to apply.
Pre-emptive evacuation of the facility/premises: When a     Total Fire Ban is declared or the forecast fire danger rating     (FDR) is Catastrophic or Extreme, relocate all persons onsite to the designated off-site safer location/s.	No	N/A	
Recovery Procedure  A bushfire is identified. The bushfire is controlled, or the fire front has moved past the facility/premises. Prior evacuation or sheltering in place may have been implemented.	Yes	Secondary Procedure	An essential procedure
In-Season Prepare Procedure No bushfire is identified. The forecast fire danger rating (FDR) is Severe, Very High, High, or Low-Moderate.	Yes	Secondary Procedure	An essential procedure
Pre-Season Prepare Procedure	Yes	Secondary Procedure	An essential procedure

Note<sup>1</sup> Normal Bushfire Weather Conditions' represent fire weather that is experienced on a more frequent basis, rather than the less frequent extreme fire weather conditions.

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Limitation of Liability: The measures contained in this Bushfire Management Plan, are considered to be minimum requirements and they do not guarantee that a building will not be damaged in a bushfire, persons injured, or fatalities occur either on the subject site or off the site while evacuating. This is substantially due to the unpredictable nature and behaviour of fire and fire weather conditions. Additionally, the correct implementation of the required bushfire protection measures will depend upon, among other things, the ongoing actions of the landowners and/or operators over which Bushfire Prone Planning has no control.

All surveys, forecasts, projections and recommendations made in this report associated with the proposed development are made in good faith based on information available to Bushfire Prone Planning at the time. All maps included herein are indicative in nature and are not to be used for accurate calculations.

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#### ADDENDUM

This Addendum has been prepared for the 2021 Bushfire Management Plan of Charnley River Wildlife Sanctuary development application to reflect the updated site plans for the conversion of an existing building to a laboratory with extensions.

Contained within this Addendum for the Bushfire Management Plan, contour mapping is utilised to visually show the potential radiant heat impacts (from bushfire prone vegetation), as separated Bushfire Attack Level contours across the site. The BAL's have been derived for the proposed additions to the subject site. The purpose is to inform future development planning by determining or indicating the Bushfire Attack Levels (BAL's) that existing and/or future buildings, within the development site are potentially subject to.

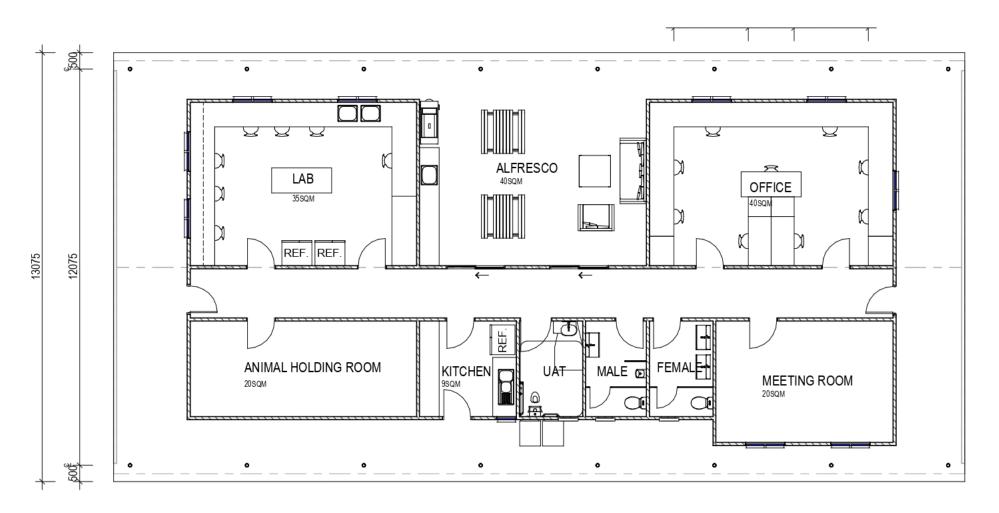
While the updated site plans have altered the function of the existing building to a proposed laboratory, the vegetation classifications and ability to meet the requirements and or Acceptable Solutions as outlined by Bushfire Protection Criteria of the Guidelines remains the same as detailed in the Bushfire Management Plan (BMP) v1.0:

- For Element 1'Location': The removal of onsite vegetation will provide the ability to establish a BAL-29 APZ for the laboratory.
- For Element 2 'Siting and Design': An asset protection zone (17-27 m) will be established around the proposed laboratory ensuring the location of the building is subject to BAL-29 or less.
- For Element 3 'Vehicle Access': Two access routes are not available within 200 m of the development site and
  access to the site is by 4WD vehicles only. However, the BMP and Bushfire Emergency Plan have
  recommended shelter in place at an onsite open area (maximum 2 kW/m² exposure) as the suitable
  emergency procedure.
- For Element 4 'Provision of Water': the main water supply is provided by the two emergency supply tanks of 22 750 L. The underground water reticulation network will be replaced during redevelopment of the site to enhance water storage capacity.

While the proposed laboratory (as a class 8 building) is not required to comply with the construction standards of AS 3959-2018 for buildings in bushfire prone areas, it is recommended that the additions be built to BAL-29 to decrease the risk of building ignition.

The landowner has the responsibility to establish the required asset protection zones (APZ) around the onsite buildings and is to manage and maintain the APZ areas in a state of low threat in perpetuity. Refer to the Bushfire Management Plan and the Bushfire Emergency Response Plan for additional responsibilities of the site landowner and required bushfire risk management measures for the site.

Ordinary Council Meeting Minutes 26 August 2021



Client **AWC** 

**CHARNLEY RIVER STATION** 

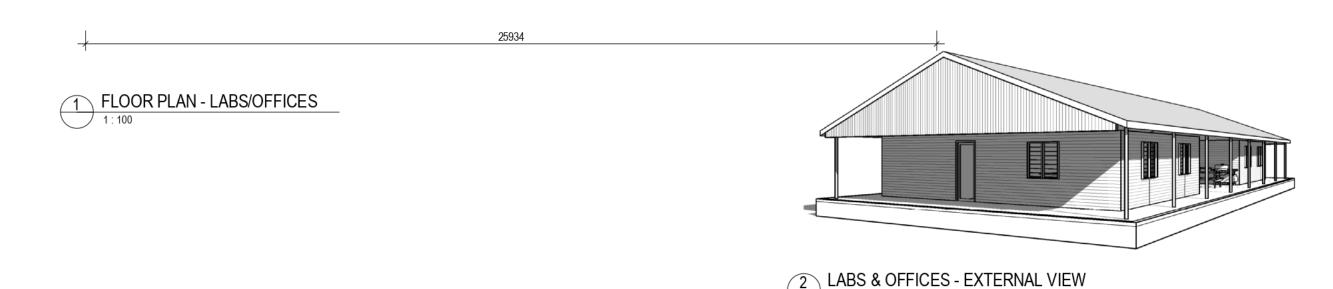
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CHARNLEY RIVER REDEVELOPMENT

Scale at A3 1:100

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#### 2 POTENTIAL BUSHFIRF IMPACT ASSESSMENT

## 2.1 Assessment Input

## 2.1.1 Fire Danger Index (FDI) Applied

AS 3959:2018 Table 2.1 specifies the fire danger index values to apply for different regions. The values used in the model calculations are for the Forest Fire Danger Index (FFDI) and for which equivalent representative values of the Grassland Fire Danger Index (GFDI) are applied as per Appendix B. The values can be modified if appropriately justified.

Table 2.1: Applied FDI Value

FDI VALUE					
Vegetation Areas  As per AS 3959:2018 As per DFES for the Location  Value Applied					
1-7	80	N/A	80		

## 2.1.2 Vegetation Classification and Effective Slope

**Classification:** Bushfire prone vegetation identification and classification has been conducted in accordance with AS 3959:2018 s2.2.3 and the Visual Guide for Bushfire Risk Assessment in WA (DoP February 2016).

When more than one vegetation type is present, each type is identified separately, and the applied classification considers the potential bushfire intensity and behaviour from the vegetation types present and ensures the worst-case scenario is accounted for – this may not be from the predominant vegetation type.

The vegetation structure has been assessed as it will be in its mature state (rather than what might be observed on the day). Areas of modified vegetation are assessed as they will be in their natural unmodified state (unless maintained in a permanently low threat, minimal fuel condition, satisfying AS 3959:2018 s2.2.3.2(f) and asset protection zone standards). Vegetation destroyed or damaged by a bushfire or other natural disaster has been assessed on its revegetated mature state.

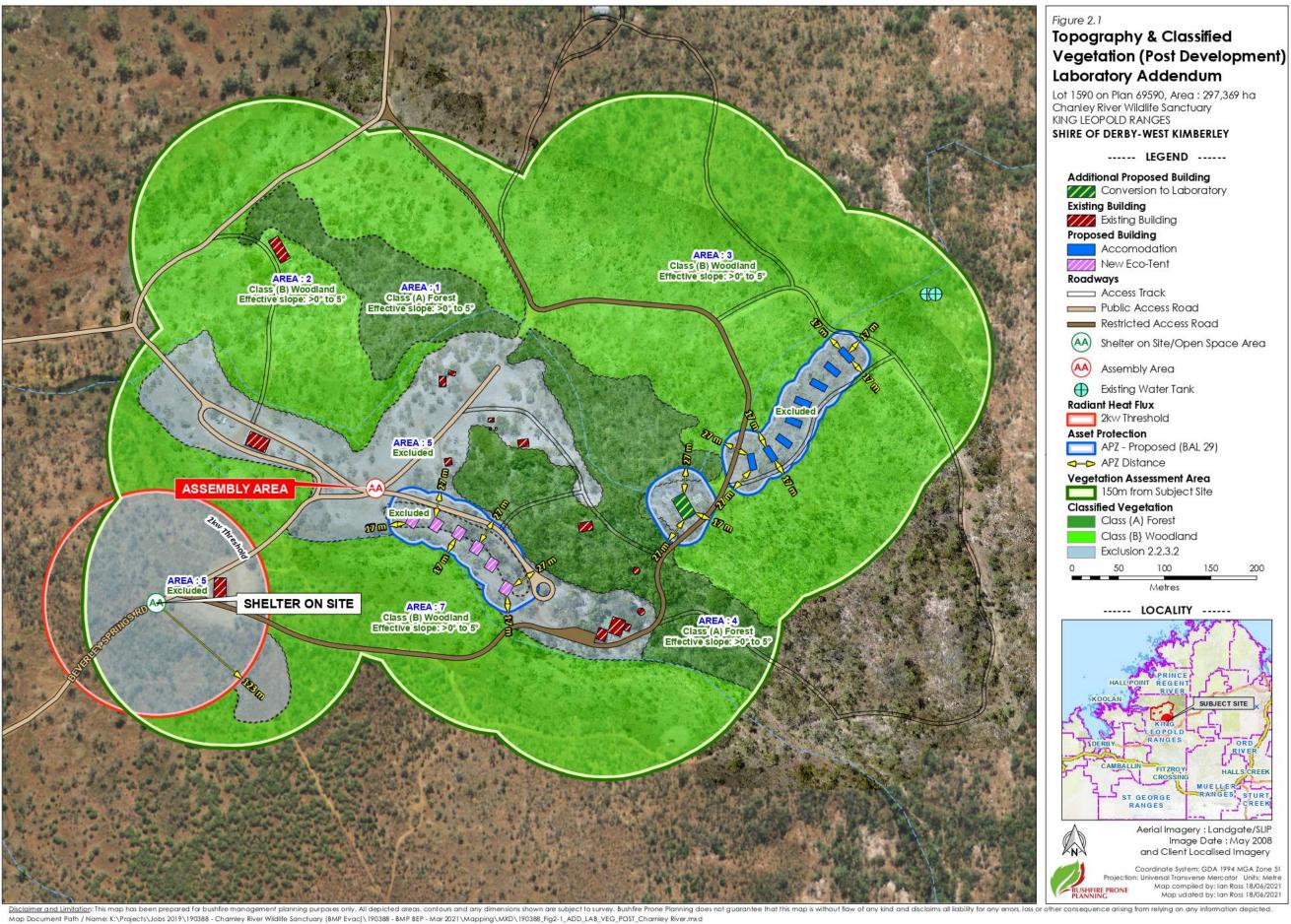
**Effective Slope**: Refers to the ground slope under each area of classified vegetation which most influences the bushfire attack (and is described in the direction relative to the view from the building or proposed development site). This slope has a direct and significant influence on the fire's rate of spread and intensity.

Where there is a significant change in effective slope under an area of classified vegetation, that will cause a change in fire behaviour, separate vegetation areas will be identified to enable the correct assessment.

When the effective slope, under a given area of bushfire prone vegetation, will be different relative to multiple proposed development sites, then the effective slopes corresponding to the different locations, are separately identified.

Refer to the Bushfire Management Plan for site photos and vegetation descriptions.

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## 2.1.3 Vegetation Separation Distance

The vegetation separation distance is the horizontal distance measured from the relevant parts of an existing building or a future building's planned location (within a lot), to the determined edge of an area of classified vegetation.

This separation distance applied to determining a Bushfire Attack Level (BAL) can be either:

- The <u>measured distance</u> for which the location of the building relative to the edge of classified vegetation
  must be known. This will result in single determined BAL that will apply to a building. (The measured distance
  is a required calculation input); or
- A <u>calculated minimum and maximum distance (range)</u> that will correspond to each individual BAL. The
  calculated distances provide an indicative (or achievable) BAL for which the determined BAL will be
  dependent on the known location of the building relative to the edge of classified vegetation.

The calculated range of distances corresponding to each BAL can be presented in different formats (tables or a BAL contour map), dependent on the form of information that is most appropriate for the proposed development/use. These distance ranges corresponding to BAL(s) will be presented in Section 2.2: 'Assessment Output".

For the proposed development/use, the applicable vegetation separation distances will be presented within the Bushfire Management Plan in this location:

In Section 3.2 'Assessment Output' as a table containing the calculated ranges of distance corresponding to each BAL and illustrated as a BAL Contour Map.

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## 2.2 Assessment Output

#### UNDERSTANDING THE RESULTS OF THE BUSHFIRE IMPACT ASSESSMENT

#### Bushfire Attack Levels (BALs) - Their Application in the Building Environment is Different to the Planning Environment

In the building environment, a **determined BAL** is required for the proposed construction at the building application stage. This is to inform approval considerations and establish the bushfire construction standards that are to apply. An indicative BAL is not acceptable for a building application.

In the planning environment, through the application of SPP 3.7 and associated Guidelines, the deemed to satisfy requirement for a proposed 'development site' or sites (defined by the LPS Amendment Regulations 2015 as "that part of a lot on which a building that is the subject of development stands or is to be constructed"), is that a BAL-29 or lower rating can be achieved once all works associated with the proposal are completed. For planning approval purposes, an *indicative BAL* can provide the required information.

#### Determined Bushfire Attack Level

A determined BAL is to apply to an existing building or the 'development site' on which the building is to be constructed and not to a lot or building envelope. Its purpose is to state the potential radiant heat flux to which the building will be exposed, thereby determining the construction standard to be applied.

A determined BAL cannot be given for a future building whose design and position on the lot are unknown or the vegetation separation distance has not been established. It is not until these variables have been fixed that a determined BAL can be stated, and a BAL Certificate can be issued.

The one exception is when a building **of any dimension** can be **positioned anywhere** on a proposed lot (within R-Code building setbacks) or within a defined building envelope, and always remain subject to the same BAL, regardless of the retention of any existing classified vegetation either onsite or offsite.

#### Indicative Bushfire Attack Level

If a BAL is not able to achieve 'determined' status it will be an indicative BAL. It indicates the BAL that can be achieved by the proposed development/use. However, it is conditional upon an assessment variable(s) being confirmed at a later stage (e.g. the building location is established/changed, or vegetation is modified/removed to establish the vegetation separation distance).

A BAL certificate cannot be issued for an indicative BAL – unless that BAL cannot vary (refer to 'Determined BAL' above).

In table form, a single or a range of indicative BAL(s) may be presented. If a single indicative BAL is stated for a defined area (i.e. the lot or building envelope), this will be the highest indicative BAL impacting the defined area.

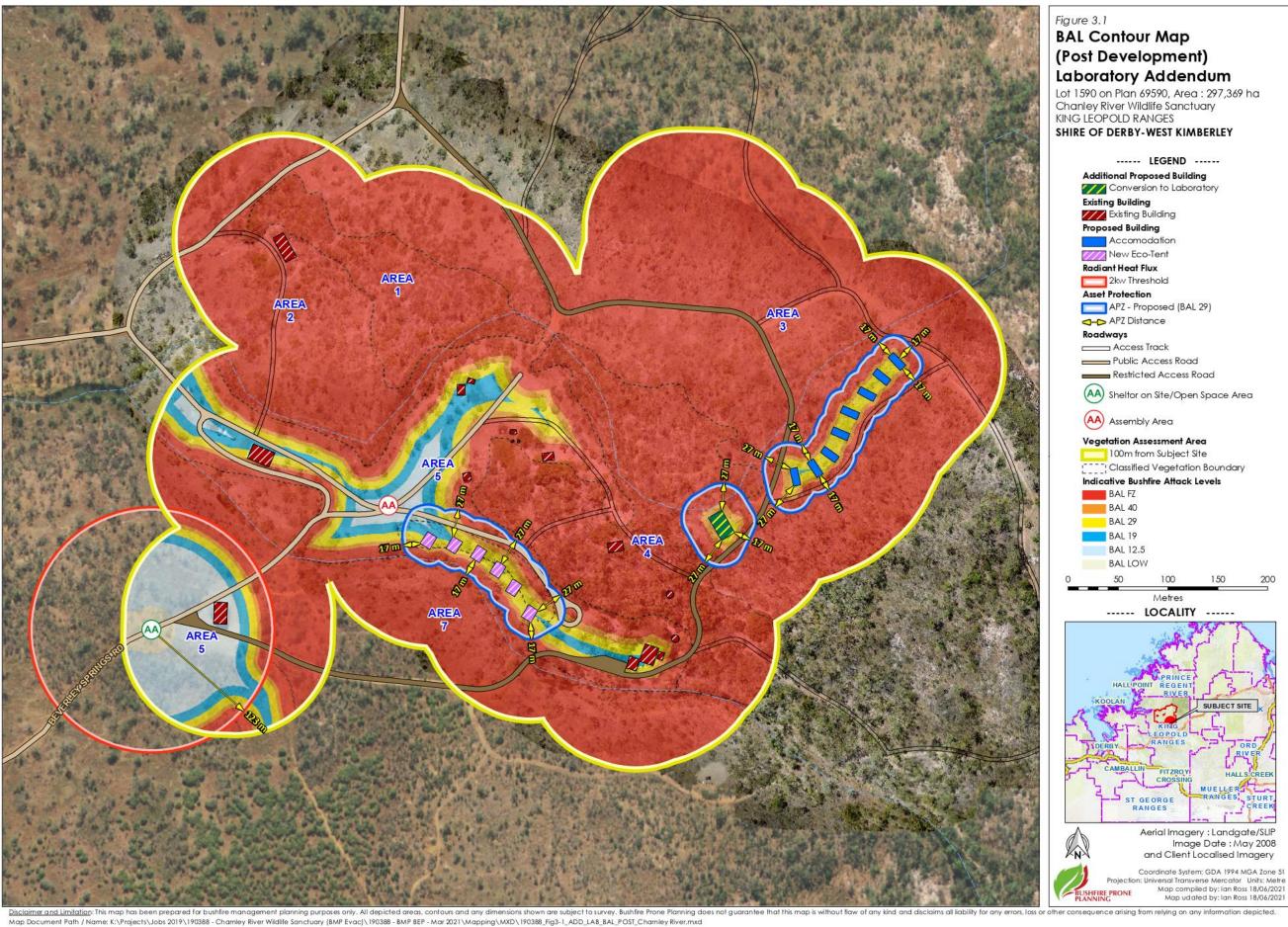
The BAL can only become a determined BAL once the actual location of that building on the land is known and/or the required minimum vegetation separation distance corresponding to the relevant BAL contour is established.

Indicative Bushfire Attack Levels for the existing building to be converted to a laboratory.

BUSHFIRE ATTACK LEVEL (BAL) ASSESSMENT RESULTS			
Relevant Fire Danger Index (AS3959-2018 Table 2.5)			
Lot 1590 – Chanley River Wildlife Sanctuary Indicative BAL			
Laboratory	29		

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# **Bushfire Management Plan**

# **Charnley River Wildlife Sanctuary**

King Leopold Ranges

Shire of Derby-West Kimberley

Planning Stage: Development Application

Planning Development Type: Construction of a Class 1, 2 or 3 Building (or

associated 10a building or deck)

Bushfire Policy – Specific

Development or Use Type:

Vulnerable Land Use (Non-Tourism)

Job Number: 190388

Assessment Date: 31 March 2021

Report Date: 24 May 2021

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Destination		Version	No. Copies	Hard Copy	Electronic Copy	
Person/Business: Aled Hoggett - Australian Wildlife Conservancy Email: Aled.Hoggett@australianwildlife.org				×		

Limitation of Liability: The measures contained in this Bushfire Management Plan, are considered to be minimum requirements and they do not guarantee that a building will not be damaged in a bushfire, persons injured, or fatalities occur either on the subject site or off the site while evacuating. This is substantially due to the unpredictable nature and behaviour of fire and fire weather conditions. Additionally, the correct implementation of the required bushfire protection measures will depend upon, among other things, the ongoing actions of the landowners and/or operators over which Bushfire Prone Planning has no control.

V1.0

All surveys, forecasts, projections and recommendations made in this report associated with the proposed development are made in good faith based on information available to Bushfire Prone Planning at the time. All maps included herein are indicative in nature and are not to be used for accurate calculations.

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

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#### **EXECUTIVE SUMMARY**

This Bushfire Management Plan has been prepared to accompany a development application for the construction of Permanent Workers Accommodation (x 8) and Temporary Workers Accommodation (x6 Eco Tents) at the Charnley River Wildlife Sanctuary within the Shire of Derby-West Kimberley.

The Temporary Workers Accommodation will be installed immediately, post planning approval to provide suitable accommodation for staff whilst the permanent workers accommodation is being constructed. Ince finalised, the Temporary Workers Accommodation, consisting of 6 eco tents will be repurposed for tourist accommodation. The use of these tents for tourism will fall under a separate Planning Application at a later stage.

The location of the proposed works is within a designated bushfire prone area and requires the application of State Planning Policy No. 3.7: Planning in Bushfire Prone Areas (SPP 3.7). This Bushfire Management Plan has addressed the applicable bushfire legislation, standards and guidelines – including the four elements of the Bushfire Protection Criteria of Location, Siting and Design, Vehicular Access and Water Supply. The proposed development does not fully comply with the acceptable solutions for all four elements due to the remoteness of the site. This plan has however, been prepared in recognition of this.

Subsequently, a Shelter On Site open area is required to be implemented onsite. This will comprise an area 123m in radius of vegetation managed to a low threat state (<2kWm²).

The vegetation within the development areas of the Charnley River Redevelopment (predominantly forest and woodland) has been considered and it is expected that in future (subject to any applicable Environmental Survey Works and approval by the Local Government Authority), all structures will be subject to BAL-29 or less via modification to classified vegetation (where applicable) and the implementation of Asset Protection Zones.

To implement and maintain the assessed bushfire attack levels for the proposed works, and to keep the possible bushfire risk to staff and visitors as low as possible, the development site and associated Asset Protection Zones are required to be maintained to a low bushfire threat state in perpetuity.

The proposed development is assessed as a vulnerable land use as it includes onsite accommodation for staff for operation of the facility. The Development Application is required to include a Bushfire Emergency Plan (BEP) to guide the seasonal preparation for and response to, a bushfire event. This is provided as a separate operational document.



