

ENDORSEMENT PAGE

This structure plan is prepared under the provisions of the City of Swan
Local Planning Scheme No.17

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE
WESTERN AUSTRALIAN PLANNING COMMISSION ON:

23 OCTOBER 2008

In accordance with Schedule 2, Part 4, Clause 28 (2) and refer to Part 1, 2. (b) of the *Planning
and Development (Local Planning Schemes) Regulations 2015*.

Date of Expiry:

19 OCTOBER 2030

Our ref: 808/2/21/4P76V
Your ref: LSP-5
Enquiries: Ms Sarah Cosstick (9264 7627)

CITY OF SWAN
Planning Information
ECM Doc Set ID: 3785379
Approval Date: 23/10/2008

Disclaimer:
The City makes every attempt to keep its published records up to date; however the subject document may have been superseded by a more recently approved document.

Chief Executive Officer
City of Swan
PO Box 196
MIDLAND WA 6936

Attention: Mr Philip Russell

Dear Sir/Madam

OUTLINE DEVELOPMENT PLAN (ODP) NO. 119 - LOTS 10, 11 & 14 TOODYAY ROAD, GIDGEGANNUP (CITY OF SWAN)

I refer to your correspondence dated 15 August 2008 regarding the final endorsement of Outline Development Plan No. 119. In this regard, the Western Australian Planning Commission (WAPC) has considered Outline Development Plan No. 119 relating to Lots 10, 11 and 14 Toodyay Road Gidgegannup and has resolved pursuant to clause 5A.1.1 and 5A.1.10.2 of the City of Swan Local Planning Scheme No. 17 to endorse Outline Development Plan No. 119 approved by the City of Swan on the 14 August 2008 as a basis for its decision making over the subject land subject to the following modification:

- i) Reference to "*Alternative road access for proposed lot 4, should subdivision of Lot 10 occur prior to Lots 11 and 14*" and the depiction of this alternative access through to Roland Road on the plan being deleted.

The Commission looks forward to receiving three modified copies of Outline Development Plan 119 for endorsement. Upon endorsement of the Outline Development Plan, two copies will be returned to the City for its records.

Should you wish to discuss this matter further, please contact Ms Sarah Cosstick of this office.

Yours faithfully



for Wayne Winchester
Acting Secretary
Western Australian Planning Commission

23 October 2008

OFFICE COPY

Our ref: LSP-5
Enquiries: Philip Russell
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 city of swan
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15 August 2008

The Secretary
Western Australian Planning Commission
469 Wellington Street
PERTH WA 6000

POSTED
15 AUG 2008

Dear Sir/Madam

**FINAL ENDORSEMENT OF OUTLINE DEVELOPMENT PLAN / STRUCTURE PLAN NO.
119 - LOT 10, 1408 TOODYAY ROAD, GIDGEGANNUP
LOT 14, 1428 TOODYAY ROAD, GIDGEGANNUP
LOT 11, 1448 TOODYAY ROAD, GIDGEGANNUP**

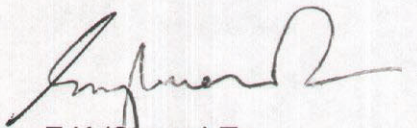
Please find enclosed (2) copies of Structure Plan 119 which has been endorsed by the City in accordance with the Council resolution of 15 August 2007. The Outline Development Plan/Structure Plan comprises:

- Plan
- Supporting Report
- Foreshore Management Plan
- Fire Management Plan.
- Copy of Council Resolution Report

A copy of the approved Outline Development Plan No119 is attached for final endorsement

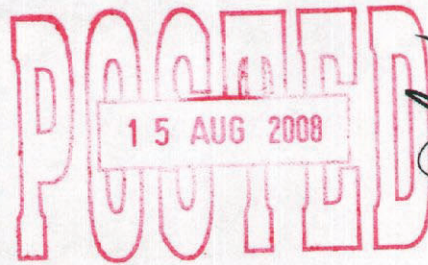
Should you have any queries regarding this matter, please do not hesitate to contact Philip Russell on 08 9267 9289.

Yours faithfully



E K (Steven) Tan
Manager - Statutory Planning/Principal Planner

Enc.



city of swan

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15 August 2008

Statewest Surveying & Planning
PO Box 1377
MIDLAND WA 6936

Dear Sir/Madam
Dear Sir

**FINAL ENDORSEMENT OF OUTLINE DEVELOPMENT PLAN / STRUCTURE PLAN NO.
119 - LOT 10, 1408 TOODYAY ROAD, GIDGEGANNUP
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Yours faithfully

E K (Steven) Tan
Manager - Statutory Planning/Principal Planner

Enc.