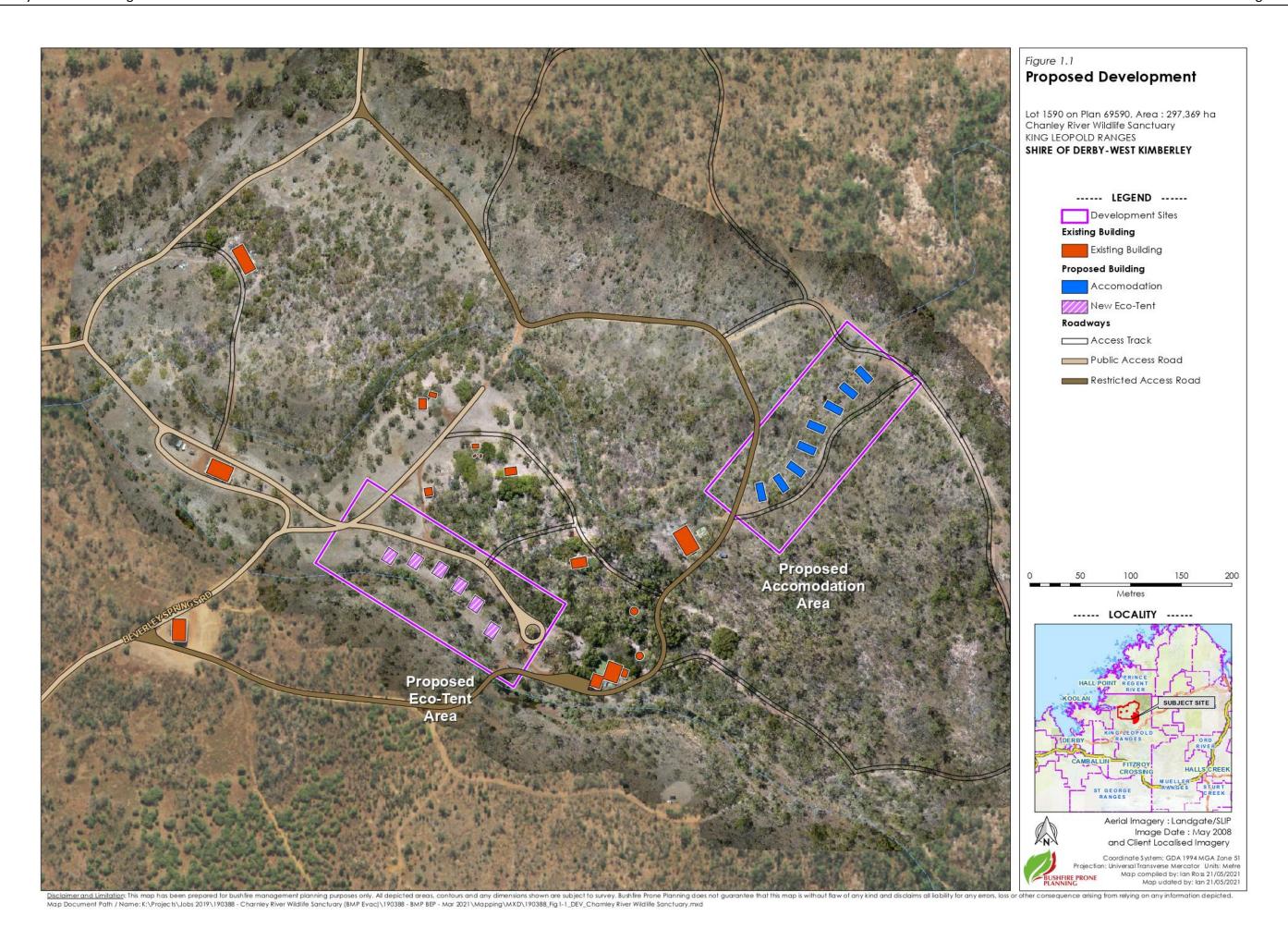
# PROPOSAL DETAILS

# 1.1 Description and Associated Plans and Maps

Proponent:	Australian Wildlife Conservancy			
Bushfire Prone Planning Commissioned o Produce the Bushfire Management Australian Wildlife Conservancy Plan (BMP) By:				
For Submission To: Shire of Derby-West Kimberley				
Purpose of the BMP: To accompany a planning application				
Lease Area: 297,369ha				
Description of the Proposed Development/Use:				
This Bushfire Management Plan is to accompany a Development Application for the proposed Workers Accommodation and Temporary Workers Accommodation.				

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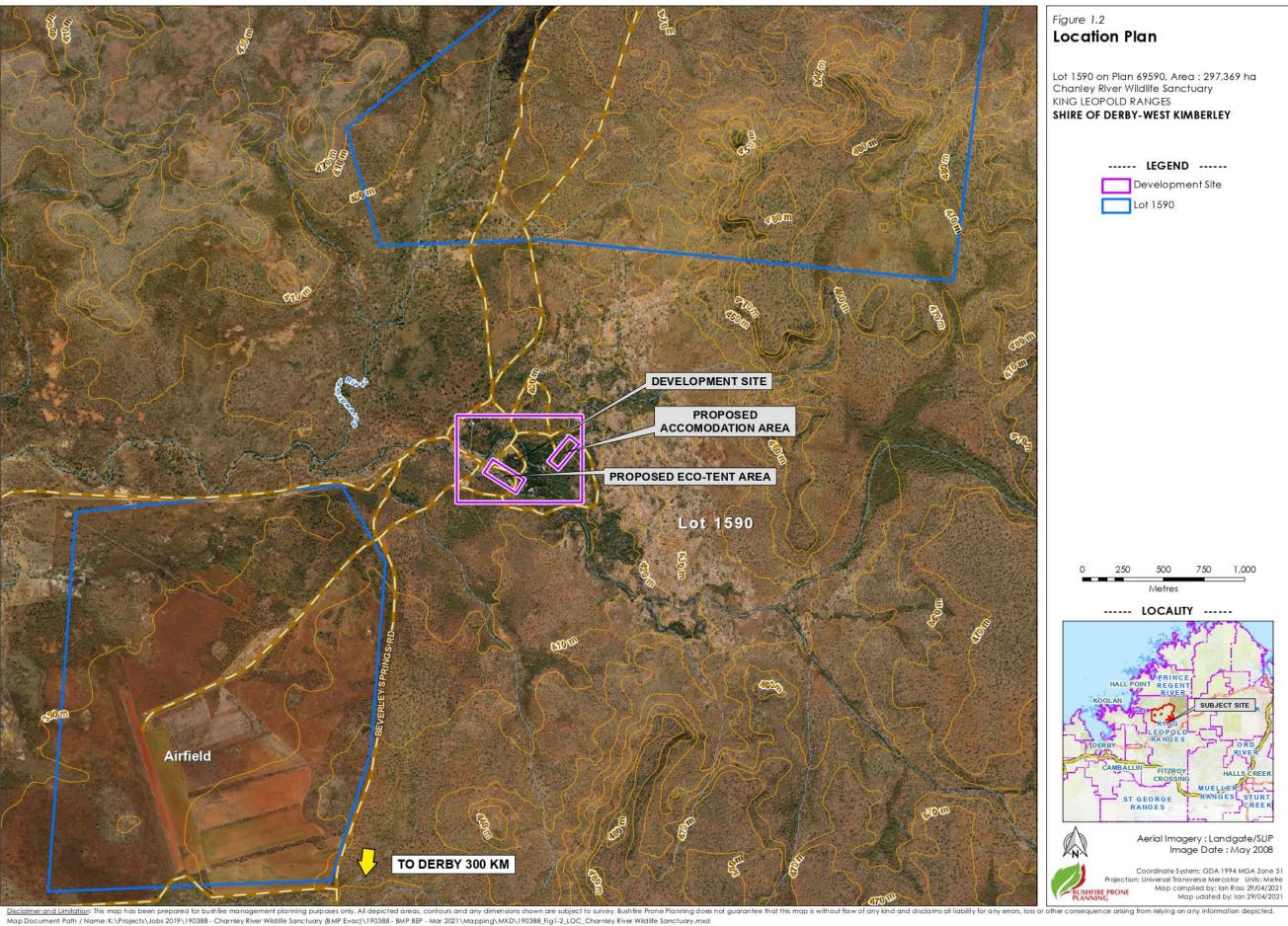
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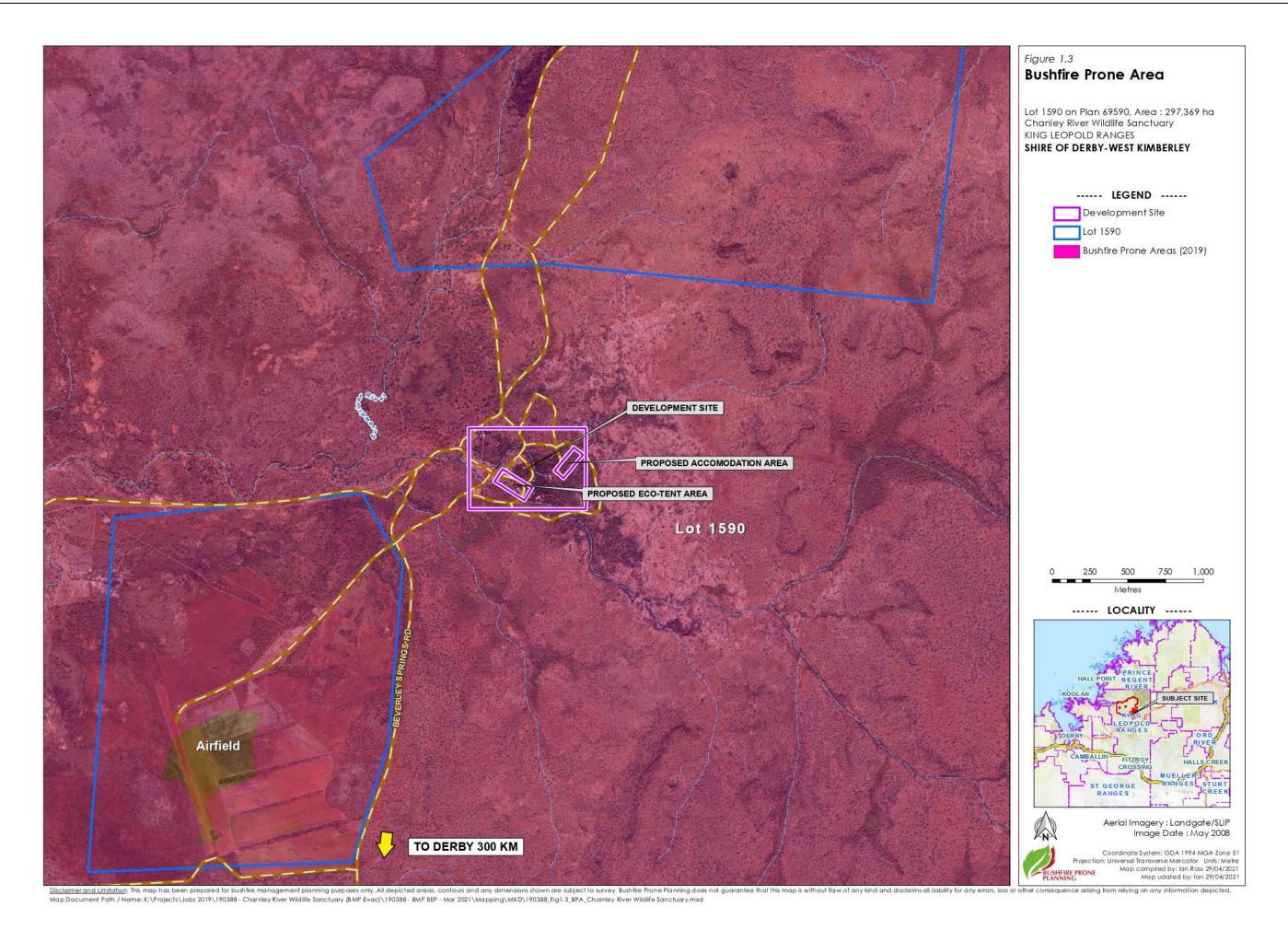
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# 1,2 The Specific 'Land Use' and the Bushfire Planning Requirements

SPP 3.7, the associated Guidelines and Position Statements, define certain land uses that require additional and/or alternative bushfire related assessment and additional information to be provided. This is necessary to facilitate planning application assessment and for subsequent operational use.

When such a proposal is unable to fully achieve the implementation of all required bushfire protection measures - as established by the 'acceptable solutions' contained in the Guidelines and Position Statements – further assessments and the development of additional protection measures are required.

The land use classification that applies to the proposal is identified in Table 1.2, along with the required additional assessments and information and the form and location in which this is provided.

Table 1.2.1: The determined land use and assessment/information requirements.

THE PROPOSED LAND USE CLASSIFICATION AND BUSHFIRE PLANNING REQUIREMENTS – WORKERS ACCOMODATION					
Assessment / Information / Documents Detail					
The proposed land	use classification is determined to be:	Vulnerable (Non-Tourism)			
Category, type an determined the clo	d/or operations of the land use that have assification:	Category 3: A facility that involves short-stay accommodation or visitation for people who are unaware of their surroundings and who would require assistance or direction in the event of a bushfire.			
The Policies, Guidelines and	SPP 3.7	⊠			
Position Statements	Guidelines including the BPC	⊠			
against which the proposed land use will be	Guidelines excluding the BPC	N/A			
assessed, and which guide the	Position Statement - BPC Element 1 and 2	⊠			
information to be provided.1	Position Statement - Tourism	N/A			
The documents and the	Bushfire Management Plan (BMP)	■ Separate Document			
information	Additional bushfire protection measures	N/A			
developed and the format and location in which they are provided.	Bushfire Emergency Plan	Provided as a separate document to accompany the Planning Application			
	Owner/operator additional responsibilities associated with the land use.	☑ In BMP s5.4			

Note 1: State Planning Policy 3.7 Planning in Bushfire Prone Areas; Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3; Bushfire Protection Criteria (BPC) established in the Guidelines; Position Statement: Planning in bushfire prone areas – Demonstrating Element 1: Location and Element 2: Siting and design WAPC November 2019; Position Statement: Tourism land uses in bushfire prone areas WAPC October 2019.



# 1.3 Existing Documentation Relevant to the Construction of this Plan

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

Table 2.1: Existing relevant documentation.

RELEVANT EXISTING DOCUMENTS				
Existing Document	Copy Provided by Client	Title		
Structure Plan	N/A			
Environmental Report	No			
Landscaping (Revegetation) Plan	No			
Risk Assessments	Yes	Sanctuary Risk Assessment– Charnley River Wildlife Sanctuary (AWC)		
Emergency Response Plans Incident Response Plan	Yes	Emergency Procedures – Charnley River-Artesian Range (AWC) NW Wildfire Suppression Incident Response Plan – Draft (AWC) NW Fire Operations Framework (AWC)		



## 2 ENVIRONMENTAL CONSIDERATIONS

## 2.1 Native Vegetation – Restrictions to Modification and/or Clearing

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

There is a requirement to identify any need for onsite modification and/or clearing of native vegetation and whether this may trigger potential environmental impact/referral requirements under State and Federal environmental legislation. Confirmation that any proposed native vegetation modification and/or clearing is acceptable, should be received from the relevant agencies and included in the Bushfire Management Plan if it is relied upon in the assessment.

Table 2.2: Native vegetation and potential environmental considerations and restrictions.

NATIVE VEGETATION MODIFICATION / CLEARING - POTENTIAL ENVIRONMENTAL RESTRICTIONS IDENTIFIED					
Environmental Considerations / Features	Potential Mapping Data Source (SLIP / Local Planning)	Relevant to Proposed Development	Data Applied	Action Required	
Onsite clearing of native vegetation is	required.	Yes			
Environmental impact/referral requirer State and Federal environmental legisl be triggered.		Possible			
National Park / Nature Reserve	DBCA-011	No-Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None	
Conservation Covenant	DPIRD-023	Not Known	Data Not Readily Available to Bushfire Consultant	Proponent to Seek Advice	
Environmentally Sensitive Areas	DWER-046	No-Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None	
Bush Forever Site	DPLH-019	No-Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None	
RAMSAR Wetland	DBCA-010	No-Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None	
Geomorphic and Other Wetland	DBCA-011- 019, 040, 043, 044	No-Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None	
Threatened and Priority Ecological Communities (TECs or PECs)	DBCA-038	No-Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	None	
Threatened and Priority Flora including Declared Rare Flora (DRFs)	DBCA-036	Yes-Confirmed by Bushfire Consultant	Relevant Database Reviewed by Bushfire Consultant	Proponent to Seek Advice	
Land Identified as significant through a Local Biodiversity Strategy	LG - Intramaps	Not Known	Data Not Readily Available to Bushfire Consultant	Proponent to Seek Advice	

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### Statement of how the identified environmental feature is dealt with in this Bushfire Management Plan:

The assessments and bushfire protection measures detailed the BMP, assume that environmental approval will be achieved or clearing permit exemptions will apply.

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

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# **Development Design Considerations**

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

#### Table 2.3: Development design.

MINIMISE THE REMOVAL OF NATIVE VEGETATION				
Design Option Assessment / Ac				
Cluster development	N/A			
Construct building to a standard corresponding to a higher BAL as per BCA (AS 3959:2018 and/or NASH Standard)	N/A			
Modify the development location	N/A			

Subject to any applicable Environmental Survey Works and approval from the Local Government Authority, the proposed development can achieve asset protection zone development and maintenance of vegetation on the development site in a low threat state, which will ensure the bushfire risk will be reduced to the immediate surrounding properties.

#### IMPACT ON ADJOINING LAND

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

Yes

The required Asset Protection Zones (APZ) can be established within the extents of the development site. The construction of the proposed development and the ongoing management of onsite vegetation will reduce the threat of bushfire.

## 2,2 Retained Vegetation / Re-vegetation / Landscape Plans (including POS)

Riparian zones, wetland/foreshore buffers, road verges and public open space may have plans to re-vegetate or retain vegetation as part of the proposed development. Vegetation corridors may be created between offsite and onsite vegetation and provide a route for fire to enter a development area.

All retained/planned vegetation and its management will be considered in the development of this Bushfire Management Plan.

s re-vegetation of riparian zones and/or wetland or foreshore buffers and/or public open space a part of this Proposal?	No	
s the requirement for ongoing maintenance of existing vegetation in riparian zones and/or wetland or foreshore buffers and/or public open space a part of this Proposal?	Yes	
There is potential that APZ's will extend into the riparian zone (creek bed) within the eco tent development site. To impact may be reduced by moving the eco tents further to the north so as not to impede on the riparian zone.		
Has a landscape plan been developed for the proposed development?	No	

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#### 3 POTENTIAL BUSHFIRE IMPACT ASSESSMENT

## 3.1 Assessment Input

## 3.1.1 Fire Danger Index (FDI) Applied

AS 3959:2018 specifies the fire danger index values to apply for different regions as per Table 2.1. The values used in the model calculations are for the Forest Fire Danger Index (FFDI) and for which equivalent representative values of the Grassland Fire Danger Index (GFDI) are applied as per Appendix B. The values can be modified if appropriately justified.

Table 3.1: Applied FDI Value

FDI VALUE					
Vegetation Areas  As per AS 3959:2018 As per DFES for the Location  Value Applied					
1-7	80	N/A	80		

## 3.1.2 Vegetation Classification and Effective Slope

**Classification:** Bushfire prone vegetation identification and classification has been conducted in accordance with AS 3959:2018 s2.2.3 and the Visual Guide for Bushfire Risk Assessment in WA (DoP February 2016).

When more than one vegetation type is present, each type is identified separately, and the applied classification considers the potential bushfire intensity and behaviour from the vegetation types present and ensures the worst case scenario is accounted for – this may not be from the predominant vegetation type.

The vegetation structure has been assessed as it will be in its mature state (rather than what might be observed on the day). Areas of modified vegetation are assessed as they will be in their natural unmodified state (unless maintained in a permanently low threat, minimal fuel condition, satisfying AS 3959:2018 s2.2.3.2(f) and asset protection zone standards). Vegetation destroyed or damaged by a bushfire or other natural disaster has been assessed on its revergetated mature state.

**Effective Slope:** Refers to the ground slope under each area of classified vegetation which most influences the bushfire attack (and is described in the direction relative to the view from the building or proposed development site). This slope has a direct and significant influence on the fire's rate of spread and intensity.

Where there is a significant change in effective slope under an area of classified vegetation, that will cause a change in fire behaviour, separate vegetation areas will be identified to enable the correct assessment.

When the effective slope, under a given area of bushfire prone vegetation, will be different relative to multiple proposed development sites, then the effective slopes corresponding to the different locations, are separately identified.



Table 3.2: Vegetation classification and effective slope.

ALL VEGETATION WITHIN 150 METRES OF THE PROPOSED DEVELOPMENT					
Vegetation	Identified Vegetation Types 1	Applied Vegetation	Effective Slope 2 (degrees)		
Area	or Description if 'Excluded'	Classification 1	Assessed	Applied Range	
1	Forest – A-03	Class A Forest	1	downslope >0-5	
2	Low Woodland B-07 Woodland B-05	Class B Woodland	1	downslope >0-5	
3	Low Woodland B-07 Woodland B-05	Class B Woodland	1	downslope >0-5	
4	Forest – A-03	Class A Forest	1	downslope >0-5	
5	Low Threat Vegetation	Excluded as per Section 2.2.3.2 (f) Low Threat Vegetation	N/A	N/A	
6	Woodland B-05	Class B Woodland	1	downslope >0-5	
7	Low Woodland B-07 Woodland B-05	Class B Woodland	1	downslope >0-5	

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

Note: Described and classified as per AS 3959:2018 Table 2.3 and Figures 2.3 and 2.4 (A)-(H)



	VI	EGETATION AREA 1			
AS 3959:2018 Vegetation Classif	ication Applied:	Class A Forest			
Vegetation Types Present:	Types Present: Open forest A-03				
Mixed species of trees present inclusive of Eucalypts with an average height of 1 metres. Understorey consists of grasses, low shrub (Sticky Weed) and low trees. Canopy coverage greater than 50%.					
Charnley River	ACLIDATION DESIGNATION OF THE PROPERTY OF T	DIRECTION D. 1285 S. ACAPT BATTH MSSPE			
Photo IE	D: 1	Photo ID: 2			
21Htc110H 85 Se0171 225./3785 225./3785 Charilley Raver	S ACCURACY 5 E DATHH WSSE	DESCRIPTION   16.71341*S   ACCURACY   #   125.43876*C   DATUM #0.564			
Photo IE	D: 3	Photo ID: 4			



	٧	/EGETATION AREA 2
AS 3959:2018 Vegetation Cla	ssification Applied:	Class B Woodland
Vegetation Types Present:	Woodland B-05; Low woodland B-	07
Description/Justification:	Mixed species of metres. Understor	trees present inclusive of Eucalypts with an average height of 10-12 ey consists of grasses (Sorghum) and weeds (Hyptis). Canopy imately 20%. Occasional open grassland areas between canopies.
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Photo	o ID: 9	Photo ID: 10



	٧	EGETATION AREA 3
AS 3959:2018 Vegetation Class	ification Applied:	Class B Woodland
/egetation Types Present:	Woodland B-05; Low woodland B-	)7
Description/Justification:	metres. Understore	rees present inclusive of Eucalypts with an average height of 11 ey consists of grasses and weeds (Hyptis). Canopy coverage 6. Occasional open grassland areas between canopies.
Chernley River	975 ACCURACY 30 DATEM (AVE) 10°E DATEM (	16, 71358*5 ACCURACY 5 * DATJH NOSEI  125, 45988*E DATJH NOSEI  111, 125, 1358*5 ACCURACY 5 * DATJH NOSEI  125, 1358*5 ACCURACY 5 *
Photo	D: 11	Photo ID: 12
DIRECTION DOCATE Unavailable Unavailable Charactery River	ON ACCURACY/DA ab.c. Universal	DIRECTION) 15.71340°S 125.46156°E  DATUM MSDD1  Charactery Risker  2.0224-6.3-32 13.30.71-001.06
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VEGETATION AREA 3							
AS 3959:2018 Vegetation Classification Applied: Class B Woodland							
/egetation Types Present:	Woodland B-05; Low woodland B-0	Woodland B-05; Low woodland B-07					
Description/Justification:	Mixed species of trees present inclusive of Eucalypts with an average height of metres. Understorey consists of grasses and weeds (Hyptis). Canopy coverage approximately 20%. Occasional open grassland areas between canopies.						
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Photo	ID: 19	Photo ID: 20					



	VE	EGETATION AREA 4			
AS 3959:2018 Vegetation Class	ification Applied:	Class A Forest			
Vegetation Types Present:	Open forest A-03				
Description/Justification:	Mixed species of trees present inclusive of Eucalypts with an average height of 11 metres. Understorey consists of grasses, low shrub (Sticky Weed) and low trees. Canopy coverage greater than 50%, some understorey shrubs.				
Charater River	AT DECEMBER OF THE PROPERTY OF	D. PER ON 125 (S126) B. SAUG S DATIFICATION OF THE STATE			
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Photo II	D: 25	Photo ID: 26			



	V	EGETATION AREA 4
AS 3959:2018 Vegetation Cla	ssification Applied:	Class A Forest
Vegetation Types Present:	Open forest A-03	
Description/Justification:	metres. Understore	rees present inclusive of Eucalypts with an average height of 11 by consists of grasses, low shrub (Sticky Weed) and low trees. be greater than 50%. Understorey shrubs present.
Coar/ley Raver	200 - 10 - 1 12 - 10 - 1 12 - 10 - 1 12 - 10 - 1	



VEGETATION AREA 5						
AS 3959:2018 Vegetation Classification Applied: Excluded as per Section 2.2.3.2 (f) Low Threat Vegetation						
Vegetation Types Present:	Low Threat Vegetation					
Description/Justification:  Managed open areas. Grasses maintained to less than 50mm. Access unmanaged vegetation.  NOTE: Remnants of Area 4 can be seen in the background of Photo III						





Photo ID: 28

Photo ID: 29





Photo ID: 30

Photo ID: 31





Photo ID: 32

Photo ID: 33



VEGETATION AREA 5					
AS 3959:2018 Vegetation Classification Applied: Excluded as per Section 2.2.3.2 (f) Low Threat Vegetation					
Vegetation Types Present:	ation				
Description/ Institication:	Managed open areas. Grasses maintained to less than 50mm. Access tracks clear unmanaged vegetation.				



Photo ID: 34

VEGETATION AREA 6					
AS 3959:2018 Vegetation Classification Applied: Class B Woodland					
Vegetation Types Present:	Woodland B-05				
Description/Justification:	metres. Understore	lixed species of trees present inclusive of Eucalypts with an average height of 10-12 netres. Understorey consists predominantly of grasses. Canopy coverage pproximately 20%. Occasional open grassland areas between canopies.			

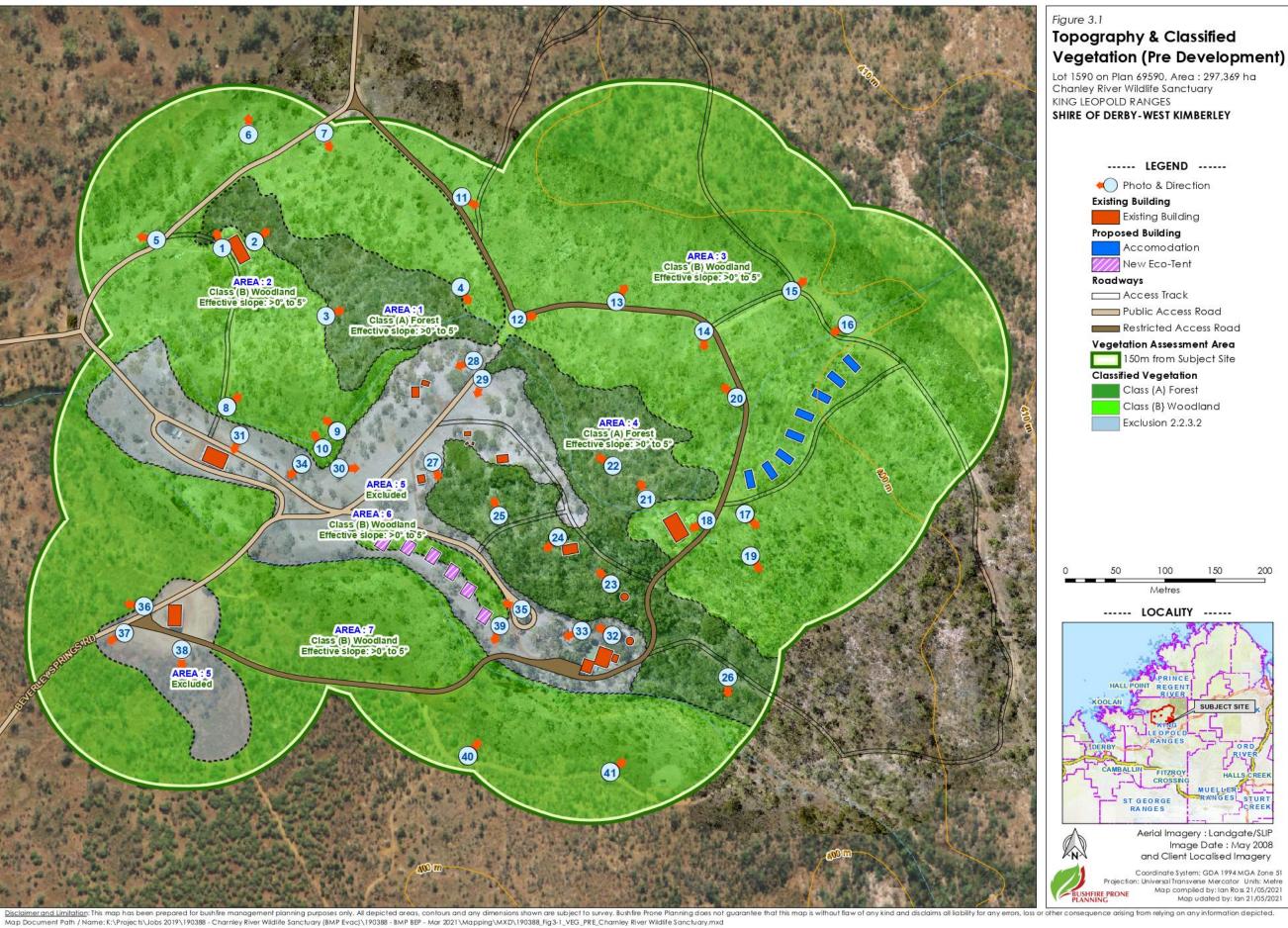


Photo ID: 35



AS 3959:2018 Vegetation Classification Applied:  Vegetation Types Present:  Woodland B-05; Low woodland B-07  Mixed species of trees present inclusive of Eucalypts with an average height of 11 metres. Understorey consists predominantly of grasses. Canopy coverage approximately 20%. Occasional open grassland areas between canopies.	
Description/Justification:    Mixed species of trees present inclusive of Eucalypts with an average height of 11 metres. Understorey consists predominantly of grasses. Canopy coverage approximately 20%. Occasional open grassland areas between canopies.    Diffection	
Mixed species of frees present inclusive of Eucalypts with an average height of 11 metres. Understorey consists predominantly of grasses. Canopy coverage approximately 20%. Occasional open grassland areas between canopies.  **Country Of State of	
	5.0
	-31 -31
Photo ID: 36 Photo ID: 37	
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Photo ID: 40 Photo ID: 41	

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## 3.1.3 Vegetation Separation Distance

The vegetation separation distance is the horizontal distance measured from the relevant parts of an existing building or a future building's planned location (within a lot), to the determined edge of an area of classified vegetation.

This separation distance applied to determining a Bushfire Attack Level (BAL) can be either:

- The <u>measured distance</u> for which the location of the building relative to the edge of classified vegetation
  must be known. This will result in single determined BAL that will apply to a building. (The measured distance
  is a required calculation input); or
- A <u>calculated minimum and maximum distance (range)</u> that will correspond to each individual BAL. The
  calculated distances provide an indicative (or achievable) BAL for which the determined BAL will be
  dependent on the known location of the building relative to the edge of classified vegetation.

The calculated range of distances corresponding to each BAL can be presented in different formats (tables or a BAL contour map), dependent on the form of information that is most appropriate for the proposed development/use. These distance ranges corresponding to BAL(s) will be presented in Section 3.2: 'Assessment Output".

For the proposed development/use, the applicable vegetation separation distances will be presented within the Bushfire Management Plan in this location:

In Section 3.2 'Assessment Output' as a table containing the calculated ranges of distance corresponding to each BAL and illustrated as a BAL Contour Map.



## 3.2 Assessment Output

#### UNDERSTANDING THE RESULTS OF THE BUSHFIRE IMPACT ASSESSMENT

#### Bushfire Attack Levels (BALs) – Their Application in the Building Environment is Different to the Planning Environment

In the building environment, a **determined BAL** is required for the proposed construction at the building application stage. This is to inform approval considerations and establish the bushfire construction standards that are to apply. An indicative BAL is not acceptable for a building application.

In the planning environment, through the application of SPP 3.7 and associated Guidelines, the deemed to satisfy requirement for a proposed 'development site' or sites (defined by the LPS Amendment Regulations 2015 as "that part of a lot on which a building that is the subject of development stands or is to be constructed"), is that a BAL-29 or lower rating can be achieved once all works associated with the proposal are completed. For planning approval purposes, an *indicative BAL* can provide the required information.

#### Determined Bushfire Attack Level

A determined BAL is to apply to an existing building or the 'development site' on which the building is to be constructed and not to a lot or building envelope. Its purpose is to state the potential radiant heat flux to which the building will be exposed, thereby determining the construction standard to be applied.

A determined BAL cannot be given for a future building whose design and position on the lot are unknown or the vegetation separation distance has not been established. It is not until these variables have been fixed that a determined BAL can be stated, and a BAL Certificate can be issued.

The one exception is when a building **of any dimension** can be **positioned anywhere** on a proposed lot (within R-Code building setbacks) or within a defined building envelope, and always remain subject to the same BAL, regardless of the retention of any existing classified vegetation either onsite or offsite.

#### Indicative Bushfire Attack Level

If a BAL is not able to achieve 'determined' status it will be an indicative BAL. It indicates the BAL that can be achieved by the proposed development/use. However, it is conditional upon an assessment variable(s) being confirmed at a later stage (e.g. the building location is established/changed, or vegetation is removed to establish the vegetation separation distance).

A BAL certificate cannot be issued for an indicative BAL – unless that BAL cannot vary (refer to 'Determined BAL' above).

In table form, a single or a range of indicative BAL(s) may be presented. If a single indicative BAL is stated for a defined area (i.e. the lot or building envelope), this will be the highest indicative BAL impacting the defined area.

In BAL contour map form (refer to Section 3.2.2), the illustrated BAL contours visually identify areas of land for which if any part of an existing or proposed building is located on that land and within the BAL contours, then the highest BAL affecting that building (or part of the land on which the building will be constructed), will be the indicative BAL that is to apply.

The BAL can only become a determined BAL once the actual location of that building on the land is known and/or the required minimum vegetation separation distance corresponding to the relevant BAL contour is established.



# 3.2.1 Bushfire Attack Level Results – Table Format

Table 3.2.1: Vegetation separation distances required to achieve the stated BAL rating.

	INDICATIVE (ACHIEVABLE) BUSHFIRE ATTACK LEVELS FOR THE SITE (A BAL rating is achievable if a separation distance range is known)							
Derived from the Application of Method 1 BAL Determination Methodology (AS 3959:2018 Section 2, Table 2.5)1								
Vegetation Area	Vagatation Classification	Effective Slope	Indicative BAL's – Separation Distance (m) or Status					
Vege	Vegetation Classification	(degree range)	BAL-29	BAL-19	BAL12.5	BAL-LOW		
1	Class A Forest	downslope >0-5	27-<37	37-<50	50-<100	Risk of Ember Attack		
2	Class B Woodland	downslope >0-5	17-<25	25-<35	35-<100	Risk of Ember Attack		
3	Class B Woodland	downslope >0-5	17-<25	25-<35	35-<100	Risk of Ember Attack		
4	Class A Forest	downslope >0-5	27-<37	37-<50	50-<100	Risk of Ember Attack		
5	Excluded A\$3959:2018 2.2.3.2 (f)	N/A	-	-	-	Risk of Ember Attack		
6	Class B Woodland	downslope >0-5	17-<25	25-<35	35-<100	Risk of Ember Attack		
7	Class B Woodland	downslope >0-5	17-<25	25-<35	35-<100	Risk of Ember Attack		



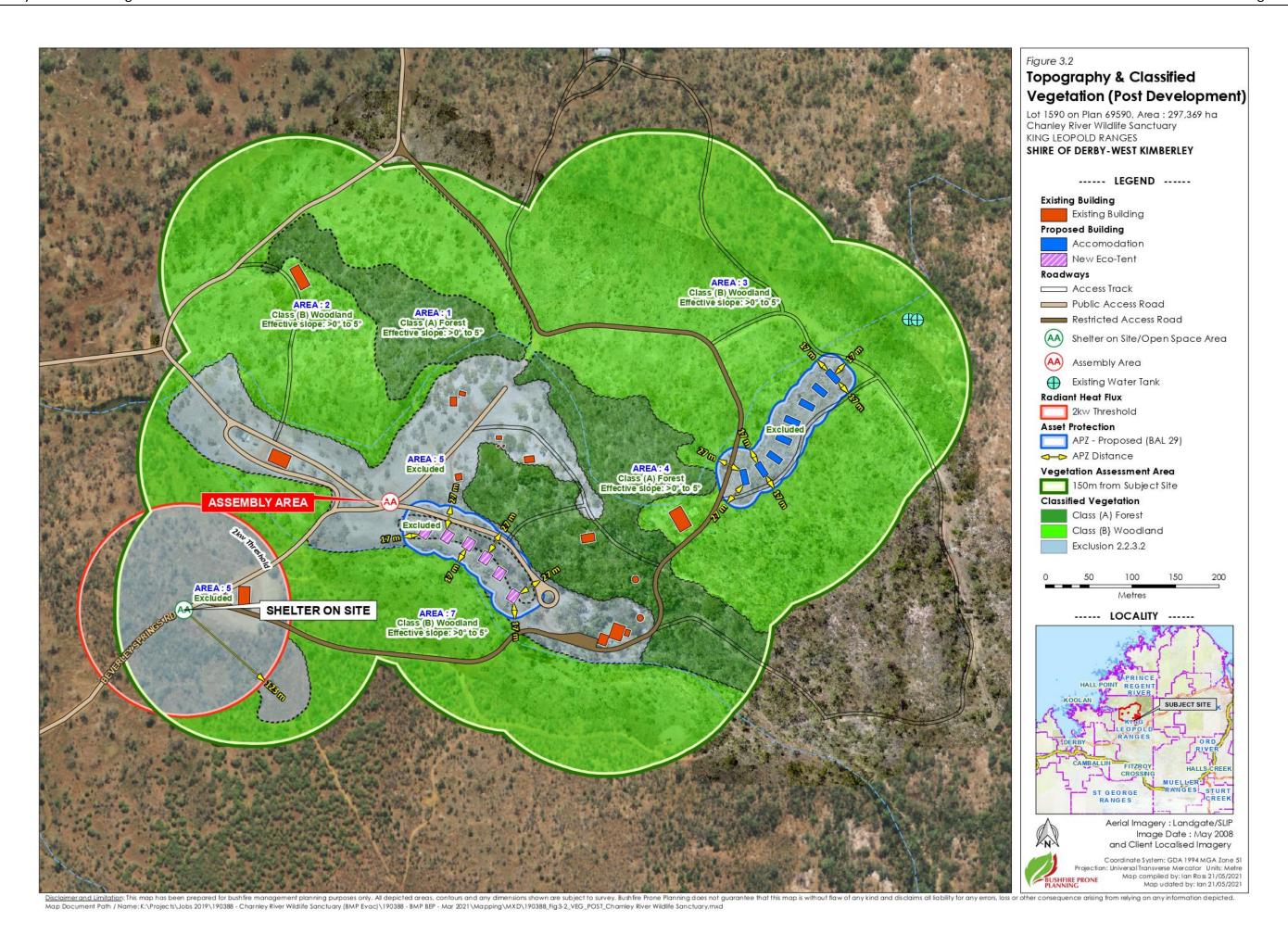
Table 3.2.2: Indicative BAL ratings (post development)

MINIMUM SEPARATION DISTANCES REQUIRED TO RETAIN INDICATIVE, MAXIMUM, ACCEPTABLE BAL RATING – POST DEVELOPMENT							
Vegetation Area	Vegetation Classification	Effective Slope (degrees)	Maximum Acceptable BAL Rating	Required Separation Distances (metres)			
1	Class A Forest	1		27			
2	Class B Woodland	1		17			
3	Class B Woodland	1		17			
*3	Excluded AS3959:2018 2.2.3.2 (f)	N/A		N/A			
4	Class A Forest	1		27			
*4	Excluded AS3959:2018 2.2.3.2 (f)	N/A	BAL-29	N/A			
5	Excluded A\$3959:2018 2.2.3.2 (f)	N/A		N/A			
6	Class B Woodland	1		17			
*6	Excluded AS3959:2018 2.2.3.2 (f)	N/A		N/A			
7	Class B Woodland	1		17			
*7	Excluded AS3959:2018 2.2.3.2 (f)	N/A		N/A			

Note1: It is assumed for the purposes of assessment that Area 5 will continue to be managed in a low threat state in perpetuity. (Maintained open areas, cleared access tracks/roads).

Note<sup>2:</sup> \*3, \*4, \*6 and \*7 indicates vegetation subject to changes post development of this site, with the area/s being reclassified to 'Excluded' AS3959-2018 (f)'. This is the result of the implementation of Asset Protection Zones around the proposed structures and any applicable landscaping within the development site. The development site is to be maintained to a low bushfire threat state in perpetuity in accordance with Schedule 1: Standards for Asset Protection Zones as stipulated in the Guidelines for Planning in Bushfire Prone Areas, AS3959-2018 s2.2.3.2 requirements and the Shire of Derby-West Kimberley Firebreak Notice.

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# 3.2.2 Bushfire Attack Level Results - BAL Contour Map Format

#### INTERPRETATION OF THE BUSHFIRE ATTACK LEVEL (BAL) CONTOUR MAP

The contour map will present different coloured contour intervals extending from the areas of classified bushfire prone vegetation. These represent the different bushfire attack levels that will exist at varying distances away from the classified vegetation in the event of a bushfire in that vegetation.

The areas of classified vegetation are those that will remain as the intended end state of the subject development once earthworks, clearing and/or landscaping and re-vegetation have been completed (or each stage completed).

Each bushfire attack level corresponds to a set range of radiant heat flux that is generated by a bushfire. That range is defined by the AS 3959:2018 BAL determination methodology.

The width of each shaded BAL contour is a diagrammatic representation of the separation distances from the classified vegetation that correspond to each BAL for each separately identified area of classified vegetation. They have been calculated by the application of the unique site variables including vegetation types and structure, ground slope and applied fire weather.

(Refer to Section 3.2 'Understanding the Results of the Bushfire Impact Assessment' for the explanation of how BAL(s) for buildings will be assessed from the BAL Contour Map).

#### Construction of the BAL Contours

#### VEGETATION AREAS APPLIED TO THE DEVELOPMENT OF THE BAL CONTOUR MAP

All identified areas of classified vegetation have been applied with the following exceptions:

 For Figure 3.3, The BAL Contours are constructed with the assumption that all structures have had implemented, the required Asset Protection Zones in accordance with the Bushfire Technical Requirements set out in the Guidelines.

This approach is applied to indicate the achievable bushfire attack levels within the development area/s and the resultant area of developable land (i.e., subject to BAL-29 or less). It is based on the following assumptions:

 Any classified vegetation within the subject lot can potentially be managed by the landowner to meet asset protection zone standards and dimensions corresponding to an indicated BAL.



#### **VEGETATION SEPARATION DISTANCES APPLIED**

The distances that have been applied to illustrating the width of each BAL contour shown in Figure 3.3 are stated in Table 3.2.3. These correspond to each Bushfire Attack Level and are specific to the proposed development site.

Table 3.2.3: Vegetation separation distances applied to construct the BAL contours.

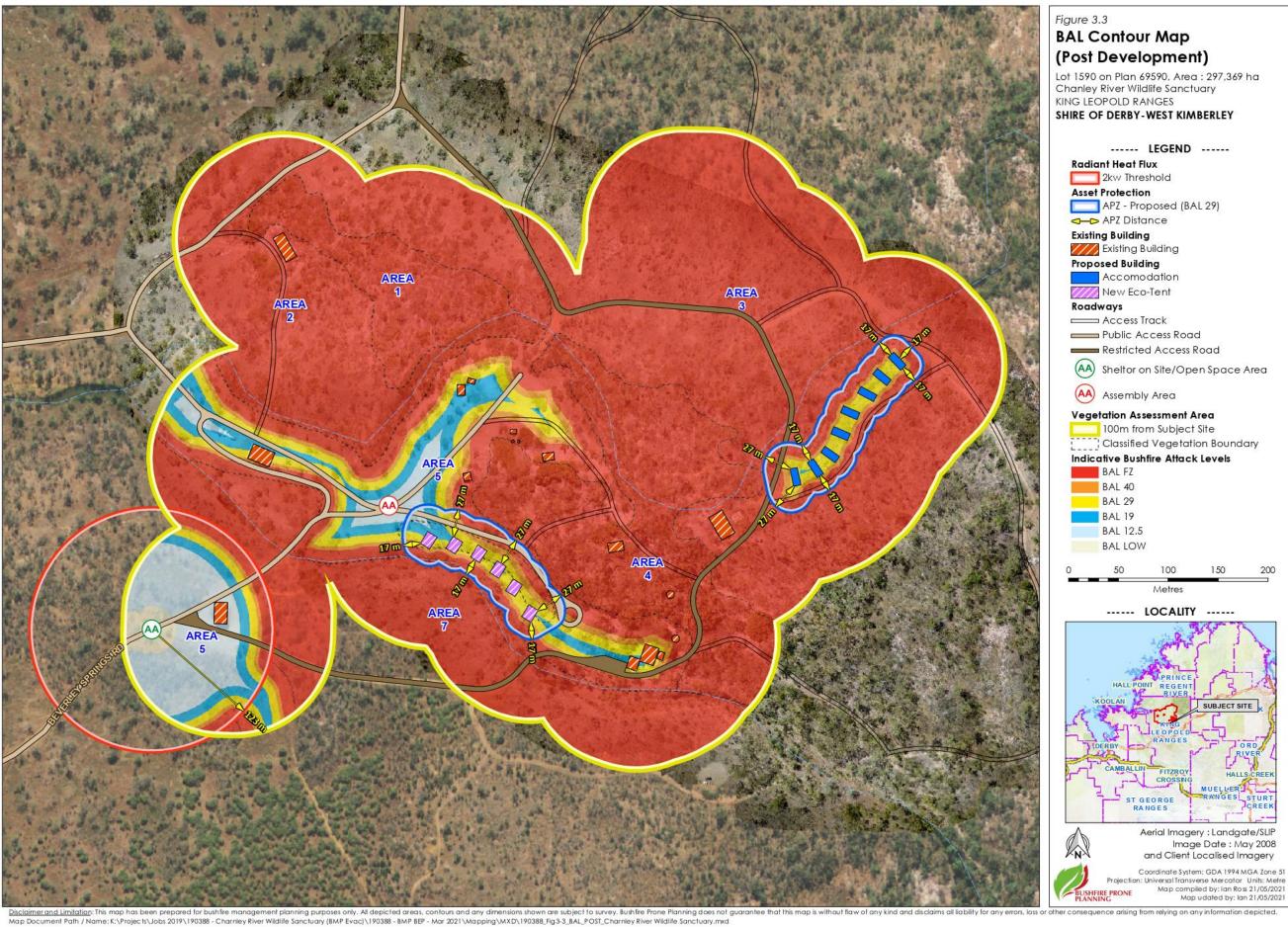
	BAL CONTOUR MAP – APPLIED VEGETATION SEPARATION DISTANCES							
De	Derived from the Application of Method 1 BAL Determination Methodology (AS 3959:2018 Section 2, Table 2.5)1							
Vegetation Area	Vegetation Classification	Effective Slope	BAL and Corresponding Separation Distance (m)					
		(degree range)	BAL-FZ	BAL-40	BAL-29	BAL-19	BAL12.5	BAL-LOW
1	Class A Forest	downslope >0-5	<20	20-<27	27-<37	37-<50	50-<100	>100
2	Class B Woodland	downslope >0-5	<13	13-<17	17-<25	25-<35	35-<100	>100
3	Class B Woodland	downslope >0-5	<13	13-<17	17-<25	25-<35	35-<100	>100
*3	Excluded A\$3959:2018 2.2.3.2 (f)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4	Class A Forest	downslope >0-5	<20	20-<27	27-<37	37-<50	50-<100	>100
*4	Excluded A\$3959:2018 2.2.3.2 (f)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5	Excluded A\$3959:2018 2.2.3.2 (f)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
6	Class B Woodland	downslope >0-5	<13	13-<17	17-<25	25-<35	35-<100	>100
*6	Excluded A\$3959:2018 2.2.3.2 (f)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
7	Class B Woodland	downslope >0-5	<13	13-<17	17-<25	25-<35	35-<100	>100
*7	Excluded A\$3959:2018 2.2.3.2 (f)	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Note<sup>1</sup> All the assessment inputs applied are presented in Section 3.1.

Note<sup>2:</sup> It is assumed for the purposes of assessment that Area 5 will continue to be managed in a low threat state in perpetuity. (Maintained open areas, cleared access tracks/roads).

Note<sup>3:</sup> \*3, \*4, \*6 and \*7 indicates vegetation subject to changes post development of this site, with the area/s being reclassified to 'Excluded' AS3959-2018 (f)'. This is the result of the implementation of Asset Protection Zones around the proposed structures and any applicable landscaping within the development site. The development site is to be maintained to a low bushfire threat state in perpetuity in accordance with Schedule 1: Standards for Asset Protection Zones as stipulated in the Guidelines for Planning in Bushfire Prone Areas, AS3959-2018 s2.2.3.2 requirements and the Shire of Derby-West Kimberley Firebreak Notice.

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### 3.2.3 Bushfire Attack Level Results - Derived from The BAL Contour Map

# DERIVING A BAL RATING FOR A FUTURE CONSTRUCTION SITE (BUILDING) FROM THE BAL CONTOUR MAP DATA (Capacity to Issue a BAL Certificate)

**Key Assumptions:** The actual location of a building within a lot or envelope (an 'area') may not have been determined at this stage of planning; and the BAL ratings represent the BAL of an 'area' not a building.