ORIGINAL COPY



city of swan

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Our ref: LSP-5
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15 August 2008



Greg Rowe & Associates
369 Newcastle St
NORTHBRIDGE WA 6003

Dear Sir

**FINAL ENDORSEMENT OF OUTLINE DEVELOPMENT PLAN / STRUCTURE PLAN NO.
119 - LOT 10, 1408 TOODYAY ROAD, GIDGEGANNUP
LOT 14, 1428 TOODYAY ROAD, GIDGEGANNUP
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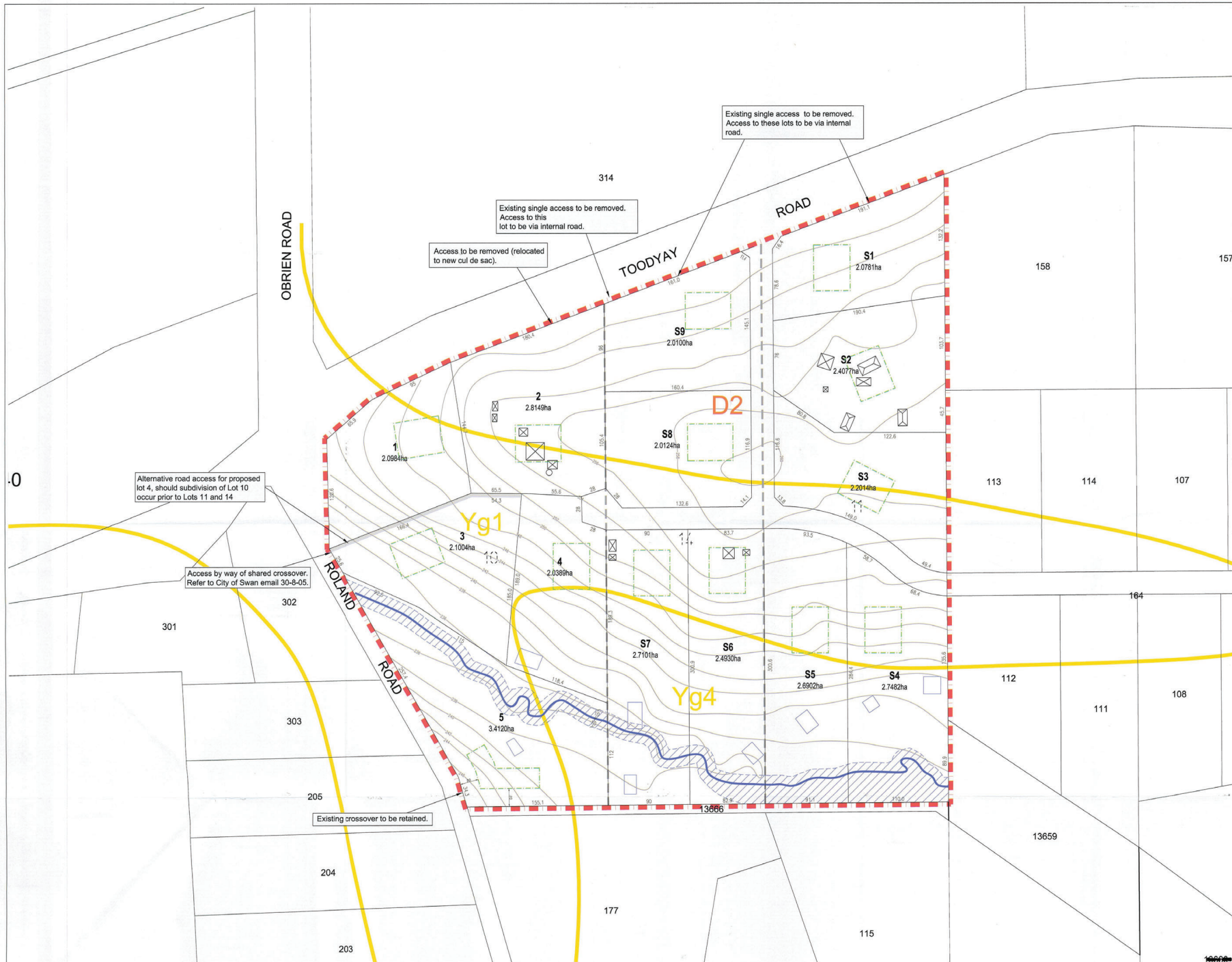
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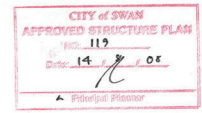
Yours faithfully

E K (Steven) Tan
Manager - Statutory Planning/Principal Planner

Enc.