#### The BAL Rating is Assessed as Indicative

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

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

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

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

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

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

#### The BAL Rating is Assessed as Determined

If the assessed BAL for the lot or envelope is stated as being 'determined' it is because that lot or envelope is impacted by a single BAL contour interval. This BAL has been determined by the existence (or non-existence) of classified vegetation outside the lot or envelope, and no classifiable vegetation currently exists on the lot or envelope (i.e. it has been cleared to a minimal fuel, low bushfire threat state). In the situation where the BAL Contour Map has been constructed around multiple lots, there also needs to no classifiable vegetation on an adjacent lot if this vegetation has not already been incorporated into the creation of the BAL Contour Map.

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

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

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



Table 3.2.4: Indicative Bushfire Attack Levels for the Proposed Works (Refer to Figure 3.3)

INDICATIVE BUSHFIRE ATTACK LEVELS FOR PROPOSED WORKS				
Relevant Fire Danger Index (AS 3959-2018 Table 2.1)				
Derived from the Application of Method 1 BAL Determination Methodology (AS 3959:2018 Section 2, Table 2.5)1				
Building/Structures/Works BAL Status Indicative BAL Rating		Indicative BAL Rating		
Workers Accommodation	Indicative	BAL-29		
Temporary Workers Accommodation	Indicative	BAL-29		



# 3.2.4 Determined Separation Distances Corresponding to 2 kW/m² of Radiant Heat Flux

Acceptable solutions with regard to radiant heat exposure during a bushfire emergency event can apply to certain 'vulnerable' land uses. These solutions establish the requirements for safer onsite shelter locations to be subject to radiant heat flux no greater than  $10\,\mathrm{kW/m^2}$  for a building or  $2\,\mathrm{kW/m^2}$  for an open area.

An Open Space Area "shelter on site" will be adopted to provide a safe area for staff and visitors in the event of a bushfire emergency. The area is located to the south west of the development site and is easily accessible and will achieve a radiant heat flux of 2kW or less.

Table 3.5: Specific vegetation separation distances for 'vulnerable land use' application.

SEPARATION DISTANCES CORRESPONDING TO 10 kW/m² AND 2 kW/m² OF RADIANT HEAT FLUX					
BAL Determi	ination Methodology Applied <sup>1</sup>	Method 2 as per AS 3959:2018 Appendix B.			
Vegetation Area Vegetation Classification		Separation Distance Corresponding to 2 kW/m² (metres)			
7 Class B Woodland		123m			

Note<sup>1</sup> Assessment inputs applied are presented in Section 3.1. AS 3959:2018 method 2 calculation input/output summary data is presented for reference in Appendix 4

Refer to Appendix 4 for Method 2 calculations.



# 4 IDENTIFICATION OF BUSHFIRE HAZARD ISSUES

In response to the Bushfire Management Plan requirements established by Appendix 5 of the Guidelines for Planning in Bushfire Prone Areas (WAPC 2017 v1.3), the following statements are made to assist in the understanding of whether the proposal is likely to be able to comply with the bushfire protection criteria now or in subsequent planning stages.

	Spatial Context - Broader Landscape Considerations
Wider road network and access constraints	The surrounding area is remote in nature. Numerous access tracks lead to various destinations including neighbouring properties, however all areas are remote and traverse significant amounts of vegetation.
Proximity of settlements and emergency services	The subject site is part of a large and remote area. The Derby central townsite to the west is 300 km and 4 hours and minutes travel time (by road) from the development site. The nearest Emergency services are also located in Derby. Due to the remoteness of the site, Emergency Procedures are in place within the Charnley River Wildlife Sanctuary in the event of a Bushfire.
Bushfire prone vegetation types and extent (including conserved vegetation)	Significant extents of bushfire prone vegetation exist across the broader landscape as retained native vegetation (a combination forest and woodland) but interspersed with area open canopy and maintained open areas.  All of the vegetation is on private land and subject to various levels of fuel load management.  The forest and woodland vegetation will produce embers and firebrands in a bushfire event primarily due to the type of foliage and type of bark.
Topography and fire behaviour interactions.	The topography is undulating rather than rugged. Some areas of flat land, but the majority as slopes of zero (0) to five (5) degrees. Bushfire rates of spread can double for every ten degrees of upslope while downslopes will slow the rate of spread.
Potential for extreme fire behaviour and pyro convective events.	Possible extreme fire behaviour, due to vegetation types and connectivity of vegetation. Large landscape scale fire events are possible.
	Environmental Considerations
Constraints to implementing required and/or additional bushfire protection measures	The environmental considerations have not identified any issues, where riparian zones may be impacted by APZ's, proposed dwellings can be moved.
	Provision of Access Within the Subject Site
Potential constraints	Access constraints currently exist for this site. Access to a point of two different destinations is located approximately 43kms south east of the development site at the
	intersection of Beverley Springs Road and Derby-Gibb River Road.
	Intersection of Beverley Springs Road and Derby-Gibb River Road.  Potential Bushfire Impacts
Flame and radiant heat and ability to establish an APZ	Potential Bushfire Impacts  The proposed development can implement a minimum of a BAL-29 dimensioned APZ (around habitable buildings and required structures) This will prevent flame contact from the classified vegetation. Application of the BAL-29 bushfire construction standard where applicable will mitigate the risks from radiant heat impact to what is considered an acceptable level.
and ability to establish an	Potential Bushfire Impacts  The proposed development can implement a minimum of a BAL-29 dimensioned APZ (around habitable buildings and required structures) This will prevent flame contact from the classified vegetation. Application of the BAL-29 bushfire construction standard where applicable will mitigate the risks from radiant heat impact to what is
and ability to establish an APZ  Embers/firebrands, smoke and fire-driven wind	Potential Bushfire Impacts  The proposed development can implement a minimum of a BAL-29 dimensioned APZ (around habitable buildings and required structures) This will prevent flame contact from the classified vegetation. Application of the BAL-29 bushfire construction standard where applicable will mitigate the risks from radiant heat impact to what is considered an acceptable level.  These will be the major impacts to the subject site. The appropriate protection measures of building construction and strict management of the APZ's will mitigate the risk to what
and ability to establish an APZ  Embers/firebrands, smoke and fire-driven wind	Potential Bushfire Impacts  The proposed development can implement a minimum of a BAL-29 dimensioned APZ (around habitable buildings and required structures) This will prevent flame contact from the classified vegetation. Application of the BAL-29 bushfire construction standard where applicable will mitigate the risks from radiant heat impact to what is considered an acceptable level.  These will be the major impacts to the subject site. The appropriate protection measures of building construction and strict management of the APZ's will mitigate the risk to what is considered an acceptable level.

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Additional documents	It is a requirement of State Planning Policy 3.7 that a development application for a vulnerable land use should include an Emergency Evacuation Plan for proposed occupants. This is provided as a separate operational document.	
Discretionary Decision Making and the Precautionary Principle (SPP 3.7 and Guidelines)		
Bushfire consultant consideration for further issues that need to be addressed?	N/A	



# 5 ASSESSMENT AGAINST THE BUSHFIRE PROTECTION CRITERIA ESTABLISHED BY THE GUIDELINES

For a development application to be considered compliant with SPP 3.7, it must satisfy (achieve) the intent of each of the four elements of the bushfire protection criteria. These criteria are established by the *Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3*). Compliance can be achieved by either:

- Meeting all applicable acceptable solutions corresponding to each element (i.e. the minimum bushfire
  protection measures that are deemed to satisfy planning requirements); or
- Where an acceptable solution cannot be met, by developing a performance solution that satisfies the established requirements.

# 5.1 Local Government Variations to Apply

Local governments may add to or modify the acceptable solutions of the Bushfire Protection Criteria (BPC) and/or apply technical requirements that vary from those specified in the Guidelines for Planning in Bushfire Prone Areas (WAPC). In such instances, this Proposal will be assessed against these variations and/or any specific local government technical requirements for emergency access and water. Refer to Appendices 2 and 3 for relevant technical requirements.

Will local or regional variations (endorsed by WAPC / DFES) to the applicable acceptable solutions established by the *Guidelines* or the *Position Statement: Tourism land uses in bushfire* prone areas WAPC October 2019, apply to this Proposal?

N/A

Specific Local Government technical requirements where required to be applied will be addressed at the subsequent subdivision stage/s where requested by the local government.



# 5.2 Summary of Assessment Against the Bushfire Protection Criteria

SUMMARISED OUTCOME OF THE ASSESSMENT AGAINST THE BUSHFIRE PROTECTION CRITERIA						
	Basis for the Proposal Achieving Full Compliance with SPP 3.7				The Proposal Cannot Achieve	
	Acceptable So	eptable Solutions Met Ach		ne Intent of the ement	Full Compliance with SPP 3.7	
Element of the Bushfire Protection Criteria	All applicable solutions are fully met	All applicable solutions are not fully met.  A merit based assessment and/or a bushfire performance comparison of the proposals residual risk with that of the residual risk of the acceptable solution is conducted (refer Note 4)		A performance principle-based solution is applied	Bushfire planning development type that may not require full compliance is applied	An improvement in bushfire performance compared to the existing development is detailed (refer Note 4)
1. Location	✓					
Siting and     Design of     Development	<b>✓</b>				N/A	
3. Vehicular Access		,	✓		IV/A	
4. Water	✓					

Note: The development proposal has been assessed:

- Against the requirements established in Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas, WAPC 2017 v1.3 (Guidelines). The Guidelines are found at https://www.planning.wa.gov.au/8194.aspx; and
- Applying the interpretation guidance provided in Position Statement: Planning in bushfire prone areas -Demonstrating Element 1: Location and Element 2: Siting and design (WAPC Nov 2019).
- 3. Applying any endorsed variations to the Guideline's acceptable solutions and associated technical requirements that have been established by the local government. If known and applicable these have been stated in Section 5.1 with the detail included as an appendix if required by the local government.
- 4. When non-compliant with SPP 3.7 and when appropriate, by utilising additional compliance pathways that include the application of merit based assessment and comparative bushfire performance. The validity of this approach is derived from relevant decisions made by the responsible authorities (refer Appendix 4).



#### 5.3 Assessment Detail

#### 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.

**Compliance**: How the proposed development achieves the intent of Element 1:

By fully meeting all applicable acceptable solutions established by the bushfire protection criteria (Guidelines v1.3 WAPC 2017)

#### ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the Guidelines (WAPC 2017 v1.3) and apply the interpretation guidance established by the Position Statement: Planning in bushfire prone areas – Demonstrating Element 1: Location and Element 2: Siting and design (WAPC Nov 2019).

#### Acceptable Solution: A1.1: Development Location

#### ASSESSMENT AGAINST THE REQUIREMENTS ESTABLISHED BY THE GUIDELINES

The future development of the site will provide an area of land that can be considered suitable for development as BAL-40 or BAL-FZ construction standards will not be required to be applied. This meets the requirements established by Acceptable Solution A1.1 and its associated explanatory note.

#### ASSESSMENT AGAINST THE REQUIREMENTS ESTABLISHED BY THE POSITION STATEMENT

The position statement establishes that:

- The source of risk (the hazard) to be considered in Element 1 is the "level of bushfire exposure" from the type and extent of bushfire prone vegetation and the topography of the land on which it exists; and
- "Consideration should be given to the site context" which includes the land both "within and adjoining
  the subject site". The "hazards remaining within the site should not be considered in isolation of the hazards
  adjoining the site, as the potential impact of a bushfire will be dependent on the wider risk context."

The position statement also recognises:

- That the proposed development site and its surrounding land may be part of an area "identified for development or intensification of land use prior to the release of SPP 3.7"; consequently
- Consideration by decision-makers "should also be given to improving bushfire management of the site
  and surrounding area, thereby reducing the vulnerability of people property and infrastructure to bushfire";
  and
- The application of mitigation measures to lessen the risk to the broader area would include improvements
  to the local road network (including emergency access ways), improvements/additions to firefighting
  water supply and increasing separation distance from the hazard.

# The Hazard Within the Subject Site

The proposal is for the installation of Permanent Workers accommodation and Temporary Workers Accommodation. The development site currently lies within a bushfire prone area as defined by the OBRM map of Bushfire Prone Areas. It exists within a remote area (Shire of Derby-West Kimberley). The removal or modification of classifiable vegetation will be required (subject to approval by the Local Government) within the development area.

The Charnley River Wildlife Sanctuary is currently vegetated with vegetation being classified as Class A Forest and Class B Woodland. The topography is gently undulating rather than rugged. Some areas of flat land, but the majority as slopes of zero (0) to five (5) degrees. Bushfire rates of spread can double for every ten degrees of upslope while downslopes will slow the rate of spread.

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# Element 1: Location

Significantly intense bushfire behaviour is possible. However, the ability to establish a BAL-29 dimensioned APZ for the Workers Accommodation and for future development within the Sanctuary removes the threat of greater levels of radiant heat or flame contact.

The primary bushfire threat from bushfire prone vegetation remaining onsite will be embers. This threat will be mitigated by the application of appropriate building design, bushfire construction standards and the ongoing maintenance of the APZ to ensure the buildings will not be impacted by consequential fire within combustible materials used, stored or accumulated within the APZ. The Eco Tents are not considered a class of building, that is applicable to be constructed to the relevant AS3959 Standard. However, they will still maintain an appropriate APZ to BAL-29. The tents are considered an acceptable loss in the event of a bushfire.



# Element 2: Siting and Design of Development

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

**Compliance**: How the proposed development achieves the intent of Element 2:

By fully meeting all applicable acceptable solutions established by the bushfire protection criteria (Guidelines v1.3 WAPC 2017)

#### ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the Guidelines (WAPC 2017 v1.3) and apply the interpretation guidance established by the Position Statement: Planning in bushfire prone areas – Demonstrating Element 1: Location and Element 2: Siting and design (WAPC Nov 2019).

#### Acceptable Solution: A2.1: Asset Protection Zone

#### THE APZ - DEVELOPMENT SITING AND DESIGN PLANNING REQUIREMENTS

The necessary outcome of bushfire planning for development siting and design, is to ensure that a building can be located within the developable portion of any lot (i.e. outside those parts of the lot that form the required R-Code building setbacks, or any other excluded area), and be subject to potential radiant heat from a bushfire not exceeding 29 kW/m² (i.e. a maximum BAL of BAL-29).

This will be achieved when the size of the "low fuel area immediately surrounding a building", the asset protection zone (APZ), is large enough. This requires a certain separation distance to exist between the building and areas of classified vegetation. These are the BAL-29 APZ dimensions and they will vary dependent on site specific parameters.

The APZ should be contained solely within the boundaries of each lot, except in instances where the neighbouring lot(s) or adjacent public land will be managed in a low-fuel state on an ongoing basis, in perpetuity.

Where possible, planning for siting and design should incorporate elements that include non-vegetated areas (e.g. roads/parking/drainage) and/or formally managed areas of vegetation (public open space/recreation areas/ services installed in a common section of land), as either part of the required APZ dimensions or to additionally increase separation distances to provide greater protection. These elements create robust and easier managed asset protection zones.

# THE ASSESSMENT

Future buildings within the development area, can be surrounded by an APZ that will ensure the potential radiant heat impact of a bushfire does not exceed 29 kW/m² (BAL-29). The required APZ specifications of width, location and management can be achieved through site planning and positioning of buildings.

# ASSET PROTECTION ZONE (APZ) – ATTRIBUTES TO SATISFY BUSHFIRE PLANNING REQUIREMENTS:

**Width:** The required APZ dimensions to ensure buildings are subject to a maximum BAL of BAL-29 (measured from any external wall or supporting post or column to the edge of the classified vegetation), has been determined in Section 3.2 of this BMP and are:

BAL-29 APZ Dimensions				
	Building to Vegetation Area 1	Minimum 27 metres		
	Building to Vegetation Area 2	Minimum 17 metres		
Applicable to Permanent	Building to Vegetation Area 3	Minimum 17 metres		
and Temporary Workers Accommodation	Building to Vegetation Area *3	Excluded AS3959:2018 2.2.3.2 (f)		
	Building to Vegetation Area 4	Minimum 27 metres		
	Building to Vegetation Area *4	Excluded AS3959:2018 2.2.3.2 (f)		

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# Element 2: Siting and Design of Development

Building to Vegetation Area 6	Minimum 17 metres
Building to Vegetation Area *6	Excluded AS3959:2018 2.2.3.2 (f)
Building to Vegetation Area 7	Minimum 17 metres
Building to Vegetation Area *7	Excluded AS3959:2018 2.2.3.2 (f)

\* Indicates vegetation subject to changes post development of this site, with the area/s being reclassified to 'Excluded' AS3959-2018 (f)'. This is the result of the implementation of Asset Protection Zones around any proposed structures and landscaping within the development site. The development site is to be maintained to a low bushfire threat state in perpetuity in accordance with Schedule 1: Standards for Asset Protection Zones as stipulated in the Guidelines for Planning in Bushfire Prone Areas, AS3959-2018 s2.2.3.2 requirements and the Shire of Derby-West Kimberley Firebreak Notice.

**APZ Location:** Asset protection zones can be contained solely within the boundaries of the subject lot. Onsite vegetation will be required to be modified/removed, the authority for which will need to be received from the local government.

**APZ Management:** All vegetation that will require modification/removal and future management is onsite and therefore under the control of the landowner.

Retained vegetation with the APZ's will be managed in accordance with the technical requirements established by the Schedule 1: 'Standards for Asset Protection Zones (Guidelines). The APZ specifications are also detailed in Appendix 1 and the City of Armadale may have additional requirements established by their Fire Mitigation Notice (Firebreak Notice).

#### THE APZ - REQUIRED DIMENSIONS TO SATISFY FUTURE BUILDING (AND ONGOING MANAGEMENT)

It is important for the landowner to be aware that the APZ dimensions that will be required to be physically established and maintained on the lot surrounding relevant future buildings, may be different to those for the BAL-29 APZ - which is the minimum dimension a planning proposal needs to show can be established to comply with SPP 3.7.

The actual APZ dimensions to be physically established and maintained, will be based on which of the following establishes the larger APZ dimension:

- The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 for explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL); or
- The APZ dimensions established by the local government's Firebreak Notice.

If the dimensions of the APZ that are to be established are known at this time, they will be stated below.



#### Element 3: Vehicular Access

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

**Compliance**: How the proposed development achieves the intent of Element 3:

The intent of the element cannot be achieved.

# ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the Guidelines (WAPC 2017 v1.3).

#### Acceptable Solution: A3.1: Two Access Routes

The subject site is located on an existing road network. No new roads are proposed. Access to a point of two different destinations (leading to townsites considered low threat) is located approximately 43 kilometres south east of the development site (travel via Beverley Springs Road) at the intersection of Beverley Springs Road and Derby-Gibb River Road. Compliance with this element is not achievable as the length exceeds 200 metres.

The site is in a remote/rural setting and multiple access routes and frequently used tracks that do not conform to the standard are available between stations and through to other localities for access and egress. All access to the site is 4wd only. Multiple vehicles are available for this remote rural environment and staff onsite are primarily on a live in basis and are familiar with their surrounds. An onsite open area to maximum 2kW radiant heat exposure is to be made available for safe shelter in a bushfire event and firefighting resources are also available onsite (see Figure 3.2 for location and section 3.2.4 for distances).

#### Acceptable Solution: A3.2: Public Road

N/A

#### Acceptable Solution: A3.3: Cul-de-sacs (including a dead-end road)

N/A

#### Acceptable Solution: A3.4: Battle-axe

N/A

### Acceptable Solution: A3.5: Private Driveways

Multiple access tracks are available throughout the site, however they and access to the site in general are by 4wd vehicles only. The tracks are maintained each season. Through access is provided to the east of the proposed workers accommodation buildings and the eco tents, where a suitable turnaround is available additional to through access. Prive access is to be maintained as far as practicable in accordance with the requirements set out in Appendix 2.

# Acceptable Solution: A3.6: Emergency Access Way

N/A

# Acceptable Solution: A3.7: Fire Service Access Routes

N/A

#### Acceptable Solution: A3.8: Firebreak Width

The subject site can and will comply with the requirements of the Shire of Derby-West Kimberley Firebreak Notice issued under s33 of the Bush Fires Act 1954. Firebreaks and hazard reduction, as necessary, will be installed/maintained annually and in perpetuity.

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#### Element 4: Water

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

**Compliance:** How the proposed development achieves the intent of Element 4:

By fully meeting all applicable acceptable solutions established by the bushfire protection criteria (Guidelines v1.3 WAPC 2017)

#### ASSESSMENT (COMPLIANCE) STATEMENTS

For each applicable acceptable solution, the following statements present the results of the assessment of the proposed development/use against the requirements established by the Guidelines (WAPC 2017 v1.3).

#### Acceptable Solution: A4.1: Reticulated Areas

N/A

#### Acceptable Solution: A4.2: Non-Reticulated Areas

N/A

#### Acceptable Solution: A4.3: Non-Reticulated Areas – Individual Lots

Two standalone tanks, each enabling 22,750 litre storage capacity are currently available onsite, these are fed from 2 onsite bores. The subject site is within a non-reticulated water supply area for potable water and fire-fighting operations. The redevelopment of the site will entail significant replacement of the underground water reticulation network, and a reconsideration of the current water storage. Bushfire technical standards for water supply apply. Water tanks in the development area require a minimum 50,000 litres reserve storage capacity and direct connection coupling for fire-fighting operations (see Appendix 3 for technical requirements).



#### 5.4 Additional Bushfire Protection Measures

The following bushfire protection measures are to be implemented and maintained. They are additional to those established by the relevant acceptable solutions applied to the proposed subdivision, development or use.

The relevant acceptable solutions are those against which this planning proposal has been assessed in Section 5.3 of this Bushfire Management Plan.

# 5.4.1 Additional Measures to Improve Bushfire Performance

Element 2 of the Bushfire Protection Criteria requires two different access routes to be provided which connect to the public road network to enable safe access and egress at all times. Due to the remote nature of the Chamley River Wildlife Sanctuary this cannot be achieved. In the absence of this, an onsite Shelter in place (open area) is to be provided where the radiant heat will not exceed 2kW. The location of this is shown in Figure 3.2 and distances detailed in Section 3.2.4.

SUMMARY OF ADDITIONAL BUSHFIRE PROTECTION MEASURES (TREATMENTS) TO BE APPLIED  (Detail Contained in Section 5.4)			
Treatment Category	Brief Description	The Relevant Element and its Intent the Treatment Has Been Developed to Help Achieve	
Access	Ensure a designated shelter in place open area that is not subject to radiant heat levels exceeding 2 kW/m² (12000K flame temperature) is installed and maintained.	Element 3 To Ensure that the vehicular access serving a development is available and safe during a bushfire event	

# 5.4.2 Additional Measures Established by the Bushfire Emergency Plan

SPP 3.7 establishes the requirement for a Bushfire Emergency Plan to be developed and used as a bushfire protection measure for 'vulnerable' land uses. The emergency plan is produced as a separate operational document and is accompanied by Supporting Information (separate document).

It establishes the required actions corresponding to a set of relevant procedures that are to be followed in preparation for a bushfire emergency event and in response to and recovery from, a bushfire emergency event.

The responsibility for the facility/premises owner/manager to ensure the requirements of Bushfire Emergency Plan are actioned every year, is established in Section 6 of this Bushfire Management Plan.



Additional Bushfire Protection Measures	- To Implement at Design Stage or Prior to Ope	eration
Bushfire Protection Measure	Relevant Site Specific Details	Application
Ensure the Bushfire Emergency Plan is developed.		To be applied
Complete all actions of the Pre-Season Prepare Procedure established in the Bushfire Emergency Plan, prior to initial operation.		To be applied
To reduce the risks from gas flaring or explosion, the installation of LP Gas cylinders must be in accordance with AS 1596:2014. This includes 6m separation from any combustible materials, the use of metal piping and fittings, safety valves directed away from the building and persons access/egress routes and tethers securing cylinders upright to be non-combustible.	Installation and use of gas are proposed for the development. Compliance with these requirements will increase the robustness of the new building design by ensuring additional heat/flame load is not placed on the structure. It is a suitable and effective treatment.	Recommended to be applied
Install emergency sprinkler system to buildings/site.		Not practical or cost effective to be applied
Landscaping design is to ensure that the designated shelter in place open area is not subject to radiant heat levels exceeding 2 kW/m² (12000K flame temperature) by establishing the required sized APZ (an area containing minimal fuel in a low threat state).	Separation from bushfire prone vegetation is a primary and highly effective risk treatment.  For the designated shelter in place open area the required APZ dimensions are 123m radius.	To be applied
Improve vehicular access - number of routes / turnarounds / signage.	Provide adequate access including turnaround areas to new accommodation buildings and eco tents, Access should be provided in accordance with the guidelines provided in Section 5.3 – Element 3 and Appendix 2 of the BMP.	Recommended to be applied
Inform potential occupants/visitors - by using appropriate signage - of the increased bushfire risk due to limited access/water/shelter and the requirement for them to understand the emergency procedures established for the site/facility/premises and prepare (i.e. shared responsibility).		Recommended to be applied
Each year complete the actions of the Pre-Season Prepare Procedure established in the Bushfire Emergency Plan.		To be applied
A responsible person, with appropriate bushfire emergency training, must always be present on-site (staff / caretaker / landowner) to oversee emergency management procedures.	To achieve the greatest effectiveness from a Bushfire Emergency Plan this an important protection measure.	To be applied



# 6 RESPONSIBILITIES FOR IMPLEMENTATION AND MANAGEMENT OF THE BUSHFIRE PROTECTION MEASURES

Table 6.1: BMP Implementation responsibilities prior to occupancy or building.

	al Landowner (Developer) - Prior to Occupancy or Building
No.	Implementation Actions
	The local government may condition a development application approval with a requirement for the landowner/proponent to register a notification onto the certificate of title and deposited plan.
	This will be done pursuant to Section 70A <i>Transfer of Land Act 1893</i> as amended ('Factors affecting use and enjoyment of land, notification on title'). This is to give notice of the bushfire hazard and any restrictions and/or protective measures required to be maintained at the owner's cost.
1	This condition ensures that:
	Landowners/proponents are aware their lot is in a designated bushfire prone area and of their obligations to apply the stated bushfire risk management measures; and
	Potential purchasers are alerted to the Bushfire Management Plan so that future landowners/proponents can continue to apply the bushfire risk management measures that have been established in the Plan.
2	Prior to sale and post planning approval, the entity responsible for having the BMP prepared should ensure that anyone listed as having responsibility under the Plan has endorsed it and is provided with a copy for their information and informed that it contains their responsibilities. This includes the landowners/proponents (including future landowners where the Plan was prepared as part of a subdivision approval), local government and any other authorities or referral agencies ('Guidelines' s4.6.3).
	Establish the Asset Protection Zone (APZ) surrounding both the Permanent Workers Accommodation and the Temporary Workers Accommodation (Eco Tents) to the largest dimension as determined by either:
	The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 for explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL); or
3	The dimensions corresponding to the local government's Firebreak Notice.
	Establish the APZ to the above dimensions and to the standards established by the Guidelines (refer to Appendix 1) or as varied by the local government through their Firebreak Notice (refer to the following responsibility).
	This is the responsibility of the landowner.
	Each new development is to be compliant with the Shire of Derby-West Kimberley annual firebreak notice issued under s33 of the Bushfires Act 1954.
4	This may include specifications for asset protection zones that differ from the Guideline's APZ Standards, with the intent to better satisfy local conditions. When these are more stringent than those created by the Guidelines, or less stringent and endorsed by the WAPC and DFES, they must be complied with. Refer to Appendix 1.
5	Prior to occupancy, a copy of the Bushfire Emergency Plan must be provided to the landowner/occupier and they are to be informed that it contains responsibilities that must be actioned due to the subject Proposal's land use being defined as 'Vulnerable'.
	This Plan must be read, and the instructions contained in the Plan that require certain information to be displayed and available to all occupants, must be complied with.



6	Prior to occupancy, install the required emergency static water supply (50,000 litre tank) and associated vehicle access, to the standards stated in the relevant acceptable solution and applying the guidance provided in Appendix 3, or to the specific requirements of the local government.			
7	Prior to occupancy, install the private driveways to the new development to standards stated in the BMP (see Appendix 2).			
8	There is an outstanding obligation, created by this Bushfire Management Plan, for a Bushfire Emergency Plan for proposed occupants to be developed and approved for the 'vulnerable' land use.			
9	Prior to occupancy ensure the Shelter On Site (Open Area) is installed to the required dimensions detailed in Section 3.2.4 and 5.4			
10	Prior to occupancy ensure additional measures to improve bushfire performance detailed in Section 5.4.1 and 5.4.2 are carried out.			
11	Prior to occupancy, all actions contained within the Pre-Season Procedure established by the Bushfire Emergency Plan, must be completed.			
	Prior to any building work, inform the builder of the existence of this Bushfire Management Plan and the responsibilities it contains, regarding the required construction standards. This will be:			
12	<ul> <li>The standard corresponding to the determined BAL, as per the bushfire provisions of the Building Code of Australia (BCA); and/or</li> </ul>			
	A higher standard because the BMP establishes that the construction standard is to correspond to a higher BAL as an additional bushfire protection measure.			



Table 6.2: Ongoing management responsibilities for the Landowner/Occupier.

	Landowner/Occupier - Ongoing
No.	Ongoing Management Actions
	Maintain the Asset Protection Zone (APZ) surrounding both the Permanent Workers Accommodation and the Temporary Workers Accommodation to the largest dimension as determined by either:
1	The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 for explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL); or
	The dimensions corresponding to the local government's Firebreak Notice.
	Maintain the APZ to the above dimensions and to the standards established by the Guidelines (refer to Appendix 1) or as varied by the local government through their Firebreak Notice (refer to the following responsibility).
	Comply with the Shire of Derby-West Kimberley annual firebreak notice issued under s33 of the Bush Fires Act 1954.
2	This may include specifications for asset protection zones that differ from the Guideline's APZ Standards, with the intent to better satisfy local conditions. When these are more stringent than those created by the Guidelines, or less stringent and endorsed by the WAPC and DFES, they must be complied with. Refer to Appendix 1.
3	Maintain vehicular access routes within the development site to the required surface condition and clearances as stated in the BMP.
4	Maintain the emergency water supply tank and its associated fittings and associated vehicular access in good working condition.
5	Ensure that any builders (of future structures on the lot) are aware of the existence of this Bushfire Management Plan and the responsibilities it contains regarding the application of construction standards corresponding to a determined BAL.
6	Ensure all future buildings the landowner has responsibility for, are designed and constructed in full compliance with:  1. the requirements of the WA Building Act 2011 and the bushfire provisions of the Building Code of Australia (BCA); and  2. with any identified additional requirements established by this BMP or the local government.
7	Annually review the Bushfire Emergency Plan and conduct the pre-season preparation procedure.
8	Ensure additional measures to improve bushfire performance detailed in Section 5.4.1 and 5.4.2 are maintained.

 ${\it Table 6.3: Ongoing \ management \ responsibilities \ for \ the \ Local \ Government.}$ 

	Local Government - Ongoing
No.	Ongoing Management Actions
1	Monitor landowner compliance with the Bushfire Management Plan and the annual Firebreak and Fuel Load notice.



# APPENDIX 1: TECHNICAL REQUIREMENTS FOR ONSITE VEGETATION MANAGEMENT

#### A1.1 Requirements Established by the Guidelines – Standards for Asset Protection Zones

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

#### **DEFINING THE ASSET PROTECTION ZONE (APZ)**

**Description:** An APZ is an area surrounding a building that is managed to reduce the bushfire hazard to an acceptable level (by reducing fuel loads). The width of the required APZ varies with slope and vegetation and varies corresponding to the BAL rating determined for a building (lower BAL = greater dimensioned APZ).

For planning applications, the minimum sized acceptable APZ is that which is of sufficient size to ensure the potential radiant heat impact of a fire does not exceed 29kW/m² (BAL-29). It will be site specific.

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

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

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

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

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

#### Schedule 1: Standards for AP7

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

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

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



Example: Fine fuel load of 2 t/ha (Image source: Shire of Augusta Margaret River's Firebreak and Fuel Reduction Hazard Notice)

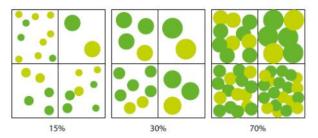
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**Trees (> 5 metres in height):** trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres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

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



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

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

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

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

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





### A1.2 Requirements Established by the Local Government – the Firebreak Notice

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

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

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

The APZ dimensions to be physically established and maintained, will be based on which of the following establishes the larger APZ dimension:

- The dimensions corresponding to the determined BAL of a building (refer to Section 3.2 explanation of the 'planning' versus 'building' requirements and 'indicative' versus 'determined' BAL(s)); or
- The APZ dimensions established by the local government's Firebreak Notice.

### A1.3 Requirements Recommended by DFES - Property Protection Checklists

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

#### A1.4 Requirements Established by AS 3959:2018 – 'Minimal Fuel Condition'

This information is provided for reference purposes. This knowledge will assist the landowner to comply with Management Requirement No. 3 set out in the Guidance Panel at the start of this Appendix. It identifies what is required for an area of land to be excluded from classification as a potential bushfire threat.

"Australian Standard - AS 3959:2018 Section 2.2.3.2: Exclusions - Low threat vegetation and non-vegetated areas:

The Bushfire Attack Level shall be classified BAL-LOW where the vegetation is one or a combination of the following:

- a) Vegetation of any type that is more than 100m from the site.
- b) Single areas of vegetation less than 1ha in area and not within 100m of other areas of vegetation being classified vegetation.
- c) Multiple area of vegetation less than 0.25ha in area and not within 20m of the site or each other or other areas of vegetation being classified vegetation.
- d) Strips of vegetation less than 20m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20m of the site or each other, or other areas of vegetation being classified vegetation.
- e) Non-vegetated areas, that is, areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.
- f) Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition, (means insufficient fuel available to significantly increase the severity of a bushfire attack for example, recognisable as short cropped grass to a nominal height of 100mm), mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks (single row of trees)."

190388 - Charnley River Wildlife Sanctuary BMP v1.0

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#### APPENDIX 2: TECHNICAL REQUIREMENTS FOR VEHICULAR ACCESS

Each local government may have their own standard technical requirements for emergency vehicular access, and they may vary from those stated in the Guidelines.

When required, these are stated in Section 5.1 of this bushfire management plan.

#### Requirements Established by the Guidelines – The Acceptable Solutions

(Source: Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3, Appendix 4)

#### VEHICULAR ACCESS TECHNICAL REQUIREMENTS - PART 1

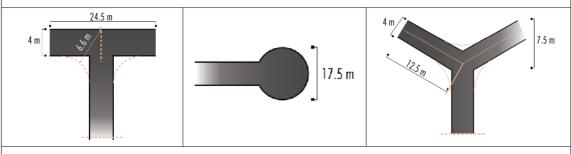
#### Acceptable Solution 3.5: Private Driveways

The following requirements are to be achieved:

• The design requirements set out in Part 2 of this appendix; and

Where the 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 (ie combined width of the passing bay and constructed private driveway to be a minimum six metres);
- Turn-around areas every 500 metres and within 50 metres of a house, designed to accommodate type 3.4 fire appliances to turn around safely (ie kerb to kerb 17.5 metres);
- Any bridges or culverts are able to support a minimum weight capacity of 15 tonnes; and
- All weather surface (i.e. compacted gravel, limestone or sealed).



### Acceptable Solution 3.8: Firebreak Width

Lots greater than 0.5 hectares must have an internal perimeter firebreak of a minimum width of three meters or to the level as prescribed in the local firebreak notice issued by the local government.



VEHICULAR ACCESS TECHNICAL REQUIREMENTS - PART 2						
		Vehicular Access Types				
Technical Component	Public Roads	Cul-de-sacs	Private Driveways	Emergency Access Ways	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	4.5	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 cross-fall	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	

<sup>\*</sup> A six metre trafficable surface does not necessarily mean paving width. It could, for example, include four metres of paving and one metre of constructed road shoulders. In special circumstances, where 8 lots or less are being serviced, a public road with a minimum trafficable surface of four metres for a maximum distance of ninety metres may be provided subject to the approval of both the local government and DFES.



# APPENDIX 3: TECHNICAL REQUIREMENTS FOR FIREFIGHTING WATER

# Non-Reticulated Areas – Multiple Lot Subdivision

Each local government may have their own standard technical requirements for firefighting water supplies, and they may vary from those stated in the Guidelines.

Table A4.1: Non-reticulated areas – Subdivision (multiple lots) water supply technical requirements.

	TECHNICAL REQUIREMENTS FOR STATIC WATER SUPPLY (EXAMPLE ONLY – CHECK WITH LOCAL GOVERNMENT)
Volume:	50,000 litres per tank
Ratio of tanks to lots:	1 tank per 25 lots (or part thereof)
Location:	No more than two kilometres to the furthermost house site within the residential development to allow a 2.4 fire appliance to achieve a 20-minute turnaround time at legal road speeds.
Tank Construction:	Above ground tanks constructed using concrete or metal. Stands of raised tanks are constructed using non-combustible materials and heat shielding where applicable (required for metal stands).
Pipe Construction:	Galvanised or copper (PVC if buried at least 300mm below ground).
Access:	Hardstand and turnaround areas suitable for a 3.4 appliance (i.e. kerb to kerb 17.5metres) are provided within three metres of each tank.
Couplings:	Hydrant or standpipe to be provided. Tanks to be fitted with a full flow valve and a 50mm cam-lock coupling of metal/alloy construction (examples below).
Ownership and Responsibility:	Water tanks and associated facilities are vested in the local government. A procedure must be in place to ensure that water tanks are maintained at or above designated capacity always.

[Sources: Guidelines for Planning in Bushfire Prone Areas WAPC 2017 v1.3, Appendix 4, Element 4 with example construction / coupling requirements from various sources including FESA (DFES) Operational Circular 07/2011 and Planning for Bushfire Protection Guidelines WAPC 2010]







# APPENDIX 4: AS 3959:2018 METHOD 2 INPUT/OUTPUT CALCULATION SUMMARIES

#### DETERMINING 2kW/M2 SEPARATION DISTANCES





Calculated April 30, 2021, 3:24 pm (BALc v.4.9)

Bushfire Attack Level calculator - AS3959-2018 (Method 2)					
Inputs		Outputs			
Fire Danger Index	80	Rate of spread	1.54 km/h		
Vegetation classification	Woodland	Flame length	13.02 m		
Understorey fuel load	15 t/ha	Flame angle	85 °		
Total fuel load	25 t/ha	Panel height	12.97 m		
Vegetation height	n/a	Elevation of receiver	4.34 m		
Effective slope	1 °	Fire intensity	19,928 kW/m		
Site slope	1 °	Transmissivity	0.72		
Distance to vegetation	123 m	Viewfactor	0.0248		
Flame width	100 m	Radiant heat flux	1.99 kW/m²		
Windspeed	n/a	Bushfire Attack Level	BAL-12.5		
Heat of combustion	18,600 kJ/kg				
Flame temperature	1,200 K				

Rate of Spread - Mcarthur, 1973 & Noble et al., 1980

Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980

Elevation of receiver - Douglas & Tan, 2005

Flame angle - Douglas & Tan, 2005

Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005



# **DEVELOPMENT APPLICATION FORM**

OWNER DETAILS				
Names(s): Robyn Godlee (	ABN (if applicable):			
Maxwell Charnle	33 169 742 358			
Postal Address:	State/Post Code:			
Level 15, 1 O'Connell S	NSW 2000			
Home Phone:	Work Phone:	Mobile Phone:		
0419 279 006		robyng@bigpond.com.au		
E-mail Address:		Fax:		
robyng@bigpond.com.au				
Owner's Signature(s):		Date:		
A Company of the comp		2/6/21		
Contact person for corresp	ondence:			

APPLICANT DETAILS (I	F DIFFERENT FROM OV	VNER)	
Name(s): <sub>Australian</sub> Wildlife Applicant: James	ABN (if applicable): 36068572556		
Postal Address:	State/Post Code:		
PO Box 8070 Subiaco I	WA 6008		
Home Phone:	Work Phone: 08 9380 9633	Mobile Phone: 0403 125 137	
E-mail Address: james.hewitt@austra	Fax:		
Applicant's Signature:	Date: 18 / 5/ 21		
Contact person for correspondence:			

Michael Green, Collaborative Design (architect/project manager) mgreen@collaborativedesign.com.au Ph: 0411298005

Derby

 Ø (08) 9191 0999

 ⊠ sdwk@sdwk.wa.gov.au

 PO Box 94, Derby WA 6728

Fitzroy Crossing

Flynn Drive PO Box 101, Fitzroy Crossing

ABN: 99 934 203 062

⊕ www.sdwk.wa.gov.au



# **DEVELOPMENT APPLICATION FORM (con't)**

PROPERTY DETAILS			
Location No(s):	Lot No(s):		Street No(s) (urban or rural):
	1590		
Diagram or Plan No:	Certificate of Ti	tle	Title Encumbrances (if any):
00500	Volume/Folio:		Dt11 N040000
69590	3159/692		Pastoral Lease N049960
Street Name:		Suburb/Locality:	
via Gibb River Road		Derby	
Nearest Street Intersection:		Total Land Area (m <sup>2</sup> or ha):	
		300,059 hec	ares

PROPOSED DEVELOPMENT					
Nature of development: (Circle) Wor	ks	ι	Jse	Works and Use	
Description of proposed works and/or land					
Upgrade and install new infrastrucure to become a new base for Stage 1 of this project is between 2021-22 is: Install new services (water, electrical, power supply), 5x Eco-te staff accommodation units for residential use.			,	1	
Nature of any existing buildings and/or use		umant d	ald workshop		
There exists the original Homestead and visiting staff accommo and power supply. Due to the nature and condition of these buil round. There is also an existing campground with ablution block	dings an	d servi	ces no staff can re	eally stay out there year al building not fit for purpose.	
Is an exemption from approval claimed for	part o	f the	developme	ent? (Circle)	
No Yes If yes, is the exemption for: Works Use					
Description of exemption claimed (if relevant):					
Approximate cost of proposed Estimated time of completion:					
development:		Lui	v 2022		
\$770,000 (Stage 1)		Jui	y 2022		
Services known to be available: (tick)  Y  N  Development already commenced					
Electricity				ted? (Circle)	
Scheme water		<b>V</b>			
Reticulated sewer		<u> </u>	* Y	N )	
Stormwater drainage		V_			
Sealed road access			<sup>*</sup> Penalty f	fees may apply	

OFFICE USE ONLY:	Date received:	Shire Reference:
Checked (Officer's Initials):	Fee received:	Plans Attached: Y N

 Derby
 Fitzroy Crossing

 ∅ (08) 9191 0999

 ⅓ 00 Loch Street

 ⅙ (08) 9191 5355

Sdwk@sdwk.wa.gov.au PO Box 94, Derby WA 6728

Ø (08) 9191 5355

☑ sdwk@sdwk.wa.gov.au

Flynn Drive
PO Box 101, Fitzroy Crossing

ABN: 99 934 203 062

# www.sdwk.wa.gov.au

Item 14.6 - Attachment 5



#### DEVELOPMENT APPLICATION ADVICE

- The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application and owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations Schedule 2 clause 62(2).
- All registered proprietors must sign the application form. If signing on behalf of a Company authority must be signed by: one director of the company accompanied by the company seal; or two directors of the company; or one director and one secretary of the company, or one director if a sole proprietorship company. Applications made by either private owners or companies that have recently changed names must provide supporting documentation showing the change of name.
- Applications made by prospective purchasers under contract of sale must be accompanied by a letter of consent from the current owners of the property giving the purchaser authority to make the application; or a copy of the Landgate transfer lodgment approval to make the application; or contract(s) of sale or offers and acceptances expressly including a provision of consent by the Vendor to the application proposed.
- The executor(s) of a deceased estate must provide evidence of grant of probate.
- Applications made by a State government agency must be signed by an 'authorised officer,' clearly stating their name and position held.
- An 'authorised officer' of Landgate must sign applications made on Crown Land.
- Where the Crown Land has been vested in a local/government authority, an 'authorised officer' of that local authority can sign the application form, stating his/her full name and position held.
- The information and plans provided with this application may be made available by the local government for public viewing in connection with the application.

Derby

**3** (08) 9191 0999

30 Loch Street ☑ sdwk@sdwk.wa.gov.au PO Box 94, Derby WA 6728 Fitzroy Crossing

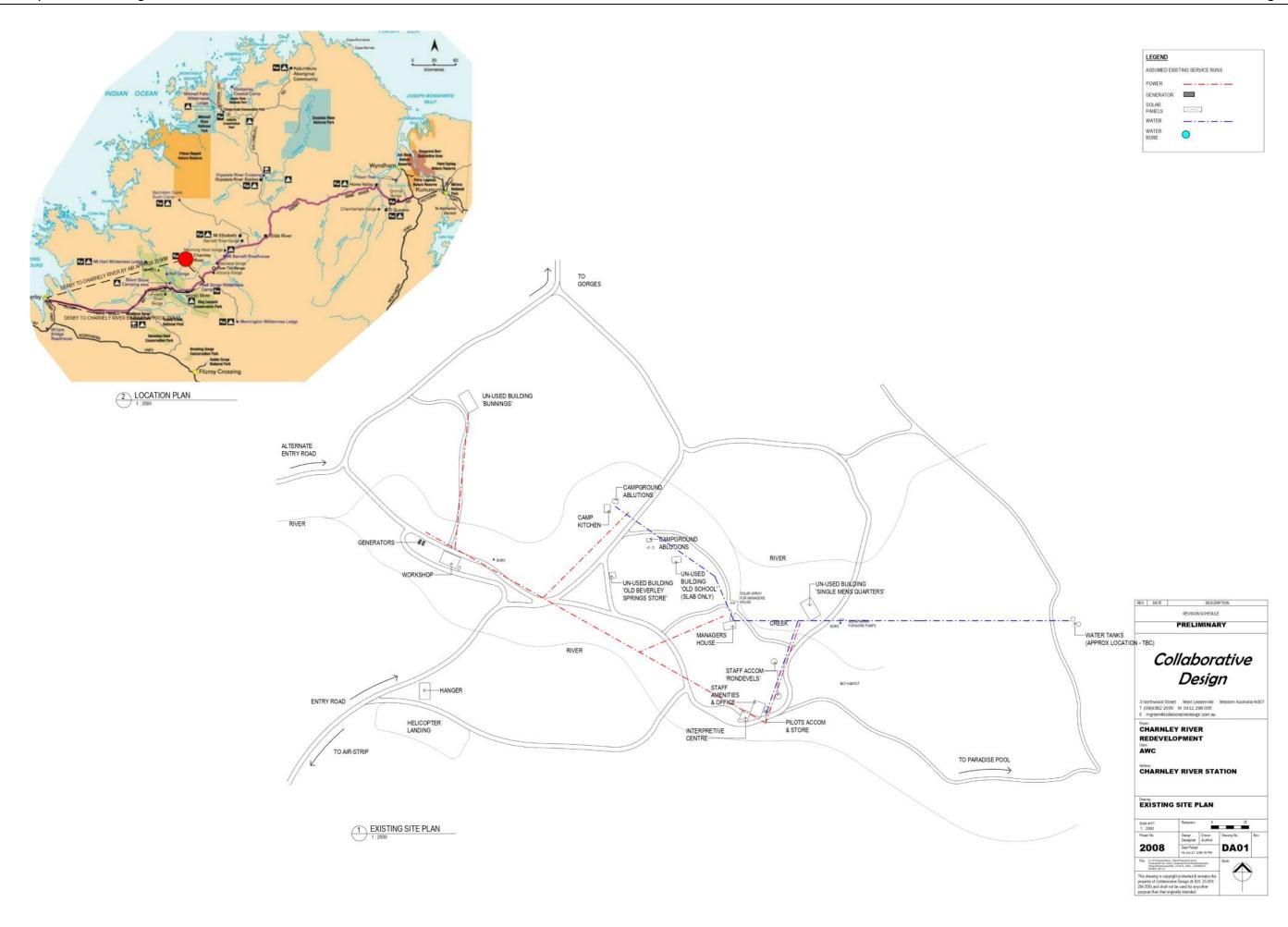
**(08)** 9191 5355

Flynn Drive Sdwk@sdwk.wa.gov.au PO Box 101, Fitzroy Crossing

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Ordinary Council Meeting Minutes 26 August 2021



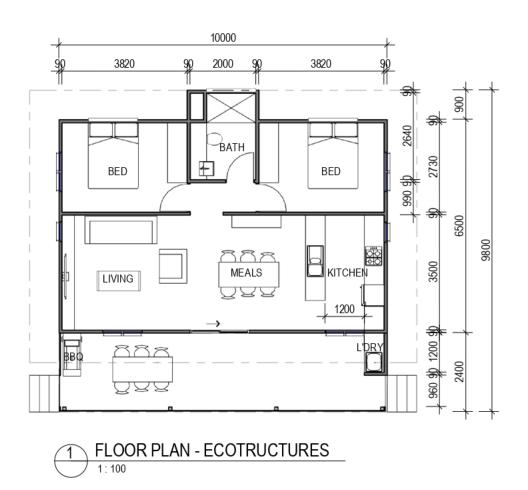
Item 14.6 - Attachment 5

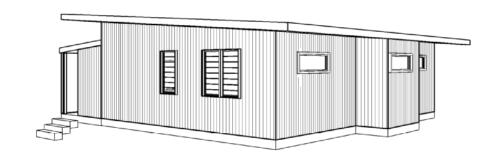
Ordinary Council Meeting Minutes



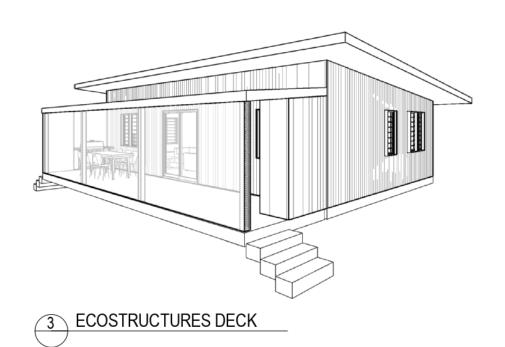
Page 322

Ordinary Council Meeting Minutes 26 August 2021





2 ECOSTRUCTURES ENTRY



3 Northwood Street
West Leederville
Western Australia 6007

T (08)9382 2000 M 0411 298 005
E mgreen@collaborativedesign.com.au

Design

Client
AWC

Address
CHARNLEY RIVER STATION

Project
CHARNLEY RIVER REDEVELOPMENT

Drawing
STAFF ACCOMMODATION - 2 BED

Design Drawn Scale at A3 Date
Designer Author 1:100 18-Jun-213:01:14 PM
Project No. Drawing No. Rev.
2008 DA03

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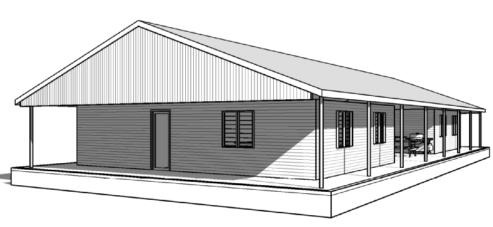


Item 14.6 - Attachment 5

**Ordinary Council Meeting Minutes** 26 August 2021



FLOOR PLAN - LABS/OFFICES



Collaborative 3 Northwood Street West Leederville Design

T (08)9382 2000 M 0411 298 005 E mgreen@collaborativedesign.com.au

Client **AWC** 

**CHARNLEY RIVER STATION** 

CHARNLEY RIVER REDEVELOPMENT

Drawing

LABS & OFFICES

Scale at A3 1:100 Design Drawn Designer Author Date 18-Jun-21 3:01:15 PM Drawing No. 2008 DA04 File C:\1d\Vihara\Vihara-CDesProjects\Current Projects\20.08\_AWC\_Charnley River Redevelopment Project\Drawings\2008\_210618\_AWC\_CHARNLEY RIVER\_DA.nt This drawing is copyright protected & remains the property of Collaborative Design (AB.N.  $25\,009\,254\,559)$  and shall not be used for any other purpose than that originally intended.