- SUBDIVISION AND DEVELOPMENT REQUIREMENTS**
- A
- i) No clearing of vegetation shall be undertaken (including within the building envelope) without approval from the City of Swan.
 - ii) Minimum lot size to be 2.0ha, or as otherwise approved by the City of Swan.
- Conditions of subdivision approval**
- i) The owners to enter into conservation covenants with the Department of Agriculture and Food in accordance with clause 10.3 of the Local Government Act 1995 for the conservation of the portion of Esplanade Brook within their land in accordance with the approved Forestry Management Plan.
 - ii) Provisions of clause 10.3 not satisfied, verifying that the location of the building envelopes can accommodate conventional or alternative effluent disposal systems to the satisfaction of the City of Swan.
 - iii) All driveways onto Toodyay Road being closed and removed.
 - iv) No vehicle access shall be permitted onto the Toodyay Road reserve from the proposed adjoining lots. This shall be noted on the deposited plan in accordance with Section 128BA of the Transfer of Land Act 1995 as a condition of subdivision.
 - v) No earthworks shall encroach onto the Toodyay Road reserve.
 - vi) No stormwater drainage shall be discharged onto the Toodyay Road reserve.
 - vii) The applicant shall make good any damage to the existing verge vegetation within the Toodyay Road reservation.
 - viii) A notification on Title of Lot 10 advising any subdivisions of the potential for a contribution to the land of conservation of the subdivision area, not to be included on the COP.
 - ix) Road scores of the proposed lots fronting Roland Road shall be restricted to that shown on the COP.



- - - SUBJECT SITE
- - - BUILDING ENVELOPE
- - - EXISTING BUILDINGS
- - - EXISTING DAMS
- - - CREEK LINE
- - - CONSERVATION COVENANT AREA
- - - EXISTING LOT BOUNDARIES

outline development plan

lots 10, 11 and 14 **toodyay road** gidgegannup

date	14 Mar 08	job no.	4686
scale	1:2000 @A1	ref	030802
designer	L. Montgomery	drawn	B Zhou
client			

Level 3, 369, NEWCASTLE STREET, NORTHBRIDGE, WESTERN AUSTRALIA 6006

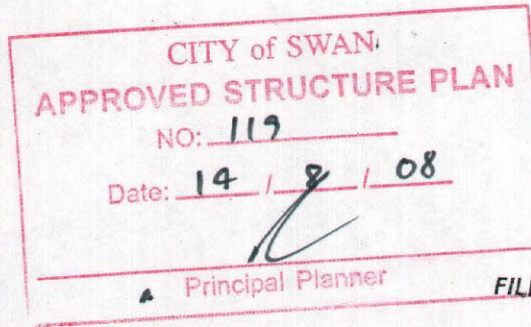
Greg Rowe & Associates

Our Ref: 4686

2 March 2006

Chief Executive Officer
City of Swan
PO Box 196
MIDLAND, WA 6936

Attention: Mr Steven Tan – Principal Planner



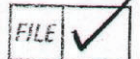
GREG ROWE & associates

FILE REF:

DOC REF: 767164

ASSESS No:

RECEIVED
CITY of SWAN - 2 MAR 2006



DEPT:	PLANNING			
OFFICER:				
SIGN:				

Dear Sir

**RE: LOTS 10, 11 AND 14 TOODYAY ROAD CORNER OF ROLAND ROAD, GIDGEGANNUP
PROPOSED OUTLINE DEVELOPMENT PLAN**

Greg Rowe and Associates acts on behalf of the owner of Lot 10 Toodyay Road corner of Roland Road, Gidgegannup (herein referred to as the subject site). We have been instructed by our client to prepare and lodge an Outline Development Plan (ODP) over the subject site to facilitate its future development/subdivision.

We also refer to ODP No. 119, which has been prepared by Statewest Surveying and Planning (Statewest) for the land to the east of the subject site, Lots 11 and 14 Toodyay Road. We advise that we submit this ODP as a new ODP for the subject site and Lots 11 and 14. Lots 11 and 14 have been included in this proposal due to the absence of an approved ODP and the land requiring a consolidated approach for subdivision