LABS & OFFICES - EXTERNAL VIEW



Item 14.6 - Attachment 5 Page 324

#### 15 COMMUNITY AND RECREATION SERVICES

#### 15.1 COMMUNITY SPORTING AND RECREATION FACILITIES FUND APPLICATIONS

File Number: 5240

Author: Christie Mildenhall, Acting Manager Community Development

Responsible Officer: Alan Lamb, Director of Corporate and Community Services

**Authority/Discretion: Advocacy** 

#### **SUMMARY**

This report is for Council to consider applications to the Community Sport and Recreation Facilities Fund (CSRFF) Small Grants Round 2022-23 and provide endorsement for submission to the Department of Local Government, Sports and Cultural Industries (DLSCI).

One application has been received from the Derby Rodeo and Horseriders Association Inc. (DRHA) for an upgrade of the lighting at the Derby Rodeo Grounds.

#### **DISCLOSURE OF ANY INTEREST**

Nil

#### **BACKGROUND**

Each year the Department of DLGSCI administers the CSRFF. The program provides financial assistance to community groups and local governments to develop basic, sustainable infrastructure for sport and recreation. It aims to increase physical activity, participation in sport and recreation and to ensure the rational development of good quality, well designed and well utilised facilities.

The CSRFF can fund new or upgraded facilities which will maintain or increase physical activity, or result in a more rational use of facilities. Priority will be given to projects that lead to facility sharing and rationalisation. Examples of projects which will be considered for funding include:

- New playing surfaces e.g. ovals, courts synthetic surfaces etc.
- Floodlighting
- Change rooms and ablutions
- Sports storage
- Clubrooms including social space, kitchen, administration areas and viewing areas.
- Resurfacing of existing sports surfaces. It is expected that facility managers will budget for these items as part of the ongoing operation of the facility, frequently over 7 to 10 years.
   Resurfacing projects are a low priority.

Applications are open to local governments and incorporated not-for-profit sport, recreation and community groups. Generally DLGSCI will provide funding to meet a maximum of one third of the cost of the project, although in some circumstances may meet up to 50% of the project cost.

In the 2022-23 funding round a total of \$12.5 million is available through three funding streams;

 Small Grants – Projects with a total cost of between \$7,500 and \$300,000. A maximum of \$100,000 will be awarded through this stream. Single year projects.

- Annual Grants Projects valued between \$300,001 and \$500,000, with a maximum of \$166,666 awarded to applicants. Single year projects.
- Forward Planning grants Projects where the total project cost exceed \$500,000 and require between one and three years to implement. Grants of between \$166,667 and \$2,000,000 are awarded in this category.

As part of this funding program each local government authority is required to consider the applications for their area for each category and rank them in order of priority for the Shire. All projects must be given a ranking priority. Where council does not wish to endorse a project or is of the opinion that an application has not satisfactorily addressed the key principles of facility provision, they should recommend that the project not be funded, or that it be resubmitted in a later funding round. The local government should state their reasons for the recommendation in the comments section on the project assessment sheet.

This report is to consider the applications to the Small Grants Round, which closes on the 31<sup>st</sup> August 2021. Applications to the other funding rounds will be the subject of a further report to the September Ordinary Council Meeting.

#### STATUTORY ENVIRONMENT

Nil

#### **POLICY IMPLICATIONS**

Policy AF3 – Asset Management should be considered in the context of this report. The facility which is the subject of the funding application, the Derby Rodeo Grounds (a portion of reserve 23127), is on crown land for which the Shire has a Management Order. The facility is also the subject of a lease arrangement with the Derby Rodeo and Horseriders Association Inc (DRHA) which outlines the parties responsibilities in terms of asset management.

#### FINANCIAL IMPLICATIONS

Whilst the facility which is subject to this application is managed by the Shire the lease arrangement between the Shire and DRHA stipulates that the costs of all maintenance and alterations at the expense of the DRHA. The Shire has not been requested to contribute to this project financially and it is expected that there will be no costs incurred for the Shire.

#### STRATEGIC IMPLICATIONS

GOAL	OUTCOME	STRATEGY
2. Community	2.2 Healthy Communities	2.2.1 Build, maintain and maximise the use of community facilities
2.Community	2.4 Sustainable Communities	2.4.1 Support and assist volunteer, community and sporting groups.
2. Community	2.4 Sustainable Communities	2.4.2 Collaborate with key agencies, groups and service provider to improve community services, programs ad facilities.

#### **RISK MANAGEMENT CONSIDERATIONS**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Reputation: Failure to support community organisations seeking to undertake more sustainable financial and environmental practices.	Possible	Minor	Medium	Support the application for funding to rectify the lighting issues at the rodeo grounds.

#### **CONSULTATION**

The Derby Horse Riders Association has consulted with Krissie Dickman, Regional Manager Kimberley DLGSCI, on this project to ensure it met funding guidelines.

#### COMMENT

One application for the CSRFF Small Grant program has been received for Council to consider. This application is from the Derby Rodeo and Horseriders Association Inc. and is included as Attachment 1.

DRHA is seeking to upgrade the lighting at the rodeo grounds. The existing lighting is quite old and regularly fail. In the last three months four sets of lights have failed as well as a transformer. In order to repair the lights a crane is often required to come from Broome or Port Headland so light replacement can be a costly exercise. Advice received from local electricians Wattnow Electrical and Outback Electrical recommend the upgrade of lighting towers to LED lights. These lights have a longer life expectancy and are cheaper to maintain.

The quote received from Wattnow Electrical has listed the materials and consumables for the project will be \$36355.20. The have offered to meet the labour costs associated with the project as a donation to the club. An additional \$5,000 is also required for the hire of an elevated work platform.

If successful in their application this project will allow DRHA undertake works which will benefit the sustainability of the club, by providing them with a cost effective solution to the lighting issues being experienced. It will also give them the opportunity to expand the activities currently offered by having reliable lighting to run evening programs.

Under section 14 of the current lease agreement between the Shire and DRHA written permission is required from the lessor (the Shire) to make any alterations, additions, improvements to or demolish any part of the Premises. Permission would be required to undertake this project.

#### **VOTING REQUIREMENT**

Simple majority

#### **ATTACHMENTS**

1. CSRFF Application - Derby Rodeo and Horseriders Association Usage

#### **RESOLUTION 94/21**

Moved: Cr Andrew Twaddle Seconded: Cr Paul White

#### **That Council**

- Endorses the submission of the Derby Rodeo and Horseriders Association Inc. application
  to the Community Sport and Recreation Facility Fund Small Grants Program as priority
  program one of one.
- 2. Grants permission for the Derby Rodeo and Horseriders Association Inc. to undertake the works specified in the grant application to the Derby Rodeo Grounds if the application for funding is successful.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 



PO BOX422

**DERBY WA 6728** 

Date: 13th August 2021

The Chief Executive Officer Shire of Derby West Kimberley PO Box 94 Derby WA 6728

Secretary
Derby Rodeo and Horseriders Association
PO Box 422
Derby WA 6728

#### RE: Application for funding for the upgrade of the Derby Rodeo Arena Flood Lighting.

#### Dear Amanada,

The Derby Rodeo and Horse riders association is applying for funding to replace the existing Halogen flood lighting with new LED flood lights.

The existing Lighting is very old and costly to run and maintain. Currently each halogen light has its own transformer to increase power to each light. The new LED require main power only which means these transformers can be removed from the circuit. The association replaced one failed light prior to the existing Rodeo. It was discovered that the wring inside the steel tower was bare – (no insulation covering the wire). The lights are deemed as dangerous and need to be replaced including all the wiring.

The new lighting system to be install will reduce power consumption and require less maintenance and less components to fail.

Please see attached our application for funding for approval.

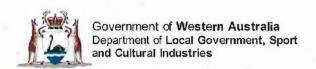
Yours Sincerely

Craig Dunster Secretary

Derby Rodeo & Horseriders Association

Ph mob 0438 762 502 Email: <u>craig@cdcivil.com.au</u>

Item 15.1 - Attachment 1



Office Use Only	
TRIM:	
Grant No:	
Project Coordinator:	

# Club Night Lights Program Grant Application Form

#### Year 2022/23 - 2024/25 Triennium

This application form can only be used for applications to be submitted in the 2022/23 funding round. No other forms will be accepted.

All applications ML			l government. Contac he submission of app		al governme	ent to determine				
DLGSC Contact: Kri	stina Dickman		Date: 1 July 2021	Offi	ce: Kimberl	ey				
TYPE OF GRANT:				- 1						
	ANNUAL GRANT \$2,500 - \$166,666 (Up to \$250,000 with development bonus) The total project cost (GST exclusive) is between \$5,000 and \$500,000.									
	FORWARD PLANNING GRANT \$166,667-\$1 million The total project cost (GST exclusive) exceeds \$500,000.									
Year of Claim (Appli Please indicate the y Requirements. Only completed before 1 J	ear that you we indicate first p	ould prefer to clai	s only): m a grant, taking into a ding in 2022/23 it all pla	ccount the nning is fin	CNLP Acqualised and t	ittal he project will be				
2022/23		2023/2	4	2	024/25					
			ayed etc)? the project o	⊠ Yes ould poten	☐ No tially be dela	ayed				
f yes, how would the How would the resu ike under maintenan- or Port Hediand to re	project be imp alting cost esc ce is more cost each the top of	acted (e.g. — dela alation be funde tly than upgrade	ayed etc)? the project o ed? The lights keep fail replacement with new t	ould poter	tially be dela	place the like for				
f yes, how would the flow would the resultie under maintenander Port Hedland to re pplicant's Details	project be imp alting cost esc ce is more cos each the top of	acted (e.g. — dela alation be funde tly than upgrade	ayed etc)? the project or ad? The lights keep fail replacement with new b )	ould poter	tially be dela	place the like for				
f yes, how would the How would the resulte under maintenant or Port Hediand to re pplicant's Details. Organisation Name:	project be imp alting cost esc ce is more cos each the top of	acted (e.g. — dela alation be funda tly than upgrade light poles. (17m	ayed etc)? the project or ad? The lights keep fail replacement with new b )	ould poter	tially be dela	place the like for				
f yes, how would the resultive under maintenant or Port Hedland to respect to policiant's Details.  Organisation Name:  Postal Address:	project be imposed by interest project be imposed by interest project by imposed by impo	acted (e.g. — dela alation be funda tly than upgrade light poles. (17m	ayed etc)? the project or ad? The lights keep fail replacement with new b )	ould poter ing and the ED lights	tially be dela	place the like for				
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				!
Mobile Phone:	0438762502	Email:	craig@cdcivil.com.au	

Does your organisation	n have an ABN?	Yes D	₫	No		ABN	1: 343669	901379	
Is your organisation re	egistered for GST?	Yes D	₃	No		* Note, in order to be eligible for funding you must attach a copy of the Incorporation Certificate. LGa exempt.		gible for funding you must	
Is your organisation n	ot-for-profit?	Yes [	3	No				poration Certificate. LGAs	
Is your organisation in	corporated?	Yes D	₫ .	No		Inco	rporation	#: A08	310005L *
Bank details:		Bank: A	NZ			BSE	8: 016620		A/c: 421101563
ocal Government	Authority Details:								
LGA:	Shire of Derby/We		y						
Contact:	Wayne Noate						Title:	Dr [	∐Mr ⊠Mrs□ Ms□
Position Held:	Executive Manage	r Developn	nent :	and 1	echnic	al Sen	vices		
Business Phone:	08 91910999			Fa	simile		0891910	998	
Mobile Phone:				Em	ail:		emts@s	sdwk.w	ra.gov.au
PROJECT DETA	ILS								
Project Title (brief a	nd specific): Rodeo	grounds r	nain	aren	a light	ing up	grade	7	
Project Description:									
Upgrade of arena ligh	ting - Replacing the	old haloger	n light	t with	new r	nore el	ficient and	d cost i	effective LED lighting.
Project location:	Derby Rodeo Grou	ınds - 61 A	shley	Stre	et, Der	by			
Land ownership:	Who owns the land Lease Expiry (if ap					e locat	ed? Shire	e of De	erby West Kimberley
Planning approvals					H	If no,	provide th	e date	it will be applied for:
Where applicable, ha	as planning permis	sion been	grant	ed?		Yes	□No		_NA//_
Aboriginal Heritage	Act?					Yes	□No		NA_//_
Department of Biodia (Environmental, Swan		on and Att	ractio	ons?		Yes	□No		_NA//_
Native Vegetation Cl						Yes	□No		_NA//_
Please list any other	approvals that are	required?				γes	□No		_NA//_
What discussions ha	ave b <b>ee</b> n held with a ire of Derby west Kir		ocal	auth	orities	?			
	e f <b>r</b> om propo <b>se</b> d p	roject to n	<b>e</b> are <b>s</b>	t ad	joining	coun	cil bound	ary: 1	20 km west and
Approximate distance		epartment	of In	frast	ructur	e and	Regional	Devel	lopment (Federal
Approximate distance 300km east Have you discussed	Ithis project with D ☐ No ⊠								
Approximate distance 300km east	☐ No ⊠		]	No					
Approximate distance 300km east Have you discussed Government)? Yes if so, are you seeking Contact: How will your project	□ No ⊠ g funding from ther t increase physical	n? Yes [	The c	urrer		are v	ery old ha	logen a	and continually fail an
Approximate distance 300km east Have you discussed Government)? Yes If so, are you seeking Contact:	☐ No ⊠ g funding from ther t increase physical vent running during d	n? Yes [ activity?	The c	currer ly.	it lights		-	17.	

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Item 15.1 - Attachment 1

**Do you share your facility with other groups?** Yes  $\boxtimes$  No  $\square$  If so, who: High school use the facilities for training students in station skills – hands on work – fencing maintenance, horse maintenance, yard work, welding, painting, mowing, etc.

List up to three sport and recreation activities which will directly benefit from your proposal. Please indicate the approximate% usage of the facility (or part of the facility relating to this proposal).

Sport/community organisation	% use of the facility	Hours per week
Derby Rodeo and Horseriders association	43%	15
Derby District High School	34%	15
Rodeo Events Campdraft Bullarama Gymkhnna	4 % 4 % 3 % 12 %	1 Times per year – min two day and one evening 1 event each year min two days 10 event per year - each evening – night
Event spectators		3000-5000 at each of the events

Activity/sport capitated membership numbers over the past three years relevant to your project. For example, if a bowls project, golf members not relevant; Social membership numbers not applicable.

Note: if membership is not applicable, ie recreation facility or aquatic centre, please enter the number of users of the facility with evidence of how you arrived at the figure.

2018/19	45	2019/20	45	2020/21	58

State Sporting Associations are involved in the assessment of applications and may be able to provide valuable information when planning you project, particularly in relation to technical design issues. They should be consulted as part of the application process. A complete list of State Sporting Associations and their contact details are is available on the departments website; <a href="https://www.dlgsc.wa.gov.au/sport-and-recreation/state-sporting-associations">https://www.dlgsc.wa.gov.au/sport-and-recreation/state-sporting-associations</a>

What is the name of the State Sporting Association for	your activity/spor	t?		
Australian Bush Campdraft and Rodeo Association			A 1721 TE I I	
Have you discussed your project with your State Sport	ing Association?	N/A Yes	No	
Contact Name: N/A	Date of contact:	N/A		

#### **PLANNING**

You need to demonstrate that you have undertaken an appropriate level of planning for your project. Questions 1 – 24 must be completed for all applications. Forward Planning grant applications must complete all the questions in detail. Annual grant applications must provide responses where appropriate and relative to the project.

Attach your responses (in numerical order) to the application form. If you believe that you have a valid reason for answering in the negative to a question please detail that reason,

Ensure that you have addressed the Key Principles of Facility Provision as they apply to your project. Questions 1 to 24 below relate directly to these principles.

You are expected to provide detail on the planning, management and financial viability of your project. Where research findings are used to justify a project a range of research techniques should be evident in the methodology used. When using comparative analysis local conditions must be considered.

All assumptions must be clearly stated. Please do not solely refer to attachments in the answers below – please summarise the content in the section provided.

1. When did you complete your needs assessment? (This is a formal analysis required for projects over \$500,000).

The lights have been problematic for several years and one of the DRHRA volunteers is a civil engineer and has done an asset audit and the committee has prioritised works across the site and the lights are our highest priority as it is restricting use of the facility. We have an extreme climate and we would be able to increase our participation if we can use the facilities in the later evening when it is much cooler for riders and horses.

	How has the need for your project been identified and assessed?
	The lights are old and regularly fail and are very costly to repair. In the last 3 months 4 sets of lights have failed and a transformer failed — This has been an ongoing issue for the past 3 years. It was assessed with new technologies available an electrical contractor advised that new LED lights would overcome this problem.
	The lack of lighting is restricting the use of the facility and we need to be able to run into the evenings with programs because of the extreme heat.
	Is the need or a part of the need that you have identified already being catered for?
	The lights have been problematic for several years and one of the DRHRA volunteers is a civil engineer and has done an asset audit and the committee has prioritised works across the site and the lights are our highest priority as it is restricting use of the facility.
2.	Have you undertaken a feasibility study? (must be included with Forward Planning applications).  Yes □ No ☑
	The lights have been problematic for several years and one of the DRHRA volunteers is a civil engineer and has done an asset audit and the committee has prioritised works across the site and the lights are our highest priority as it is restricting use of the facility. We have an extreme climate and we would be able to increase our participation if we can use the facilities in the later evening when it is much cooler for riders and horses.
	The works are straight forward upgrade to LED and the project total will be under \$50,000 and does not require a feasibility study.
	If not, how have you assessed the feasibility of your project?  The lighting system consistently failed and electrical contractors have advised that the new LED lights are for better and would be cheaper to operated and maintain. Therefore the cost benefit is the driving influence.
3.	What alternatives were considered and why were they rejected? (This should include a 'do nothing' option)
	Replacing with similar to existing lights – too expensive to install and maintain. Hologen is outdated technology and LED is a better option  Did you consider sharing with another group? (Please detail).  The other groups that use the grounds are using the grounds during day light hours and lighting is not required but with new lighting there may be new opportunities for them to extend their
	programs.  Did you consider the whole of life cost when assessing the viability of these options to ensure that the preferred project was both affordable and cost-effective? (Please detail).  The LED lights have much longer life cycle than the existing lighting system and is much more efficient to run and maintain. Over the life cycle of the LED verse the Halogen lights the LED last twice to three times longer.
4.	<ul> <li>Club's strategic plan or development plan? The strategic plan is to provide suitable well maintained grounds for users. The lights have been problematic for several years and one of the DRHRA volunteers is a civil engineer and has done an asset audit and the committee has prioritised works across the site and the lights are our highest priority as it is restricting use of the facility. We have an extreme climate and we would be able to increase our participation if we can use the facilities in the later evening when it is much cooler for riders and horses.</li> <li>State Sporting Association's strategic or development plan? N/A</li> <li>Local authority's strategic or development plan? N/A</li> </ul>

i.	What impact is your project likely to have on other facilities and services in your local and regional area?
	The lighting project with not adversely impact other facilities and will only improve the ability of our organisation to host events and enable greater participation in horse sports in the Kimberley. Better lighting will make for better events and enhance safety of volunteers, riders, participants and spectators.
3.	Is your facility multi-purpose (i.e. caters for a variety of activities at one time)? Yes 🗵 No 🗌 If so, does it service more than one LGA?
	The facilities are for horsesports and rodeo and within those activities there are a number of disciplines that are catered to:
	School programs – horsemanship
	<ul> <li>Equine assisted therapy – social and emotional wellbeing</li> </ul>
	Equestrian
	<ul> <li>Camp draft</li> <li>Rodeo – saddlebronc, roping, barrel racing,</li> </ul>
	<ul> <li>Rodeo – saddlebronc, roping, parrel racing,</li> <li>Bullriding</li> </ul>
	The lighting project will allow the arena to be used at night and the space can be used by groups or individuals.
	Site and locality maps should be included with all applications outlining where the proposed facility is located in relation to other sport and recreation infrastructure (where applicable).
	See Attached Plan  Describe the consultation process undertaken for the project. For example, have you invited
	public submissions, conducted a survey, held stakeholder or public forums etc.:  The project has been discussed with members and the Shire of Derby West Kimberley – this project will be presented formally at the next Council Meeting where it is anticipated that it will be endorsed by the Shire to progress. DLGSC Regional Manager Krissie Dickman has been onsite and met with the President and Vice President and discussed the project. Further to that we have approached two electrical contractors to provide quotations for the best solutions. The project is very straight forward and not controversial as it is improving and upgrading the assets at the rodeo grounds.
)L( ne /a)	ange of resources regarding the development of sporting facilities are available on the website. GSC's Decision-Making Guide for Community Facilities and Services is useful to assist in determining need for, and feasibility of, community and recreation services. The Guide is designed in such a that it can be entered at any point in the planning process and used by planners for user groups a a range of skills and experiences.
	NAGEMENT  Have you developed a management plan for your facility? Yes   No
	Please attach a copy with this application.
	If not, please explain how you plan to address management issues i.e. attracting new members, maintenance and repairs, replacement of broken or stolen items and/or raise sufficient revenue to cover operating costs? An asset management plan detailing provisions
	for life of asset costs should be provided for projects over \$500,000.
	The DHRA has to date undertaken necessary maintenance and the existing lighting is very old and not functional or in-keeping with modern standards and community expectations. We now need to upgrade this site and facility to get the most out of it. DHRA is mindful of its responsibility to manage community assets and have a plan to upgrade assets across the site and the volunteer committee work hard to manage and maintain the infrastructure to be safe and functional.
9.	The DHRA has to date undertaken necessary maintenance and the existing lighting is very old and not functional or in-keeping with modern standards and community expectations. We now need to upgrade this also and foreith to get the most out of it. DHRA is mindful of its responsibility to manage community assets

10.	design of your project? Please outline their experience.							
	Craig Dunster CD Civil – is our qualified civil engineer who undertook the initial asset audit and he engaged with professional Electrical Contractors to supply quotations for the best options to improve the lighting. Upgrade to LED using the existing poles was the most feasible and cost effective option to fix the lighting problem and improve the facility.							
11.	If you propose to share a facility, have other g List these needs and describe how they will be a location, design or the way in which it will be man	ccomm						
	The need for lighting is pretty basic and we know from previous events, operations and expert advice that we need to upgrade to LED. There are many projects that we need to upgrade the whole facility but we will stage each works and the lights are the current priority works that will lead to greater participation.							
12.	Have you considered:							
	access for low income earners	Yes	$\boxtimes$	No				
	access for people with a disability	Yes	$\boxtimes$	No				
	access for seniors	Yes	$\boxtimes$	No				
	access on a casual and short-term basis	Yes	$\boxtimes$	No				
	Please attach a copy of the proposed fee structur	re.			-			

Grant applications are required to provide a locality map, site map and lighting plans. Plans are to be submitted in A3 digital format.

13.	Have you written a design brief for your project?   Yes  No If yes, please respond to the following points:			
	Describe the process used to obtain an estimate of construction cost.  Request two local electrical contractors to submit quotations for the lighting improvements – best solutions and costs and to fulfill the State Government requirement to meet Australian Standards and also for Aboriginal content in delivering the contract – both organisation are compliant			
	An estimate from a qualified consultant in the building industry (e.g. architect, quantity surveyor, builder, engineer, etc.) must be provided with your application.			
14.	What design features will allow your facility to meet changing needs over time?  The new LED are much more efficient run and maintain meaning les money is spent on operating or repairing lights which can be used for more beneficial items for members to enjoy.			
	Is your current proposal likely to limit any future development on your site?  Yes No If yes, how?			
	This is an upgrade to lighting and it provides an opportunity for greater use of an existing asset — It will not limit future developments at this site.			
15.	How have you determined the most appropriate technical specification?  The civil engineer engaged the electrical contractors to provide advice on the technical specifications and to provide written quotations.			
	Do they meet Australian Design Standards for your sport or recreation needs? This will be an assessment factor.   Yes  No			
	Please refer to DLGSC's Asset Management Guide on the website for a list of common standards and note that projects that do not meet Australian Design Standards are ineligible for funding.			
16.	What energy efficient products or design considerations will be included in your facility or project? It is confirmed that the lighting will be LED as the new standard. New technology has proven to be more cost effective and longer life cycles.			
17.	7. Have you determined whether there is a need to upgrade your power supply? If so, is thi allowed for in your application?  The power supply will actual be reduced. The current lighting systems requires 4 transformers increase the power supply to each section of lighting. The new LED lighting systems does not require any transformers and run directly from the 240 volt mains. The existing poles and supplies been inspected and is fit for purpose for this upgrade.			

#### FINANCIAL VIABILITY

It is understood that some facilities will operate at a loss. It is not necessary to suggest that all facilities will break even or make a profit. The intent of this assessment is to be sure that applicants have a realistic understanding of the impact of their project on the operational budget, membership costs or entry fees and an appreciation of the funding requirements over the life of the facility.

18.	Have you applied a Life Cycle Cost Analysis to your project? This is mandatory for projects that have a total project cost over \$500,000.   Yes No
whe ope	SSC's Life Cycle Cost Guidelines are available on the website. Developing a life cycle cost approach in considering your project's parameters will assist to make effective financial, economic and rationally sustainable decisions. Applicants may use alternative computer programs to demonstrate appliance.
19.	layour orgunism able to meet the ongoing operating costs of your project? (e.g. wages, power)  ☑ Yes ☐ No – new lighting cheaper to run and maintain.
	DRHA is run a volunteer committee and is supported by a active group of volunteers and the membership fees and revenue from events provide the organisation with funds to meet its operating costs.

	For Annual Grant applications please attach a projected income and expenditure statement for the first year of operation, detailing operating costs, and user fees.
	See attached
	Forward Planning applications are to provide income and expenditure statements for the first three years of operation, and include an assessment of the potential impact on the project of social trends, competition, the strategic plans of neighboring local authorities and other factors.
	Applicants are to consider the financial impact the development of the project will have on existing facilities within the identified catchment area. Applications to include details of a number of scenarios related to projected income and expenditure. This type of sensitivity analysis based on worst, average, and best-case performance should be used to inform proponents of the project development to the variables and consequent implications. A list of assumptions should be included with all analyses.
	Attach your audited income and expenditure statements for the last three years (LGAs exempted) .
20.	Who will be responsible for any operational costs and how will it be funded (include evidence as required?
	Maintenance and running costs will be paid by the Derby Rodeo and Horseriders Association as part of its ongoing general maintenance budget.
21.	WHERE A CLUB/ASSOCIATION IS THE APPLICANT
	Will a formal Asset Replacement Fund be created to ensure the ongoing maintenance of the facility?  ☑ Yes□ No
	DRHA has an existing ongoing general maintenance budget and a capital upgrade program of works
	If yes, how have you determined the required annual contributions? If no, why not?
	DRHA has an existing ongoing general maintenance budget and a capital upgrade program of works that is overseen by Craig Dunster who is a civil engineer. The committee revues this program annually.
	Where the facility is owned by an LGA, how will the funds be accounted for and what agreement exists with the council?
	No Funding agreement is applicable with the Shire of Derby West Kimberley. The DRHA fund all the maintenance and repair costs itself.
	WHERE A LGA IS THE APPLICANT
	Will a formal Asset Replacement Fund be created to ensure the ongoing maintenance of th facility?  ☐ Yes☑ No
	Will the facility be listed in your Council's Asset Management Plan and has Council accepted the ongoing cost of maintaining the asset?  ☐ Yes☑ No
	Comments:

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Please indicate key milestones of your project.

The key milestones need to be realistic and demonstrate that the project can be delivered in the timeframe. Please consider these milestones as they will determine the financial years in which any grant will be offered. Please be conservative with the time required to complete the design and approval phase of the project prior to going to tender.

Task	Date
Attainment of all required approvals	1st December 2021 (Grant Agreement)
Preparation of tender/quotes for the major works contract	15th January 2022
Issuing of tender for major works .	2 <sup>nd</sup> March 2022
Signing of major works contract	5th March 2022
Site works commence	10 <sup>th</sup> April 2022
Construction of project starts	15th April 2022
Project 50% complete	20 April 2022
Project Completed	30 April 2022
Project hand over and acquittal	10th May 2022

Are there any operational constraints that would impact on the construction phase of your project? (such as your sporting season or major annual event, i.e. if your sport is a winter sport, when will the project commence to ensure that inclement weather does not hinder progress) – provide details. Projects that are delayed due to undeclared known constraints are not eligible for a deferral.

Wet season could potentially impact but as it is a straight forward project it would not delay more than a week or two at most.

How many construction and/or ongoing jobs will your project create? (Only applicable if your project is over \$1 million)

#### **GST**

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

#### PRIVACY STATEMENT AND STATEMENT OF DISCLOSURE

The Organisation acknowledges and agrees that this Application and information regarding it is subject to the *Freedom of Information Act 1992* and that the Grantor may publicly disclose information in relation to this Application, including its terms and the details of the Organisation.

Any information provided by you to DLGSC can be accessed by you during standard office hours and updated by writing to DLGSC or calling (08) 9492 9700. All information provided on this form and gathered throughout the assessment process will be stored on a database that will only be accessed by authorised departmental personnel and is subject to privacy restrictions.

DLGSC may wish to provide certain information to the media for promotional purposes. The information will only include the applicant's club name, sport, location, grant purpose and grant amount.

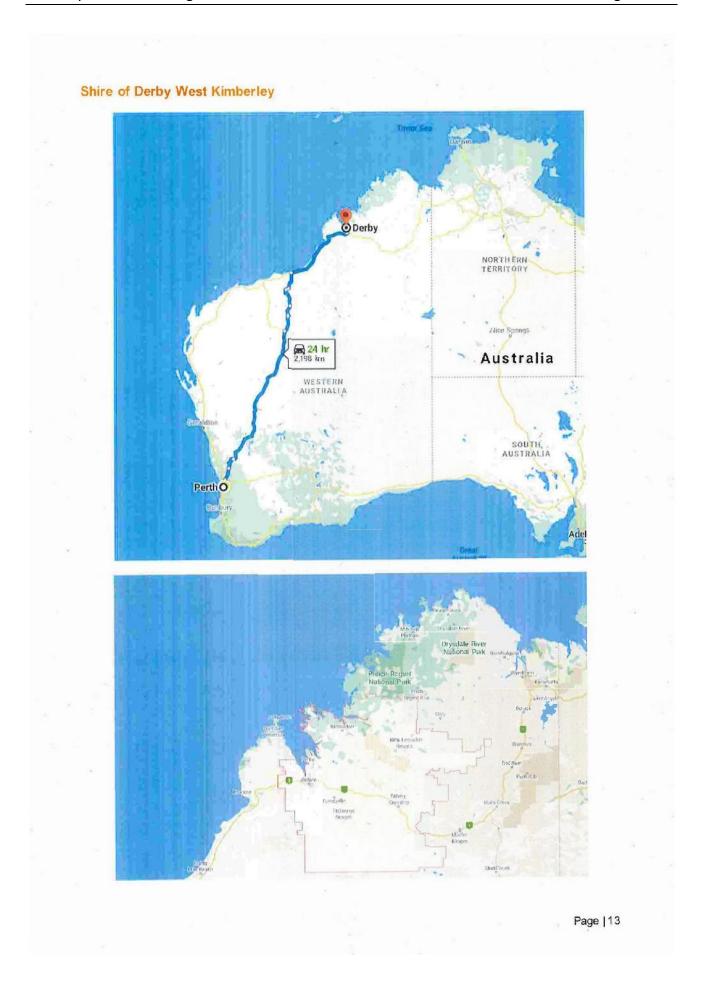
#### APPLICANT'S CERTIFICATION

I certify that the information supplied is to the best of my knowledge, true and correct.

Name:	Belinda		
			6)
Position Held:	President	The Control	- 3

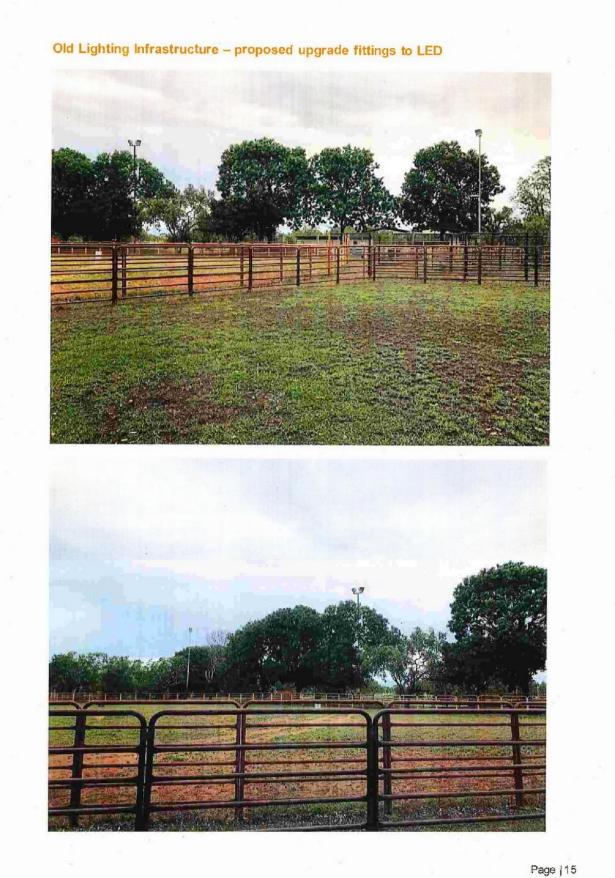
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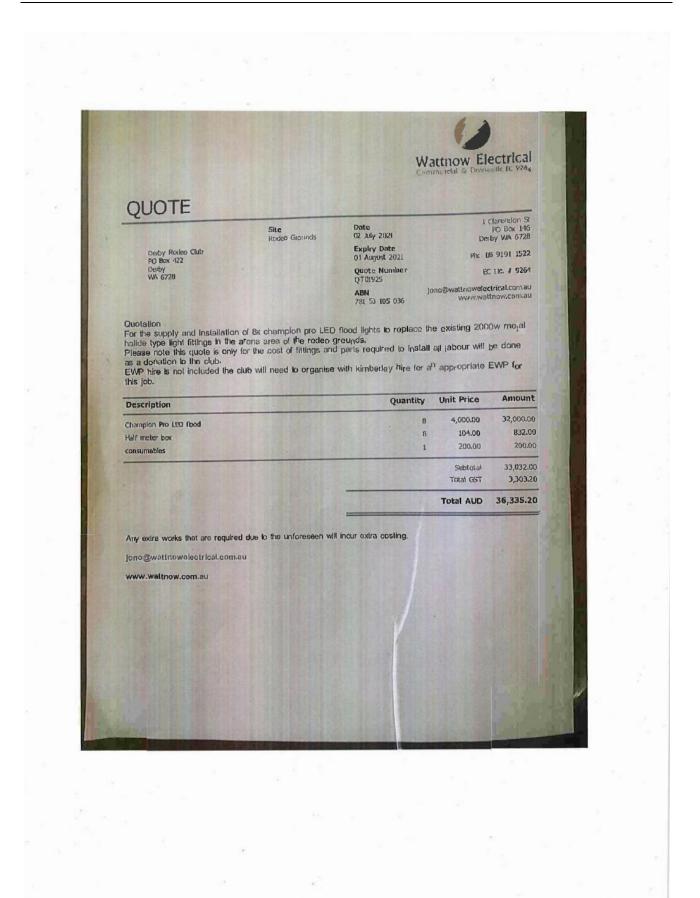


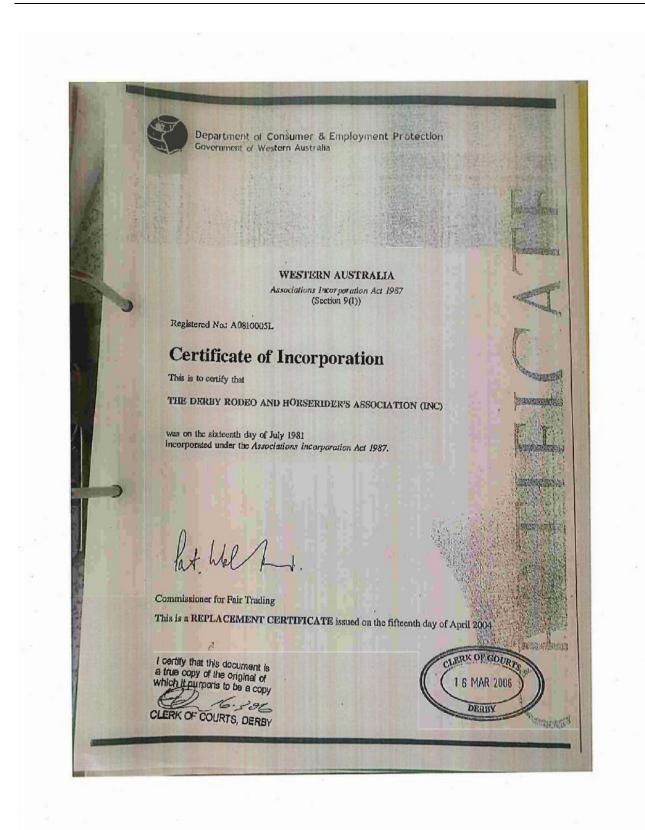


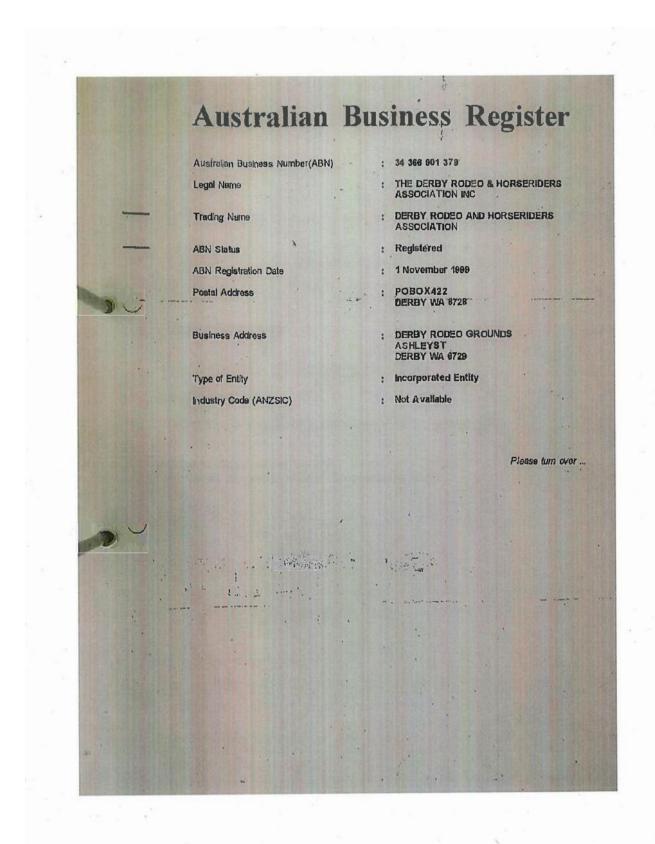
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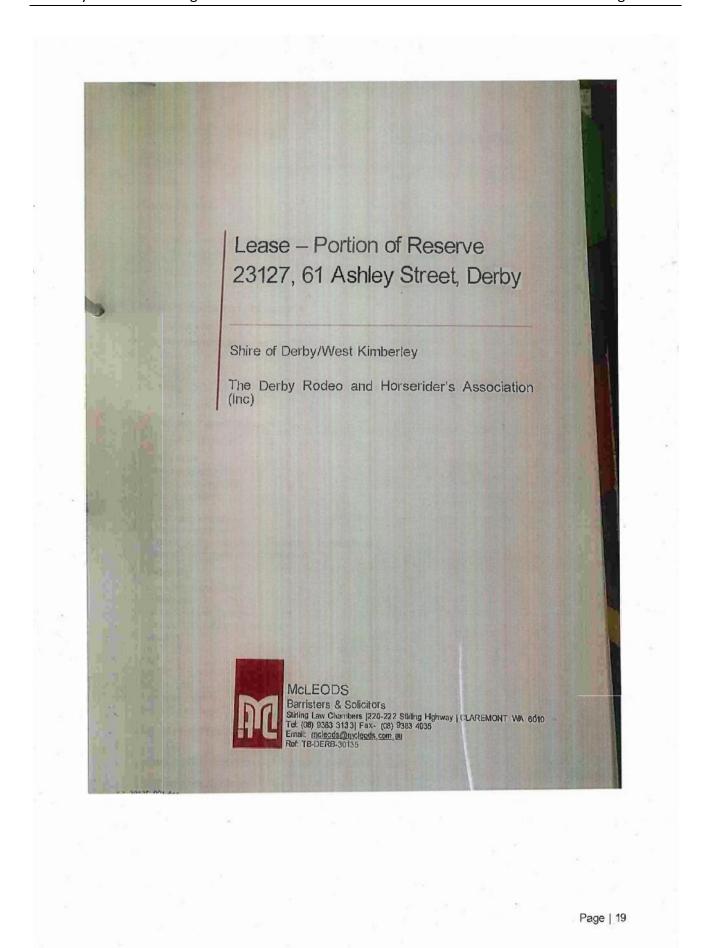


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#### LODGEMENT OF YOUR APPLICATION

- Applications including all attachments are to be received electronically and officially submitted to
   <u>csrff@dlgsc.wa.gov.au</u> by the cut-off date. A hard copy can also be provided and should be clipped at
   the top left-hand corner, please do not bind.
- It is recommended that you retain your completed application form, including attachments for your own records and future audit purposes.
- All attachments and supporting documentation (see next section) should be clearly named and identified and submitted with the application form.
- Applications must be submitted to your Local Government Authority by the Local Government's advertised cut-off date to ensure inclusion at the relevant Council Meeting.

The following documentation MUST be included with your application. Applicants may wish to supply additional RELEVANT information.

$\boxtimes$	Application form (including any attachments).
$\boxtimes$	Incorporation Certificate.
$\boxtimes$	Two written quotes. Quantity Surveyor costs will be accepted; however the responsibility lies with the applicant to ensure the validity of the information. DLGSC accepts no responsibility for cost variations to projects that were provided a grant based on submitted Quantity Surveyor costs.
$\boxtimes$	If your project involves the upgrade of an existing facility, include photograph/s of this facility.
$\boxtimes$	Locality map and site map, including where the proposed facility is located in relation to other sport and recreation lighting infrastructure.
	Income and expenditure statements for the current and next financial years. (LGAs exempted).
	Written confirmation of financial commitments from other sources including copies of council minutes. (If a club is contributing financially then evidence of their cash at hand must be provided).
	Itemised project cost for components and identified on the relevant quote for each (including cost escalation). Also construction signage costs if relevant.
	A lighting plan must be supplied showing lux, configuration and sufficient power supply
	Formal Needs assessment*
	Management plan*
	Feasibility study*
	Life Cycle Cost Analysis*

\*Only essential for requests where the total project cost exceeds \$500,000

Your application will be considered not eligible if:

- You have not discussed your project with the Department of Local Government, Sport and Cultural Industries and your State Sporting Association.
- You do not meet the eligibility criteria for the grant category to which you are applying.
- You have not included with your application all the relevant required supporting documentation. There is
  no onus on department staff to pursue missing documentation.
- Applicants/projects that have received a CSRFF or CNLP grant in the past and have not satisfactorily
  acquitted that grant. In some cases this may apply to localities where other significant projects have not
  been progressed or have not completed a previous project in accordance with the conditions of the grant
  provided. An assessment will be made and if no physical progress has occurred, new applications may
  not be recommended.
- . It is not on the 2022/23 CNLP application form.
- The project for which the application is made is specifically excluded from receiving CNLP support.

#### **DEVELOPMENT BONUS APPLICANTS ONLY**

If you applied for a CNLP grant for more than one third of the cost of the project, please provide evidence of meeting at least one of the following criteria.

You MUST contact your local DLGSC office to determine eligibility before applying.

Category		Details
Geographical location	Regional/Remote location Growth Local Government	Shire of Derby West Kimberley remote – 2200km from Perth in the Kimberley Region
Co-location	New Existing	Derby Rodeo Grounds
Sustainability initiative	Energy reduction Other	LED lighting upgrade
Increased participation	New participants  Existing participants – higher level  Special interest  Other	Equestrian All Abilities Indigenous

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# PROJECT BUDGET

# ESTIMATED EXPENDITURE

costs will be accepted however the responsibility lies with the applicant to ensure the validity of the information. A contingency allowance is considered an acceptable component. PLEASE ITEMISE BY COMPONENT (e.g. floodlighting, power upgrade, additional lights to make it 100 lux) rather than materials (electrician, poles, lights, Please itemise the components of your project in the table below, indicating their cost and which quote or part of quote was used to estimate this. Quantity Surveyor finishings).

Project Description (detailed breakdown of project to be supplied)	\$ Cost ex GST	\$ Cost inc GST	Quote Used (list company name and quote no)
Supply of lights	32,000	35,200	Wattnow Electrical
Supply of electrical components for installation	1,032	1,135	Wattnow Electrical
Labour – electrical contractors to remove the old lights and install the new lights	4,600	5,060	Wattnow Electrical (donated)
Hire of a crane to reach the top of the 17m poles	5,400	5,940	
Assistance with tabouring – DRHA -	2,000	2,200	DRHA – donated time
		(*	
		4	The state of the s
Donated materials (Cost breakdown must be attached)		THE PERSON NAMED IN	
Volunteer Labour (Cost breakdown must be attached)		THE REAL PROPERTY.	
Sub Total	38,032	41,335	
Cost escalation	4,000	4,400	additional crane hire or larger crane required. And to replace wiring
a) Total project expenditure	42,032	45,735	

At least two written quotes are required for each component.

Please ensure that the power supply is sufficient and no upgrade will be required. If upgrade is required and not budgeted for, the grant will immediately be withdrawn. A lighting plan must be supplied showing lux and configuration.

Projects that do not meet Australian Standards are ineligible for funding.

# PROJECT FUNDING

Source of funding	\$Amount ex GST	\$ Amount inc GST		Funding confirmed Y / N	Comments to support claim (please attach relevant support)
Local government			LGA cash and in-kind		
Applicant cash	17,716	19,487	Organisation's cash		
Volunteer labour	009'9	7,260	Cannot exceed applicant cash and LGA contribution – max \$50;400		
Donated materials			Cannot exceed applicant cash and LGA contribution		
Other State Government funding	17,717	19,488			
Federal Government funding					
Other funding – to be listed			Loans, sponsorship etc	1	
CNLP request (No Development Bonus)			up to 1/3 project cost	z	
or CNLP request (Development Bonus)			Up to ½ project cost	z	
b) Total project funding	42,032	45,735	This should equal project expenditure as listed on the previous page	expenditure as list	ted on the previous page

REQUIRED: If the funding approved is less than funding requested for this project, or the project is more expensive than Indicated, where would the extra funds be sourced from? Is this funding confirmed? If the project scope would be reduced, which components would be revisited?

### SS

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

PROJECT A	SSESSMEN	T SHEET
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This page is for the use of the relevant Local Government Authority to be used for both community and LGA projects. Please attach copies of council minutes relevant to the project approval.

Name of Local Gove	ernment Authority: Shire of Derby West Kimberley		
Name of Applicant:	Derby Rodeo and Horseriders Association	*	

Note: The applicant's name cannot be changed once the application is lodged at DLGSC.

#### Section A

The CNLP principles have been considered and the following assessment is provided: (Please include below your assessment of how the applicant has addressed the following criteria)

All applications

	Satisfactory	Unsatisfactory	Not relevant
Project justification			
Planned approach			0.00
Community input			
Management planning			
Access and opportunity			
Design			
Financial viability			
Co-ordination			
Potential to increase Physical activity			
Sustainability			

#### Section B

Priority ranking of no of applications received	of applications received
Is this project consistent with the	☐ Local Plan ☐ Region al Plan
Have all planning and building approvals been given for this project?	☐ Y∈s ☐ No
If no, what approvals are still outstandn g?	

#### Project Rating (Please tick the most appropriate box to describe the project)

10,000	Italing (I tease that the most appropriate was to account the project)	
Α	Well planned and needed by municipality	
В	Well planned and needed by applicant	
С	Needed by municipality, more planning required	
D	Needed by applicant, more planning required	
E	ldea has merit, more planning work needed	
F	Not recommended	

Please complete the questions attached. This assessment is an important part of the CNLP process and your answers to these questions assist the committee make their recommendations, even if you are the applicant. Please provide a summary of any attachments in your assessment, rather than referring to attachments or external documents such as Council Minutes.

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Item 15.1 - Attachment 1

- Please confirm your contribution to the project, whether it has been formally approved (including financial year for which it is approved) and any conditions on the funding. If no funding has been provided, why not?
- 2. A) If a community group application: Do you believe the project is financially viable, including the applicant's ability to provide upfront contributions, ongoing payments and contributions to an asset replacement fund. Does council commit to underwriting any shortfalls as the ultimate asset owner?
  - B) If a council application: Is Council fully aware of the ongoing cost of operating and maintaining this facility and does your organisation have the capacity to service it into the future? How are the user groups contributing to the ongoing cost of operating the facility?
- Please provide any additional comments regarding this applications merit against the assessment criteria to support your project rating and ranking.

Signed Position Date

Applications for CNLP funding must be submitted to the Department of Local Government, Sport and Cultural Industries by 4pm on 30 September 2021. Late applications cannot be accepted in any circumstances.

#### DLGSC OFFICES

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Perth Business Centre WA 6849
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CSRFF@dlgsc.wa.gov.au

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Tel: (08) 9941 0900
Gascoyne@digsc.wa.gov.au

GOLDFIELDS
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Kalgoorlie WA 6430
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goldfields@dlgsc.wa.gov.au

GREAT SOUTHERN
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MID-WEST Level 1, 268-270 Foreshore Drive PO Box 135 Geraldton WA 6531 Tel: (08) 9956 2100 midwest@digsc.wa.gov.au

KIMBERLEY – Broome Unit 2B, 23 Coghlan Street PO Box 1476 Broome WA 6725 Telephone (08) 9195 5749 Mobile 0438 916 185 kimberley@dlgsc.wa.gov.au

KIMBERLEY – Kununurra Kununurra Youth Hub Rod Hodnett Drive Kununurra WA 6743 PO Box 1476 Broome WA 6725 Telephone 08 9195 5750 kimberley@dlgsc.wa.gov.au

PEEL Suite 94 16 Dolphin Drive PO Box 1445 Mandurah WA 6210 Tel: (08) 9550 3100 peel@dlgsc.wa.gov.au PILBARA
Karratha Leisureplex
Dampier Hwy, Karratha
PO Box 941
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pilbara@dlgsc.wa.gov.au

SOUTH WEST 80A Blair Street PO Box 2662 Bunbury WA 6231 Tel: (08) 9792 6900 southwest@dlgsc.wa.gov.au

WHEATBELT - Northam 298 Fitzgerald Street PO Box 55 Northam WA 6401 Tel: (08) 9690 2400 wheatbelt@dlgsc.wa.gov.au

WHEATBELT - Narrogin 50 Ciayton Road Narrogin WA 6312 PO Box 55 Northam WA 6401 Telephone 0429 881 369 wheatbelt@dlgsc.wa.gov.au



STIELOW & ASSOCIATES
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Subiaco WA 6008
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Subiaco East WA 6008
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Facsimile (98) 9381 5590
Email leen@stlelow.co m.au

## Derby Rodeo & Horseriders Association Incorporated

Audited Financial Statements
For The Period Ended 31 December 2019



Limitally limited by a schemo approved under the Professional Standards Lentsfullon

#### **DERBY RODEO & HORSERIDERS ASSOC INCORPORATED**

#### STATEMENT BY THE COMMITTEE FOR THE PERIOD ENDED 31 DECEMBER 2019

ln I	the	opinion	of	the	committee	Сf	Derby	Roc	leo	& I	Horserider:	s f	Associati	on	Inc.:

- a) the Association is not a reporting entity;
- the financial statements present fairly the financial position of the Association at 31 December 2019 and its results for the year then ended in accordance with the accounting policies; and
- except for any matters referred to in the examiners report, the committee and the Association have complied with the regulations and the rules of the Association during the financial period ended 31 December 2019.

AUTHORISED COMMITTEE MEMBER:
DATE:
AUTHORISED COMMITTEE MEMBER:

DATE:



STIELOW & ASSOCIATES ABN 39 577 863 062

> Suite 1, 100 Hay Street Sublaco WA 6008

PO Box 8270 Subiaco East WA 6008

www.stlelow.com.au

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INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF DERBY RODEO & HORSERIDERS ASSOCIATION INC.

#### Report on the Financial Report

We have audited the accompanying financial report of Derby Rodeo & Horseriders Association Inc. which comprises the statement of financial position as at 31 December 2019, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the responsible entities' declaration.

#### Responsible Entities' Responsibility for the Financial Report

The responsible entities of the registered entity are responsible for the preparation of the financial report that gives a true and fair view in accordance with the WA Associations Incorporation Act 2015, Australian Accounting Standards and the Australian Charities and Notfor-profits Commission Act 2012 (ACNC Act) and for such internal control as the responsible entities determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

#### Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance With Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, Whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the responsible entities' preparation of the financial report that gives a true and fair view in order to design audit

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### Independence

In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements.

#### Inherent Uncertainty Regarding Going Concern

Without qualification to the opinion expressed below, attention is drawn to the following matter. The financial report is prepared on the basis of the Association being a going concern. This is dependent upon continued funding from government agencies.

#### Opinion

In our opinion the financial report of Derby Rodeo & Horseriders Association Inc. has been prepared in accordance with Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012*, including:

- (a) giving a true and fair view of the registered entity's financial position as at 31 December 2019 and of its financial performance and cash flows for the year ended on that date;
- (b) complying With Australian Accounting Standards and Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2013;
- (c) the Governing Committee and the Association have complied with the obligations imposed by the WA Associations Incorporation Act 2015 and the regulations and the Rules of the Association; and
- (d) the financial report is based on proper accounts and records and is in agreement with those accounts and records.



trability limited by a scheme approved under the Professional Stantlands Legislation

#### Compliance with WA & Commonwealth of Australia Grant Funding Conditions

in accordance with the terms and conditions of the funding agreements between the Association and WA & Commonwealth of Australia grant funding providers, and subject to the scope limitation above;

#### In our opinion:

- (i) The Grant Income and Expenditure Statements give a true and fair view of the Associations' financial transactions for the year ended 31 December 2019 in accordance with the applicable Australian accounting standards and other mandatory professional reporting requirements; and is based on proper accounts and records.
- (ii) All assets with a purchase or construction cost exceeding \$5,000 (GST inclusive), acquired with Australian Government Funds have been insured with an insurer recognised by the Australian Prudential Regulation Authority or regulated by a State/Territory Auditor-General;
- (iii) The Association is maintaining an Asset Register of assets acquired with grant funds where the purchase or construction cost of the asset exceeds \$10,000 (GST inclusive);
- (iv) The assets or services purchased with grant monies were purchased in fair and open competition and in accordance with the approved procurement methods for the acquisition of assets or services as set out in the Supplementary Terms and Conditions.
- (v) The Association is maintaining appropriate bank accounts as set out in the Supplementary Terms and Conditions and during the financial year all transactions in each of these accounts was found to be related to the grant the account was established for.

STIELOW & ASSOCIATES

LEON STIELOW

CHARTERED ACCOUNTANT

PRINCIPAL

ASIC REGISTERED AUDITOR N# 270930

Dated this 19<sup>th</sup> day of April 2020

Perth, Western Australia

Item 15.1 - Attachment 1

ABN: 34 366 901 379

#### BALANCE SHEET AS AT 31 DECEMBER 2019

•	NOTE	201 <del>9</del> \$	2018 \$
CURRENT ASSETS			
Cash at Bank Receivables Stock on Hand Deposit Pald	2 3 4	75,665 1,755	232,985 786 - 3,960
TOTAL CURRENT ASSETS		77,420	237,731
NON CURRENT ASSETS Clubhouse & Ablution Block Less: Accumulated Depreciation	5	209,119 (10,535)	
		190,585	
Plant and Equipment Less: Accumulated Depreciation	5	115,062 (82,884)	113,062 (64,289)
		32,199	48,773
TOTAL NON-CURRENT ASSETS		222,783	154,150
TOTAL ASSETS		300,203	391,881
CURRENT LIABILITIES	6	570	(580)
TOTAL CURRENT LIABILITIES		570	(580)
TOTAL LIABILITIES		570	(580)
NET ASSETS		299,633	392,461
MEMBERS' FUNDS Relained Profits' (Losses)	7	299,633	392,461
TOTAL MEMBERS' FUNDS		299,633	392,461

This statement should be read in conjunction with the notes to the accounts.

ABN: 34 366 901 379

### INCOME & EXPENDITURE STATEMENT FOR THE PERIOD ENDED 31 DECEMBER 2019

	2019 \$	20 18 \$
INCOME		
Bar Takings	47,160	49,973
Calculta/Donations to club	100	2,918
Club Hay Sale Event Income	18,330	7,720
Food Sales	14,295	6,021
Gale Takings	8,412	8,480
Grants	<b>35,20</b> 5	38,758
Gymkhana		91,000
Membership		450
Nominations	925	865
Sponsorship	63,994 34,895	61,292
Training & Others	34,690	30,350 729
Total Income		
	223,305	298,556
OTHER INCOME		
Interest Received	265	51 <b>9</b>
Miscellaneous Income		
Total Other Income	265	
Gross Total Income	223,570	299,074
LESS: EXPENDITURE Accounting Fees		
<del>-</del>	1,016	704
Adverlising Affiliations	4,775	8,370
Bank Charges	0,721 35	8,687
Bar Expenses	21,898	35 18,956
Calculta Prize Money	79,724	13.586
Camp Drafts / Camdon/Kimberley Pham/ Allure South Sea Pearl / Elders	18,811	10,866
Cleaning Expenses	1,806	10,000
Clowns / Pick up	4,800	5,350
Club Expenses	15,059	
Computer & IT	673	1,358
Contract Stock Fees	4,500	2,000
Contractors		4,000
Cost of Sales	21,800	4,926
DDHS Gates		4,000
Depreciation	11,537	12,261
Donations to Community	1,000	
Dues, Memberships & Subscriptions	190	224
Electricity	1,677	2,885
Entertainment	8,927	2,220
Freight & Cartage	3,034	
Fuel Gymkhana Expenses	440	959
		8,975
Hire of Equipment	3,125	11,836
Interest Paid	2,609	6,890
Judges Expense	00	39
Late Fees	2,267	•
License Fees	-	<b>3</b> 5
Printing, Postage & Stationery	-	1,013
Prize Money	354	687
Refunds	56,830	60,692
Repairs & Maintenance	3, 160 15,576	AR 404
Security		45,434 10,472
Staff Pays	14,726	10,472 2,000
Stock Feed	3,803	20,630
Transport	3,003	20,030 3,845
Waste Management	1,797	2,422
Websile Design	1,642	-
	316,399	276,173
PROFIT/(LOSS) FROM ORDINARY ACTIVITIES	(92,829)	22,901
	========	

This statement should be read in conjunction with the notes to the accounts.

ABN: 34 366 901 379

#### INCOME & EXPENDITURE STATEMENT FOR THE PERIOD ENDED 31 DECEMBER 2019

<b>7</b>	2019	2018 \$
Profit from ordinary activities before income tax	(92,829)	22,901
Income tax expense attributable to operating profit	-	
Profit from ordinary activities after income tax Retained profits (Accumulated losses)	(92,829)	22,901
at the beginning of the financial year	392,461	369,560
Adjustments	-	-
Total available for appropriation	299,633	392,461
Retained profits (Accumulated lossos) at the end of the financial year	299,633	392,461

This statement should be read in conjunction with the notes to the accounts.

#### NOTES TO THE FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 DECEMBER 2019

#### 1. SUMMARY OF ACCOUNTING POLICIES

#### (a) Basis of preparation

These financial statements are a special purpose financial report prepared for distribution to the members for the purpose of fulfilling the requirements of the WA Associations Act and the rules and regulations of the Association. The Committee has determined that the Association is not a reporting entity and therefore there is no requirement to apply Accounting Standards and other mandatory professional reporting requirements (Urgent Issues Group Consensus Views) in the preparation and presentation of these financial statements.

They have been prepared in accordance with all accounting standards and other mandatory professional reporting requirements that have a material effect with the following exceptions;

- AAS 10 Accounting for Revaluation of Non-Current Assets
- · AAS 16 Financial Reporting by Segments
- AAS 22 Related Party Disclosures
- AAS 24 Consolidated Financial Reports
- AAS 28 Statement of Cash Flows

The financial statements are prepared on an accruals basis. They are based on historical costs and do not take into account changing money values or, except where stated, current valuations of non-current assets.

The following specific accounting policies have been adopted in the preparation of these financial statements and except where stated are consistent with prior years:

#### (b) Going Concern

The financial statements have been prepared on a going concern basis. The continued viability of the Association is dependent upon continued government funding or contribution by the members.

The school does not have a fixed term lease over its current premises. The Governing Shurah has received verbal confirmation from the Education Department that the School will be allowed to continue its operations from their present location and that this will not change unless they can be allocated a facility with at least the same specifications.

#### (c) Property, Plant and Equipment

Each class of property plant and equipment is carried at a cost or fair value less, where applicable, any accumulated depreciation and impairment losses.

#### Property

Freehold land and buildings are measured on the fair value basis being the amount which an asset could be exchanged between knowledgeable willing parties in an arm's length transaction. It is the policy of the association to have an independent valuation every three years, with annual appraisals being made by the committee of management.

#### Plant and equipment

Plant and equipment is measured on the cost basis less depreciation and impairment losses.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 DECEMBER 2019

#### (c) Property, Plant and Equipment (cont.)

The carrying amount of plant and equipment is reviewed annually by the committee to ensure it is not in excess of the recoverable amount from those assets. The recoverable amount is assessed on the basis of the expected net cash flows which will be received

from the assets employment and subsequent disposal. The expected net cash flows have not been discounted to present values in determining recoverable amounts.

The cost of fixed assets constructed includes the cost of materials, direct labour, borrowing costs and an appropriate proportion of fixed and variable overheads.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that the future economic benefits associated with the item will flow to the association and the cost of the item can be measured reliably. All other repairs and maintenance are charted to the income statement during the financial period in which they occurred.

#### Depreciation

The depreciable amount of all fixed assets including buildings and capitalised leased assets, but excluding freehold land, are depreciated on straight line basis over their estimated useful lives to the association commencing from the time the asset is held ready for use. Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

#### (d) Income tax

The Corporation is tax exempt under section 50-5 of the Income Tax Assessment Act of 1997.

Item 15.1 - Attachment 1

ABN: 34 366 901 379

#### NOTES TO THE FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 DECEMBER 2019

	2019 \$	2018 \$
2. CASH ON HAND	•	•
Cash at Bank #1563	8,364	58,424
ANZ Premium Saver #0257	200	
Petty Cash ANZ Savings Account #2406	50,720	145 110,455
Float	16,380	
•		
	75,665	232,965
3. RECEIVABLES		
Trade Debtors	1,755	. 786
	1,755	766
, we can be a second of the se	=========	######################################
4. INVENTORIES		
Stock On Hand		-
		***************************************
	-	-
5. NON-CURRENT ASSETS		
Clubhouse & Ablution Block	209.119	120,648
Less : Accumulated Depreciation	(18,535)	(15,271)
	190,565	105,377
filled P Feutemani		440.00+
Plant & Equipment Less : Accumulated Depreciation	115,062	113,062 (64,269)
TOTAL PROGRAMME	(02,004)	(04,200)
6. CURRENT LIABILITIES	32,199	48,774
6. CURRENT LIABILITIES		
Trade Creditors	228	(1,224)
ANZ Business One Credit Card	343	644
	570	(580)
7. RETAINED PROFITS		
Retained Profits (Accumulated Losses) at the beginning of the financial year	392.461	369,560
Net Profit attributable to members of the Company	(92,829)	22,901
Retained profits (Accumulated losses) at the end of the financial year	299.633	392,461
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DERBY-RODEO & HORSERIDERS ASSOCIATION INC.

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CODE	ASSET DENCRIPTION	ADDITIONS (DISPOSALS) DATE	ORIGINAL COST 01-Jan-19	ORIGINAL ADDITIONS COST (DISPOSALS) 01-Jan-19	O.W.D.V	ACCUM DEP'N 01-Jan-19	DEP'N RATE	DEPREC ENP	ACC DEP'N ON DISP	ACCUM DEP'N 31-Dec-19	O	C.W.D.V 31-Dec-19
100	Land & Building											
	Ablution Block	20-341-09	81,468	•	\$1,468	•	0.00%	•	•			81,468
	Power Upgrade	27-Jun-11	068'6	•	068'6	'	%00.0	٠	٠			9,890
	Improvements at Ablution Block	27-Jun-13	5,850	•	5.850	'	%00.0	•	•			5.850
	Sub Mains to Office	06-Jul-11	2,985	٠	40	2,945	40.00%	91	•	2.96	.9	25
	Kiosk Witing Fittings	29-Aug-13	5.580	•	1,053	4.527	20.00%	213	•	4,737	37	842
	Lighting Upgrade · Carenker building	25-Sep-13	2,565		155	3,144	20,00%	101	•	2.249	46	417
	Lights, power poles & Installation	27-May-14	10,560	•	3,963	6,597	15,00%	165	•	7,191	16	3369
	Concrete Pad - Bar area Rodeo grounds	09-Jul-14	1,650	•	1,435	215	2.50%	ጽ	•	. ^1	121	1399
	Ablution Block - Rodeo Grounds	26-Jun-19		88,471	•	•	2.50%	1.145			1,145	87,326
		`	120.648	88.471	104,220	16,428		2,106	, 	565.81	35	190,585
	Equipments											
	Cartle Panel Gate	18-Nov-16	4,270	·	,	4.270	100.00%	•	•	4,270	5	
	Brush Cutter	31-Dcc-11	911	•	228	551	18,75%	ā	•	, wh	594	185
	Bucking Chates	19-Aug-10	11.110	•	1,970	9,140	18,73%	369	'	9,509	60	1,601
	Insulation of New Chutes	21-Nov-10	5,548	•	1,041	4,507	18.75%	8	•	4,702	92	3
	Fridge	01-Apr-11	892	•	180	712	13.75%	¥	•		246	146
	Fisher Barred Racing Times	14-Jun-11	1.274	•	263	18	13.75%	67	•	01:0*1	Q#	7.
	Lawn Mover	03-Mar-11	5,1-3	•	1,046	4,147	18.75%	8	•	4,343	£3	850
	Widescreen LED Computer	10-Feb-12	\$ 0°		220	479	18.75%	7	'	'n	520	62.1
,	7" Display case and Stand	04-Apr-12	5,7,1	•	609	1.164	18.75%	17	•	1,278	78	495
	Cattle Panels	31-dan-14	31.405	•	11,431	19,974	18.75%	51.5	•	22,117	17	9.288
	Chainwire/Dits	06-May-14	2,599		966	1,603	18.75%	187	•	1,790	06	808
	Fence	12-Nov-13	9.158	•	3,185	5.97.3	18.75%	597	,	6,570	70	2,588
	lón Feneing/Pasois	05-Apr-14	17,566	•	10,392	17,174	18.75%	1,949	•	19,123	33	8,444
	Notebook E1-510 and Software	28-Jan-15	1,446	•	641	805	18.75%	120	•	6	925	Ę
		11-Feb-15	7,700	•	3,443	4,257	18.75%	91-9	•	4,903	69	2,797
	Single Deck Stock Crate & Trailer - Stump Duly 1/5	15-Aug-15	1,212	•	1-09	608	18,75%	113	•	-	721	491
	Travelling Imigator - RJ 20	08-May-18	4,400	•	3,138	1.262	18.73%	588	•	1,850	55	2,550
	West Chast Freezer	02-Jul-18	329	'	343	. 87	18.75%	45	•	-	132	161
	Kiosk Fridge (Secondiand)	27-Nov-19		2,000	,		100.00%	2,000		2,000	8	'
			113.062	2,000	39.629	73,433		9,430	•	82,864	JZ	32,199
								İ				
			233.710	90,471	143,849	89.861		11,537	•	86E, 101	86	222,783

16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17 NEW BUSINESS OF AN URGENT NATURE

Nil.

#### 18 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (CONFIDENTIAL MATTERS)

#### **RESOLUTION 95/21**

Moved: Cr Rowena Mouda Seconded: Cr Paul White

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

<u>In Favour:</u> Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 

The gallery left the meeting at 6:21pm.

Neil Hartley left the meeting at 6:22pm.

#### 18.1 Derby Airport - Lease to Dunnings Fuel Supplies

This matter is considered to be confidential under Section 5.23(2) - e(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

#### **RESOLUTION 96/21**

#### That Council;

- 1. Agrees to progress the lease process as required by S. 3.58 of the Local Government Act for the two requested Dunnings Fuel lease sites at Derby Airport (vis. Area 10, and part of the existing KAS Helicopters lease area site);
- 2. Authorises the CEO to progress the proposal, conditional on:
  - (a) A formal proposal being forthcoming to the CEO's satisfaction and addressing all of the necessary airport related aspects (like safety, hardstand/apron access and protection, engineering certification, appropriate fuel licencing requirements, etc)
  - (b) Dunnings Fuels agreement to meeting the necessary costs;
- 3. Advises Dunnings that in accordance with S. 3.58 of the Local Government Act, Council cannot make a final decision on the question of a lease until after the period of public consultation has closed and any submissions received have been assessed and considered (unless there are no submissions received opposing the lease, in which case Council authorises the Chief Executive Officer to finalise the lease); and
- 4. Authorise the President and Chief Executive Officer to execute the necessary documentation and apply the Shire's Common Seal (if required).

**CARRIED 8/0** 

## 18.2 Assignment of Leases - All North Helicopters Pty Ltd (Derby and Fitzroy Crossing Airports)

This matter is considered to be confidential under Section 5.23(2) - e(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

#### **RESOLUTION 97/21**

#### That Council;

- Authorise the Chief Executive officer to undertake the necessary investigations and considerations (including as outlined in the Legislative Considerations section of this report) to ensure that the lease conditions are met as part of any assignment consideration;
- 2. Authorise the Chief Executive officer make the necessary arrangements for the assignment of the existing leases for All North Helicopters Pty Ltd., to Jock Warriner and Hayley Barbara Warriner as trustee for the J. Warriner Family Trust, subject to the Chief Executive Officer's satisfaction of the outcomes of the lease considerations outlined in #1 above; and
- 3. Authorise the President and Chief Executive Officer to execute the assignments and apply the Shire's Common Seal (if required), conditional on the final costs for the above being met by the parties prior to execution of the documents occurring.

CARRIED 8/0

*Neil Hartley returned to the meeting at 6:27pm.* 

#### 18.3 Sheffield Resources - Lease Modifications

This matter is considered to be confidential under Section 5.23(2) - c and d of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

#### **RESOLUTION 98/21**

#### **That Council:**

- 1. notes the sub-lessee has indicated that the requirement of sub-lease clause 10.1 (vis. If the Sublessee has not substantially commenced the Development to the Sublessor's reasonable satisfaction by 31 December 2021, then the Sublessor may terminate this Sublease by giving at least 14 days' Notice to the Sublessee) will not be met;
- 2. agrees, subject to mutual agreement on modifications to the existing sub-lease as outlined in this report, to consider an extension of this milestone;
- 3. authorises the CEO to commence negotiations with Sheffield/Thunderbird to modify the sub-lease to address the issues highlighted with this report;
- 4. notes that the CEO will liaise with McLeods (solicitors) to seek advice in regard to how best to progress (2) and confirm whether S3.58 and S3.59 are applicable in this instance.

**CARRIED 8/0** 

#### RESOLUTION 99/21

Moved: Cr Paul White Seconded: Cr Geoff Davis

That Council moves out of Closed Council into Open Council.

In Favour: Crs Geoff Haerewa, Paul White, Geoff Davis, Chris Kloss, Andrew Twaddle, Rowena

Mouda, Pat Riley and Keith Bedford

Against: Nil

**CARRIED 8/0** 

The gallery returned to the meeting at 6:29pm.

#### 19 CLOSURE

#### 19.1 Date of Next Meeting

The next ordinary meeting of Council will be held Thursday, 30 September 2021 in the Council Chambers, Clarendon Street, Derby.

#### 19.2 Closure of Meeting

The Presiding Member closed the meeting at 6:30pm.

These minutes were confirmed at a meeting on
30 September 2021
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Signed:
Presiding Person at the meeting at which these minutes were confirmed.
riesiding reison at the meeting at which these minutes were commined.
30 September 2021
Date: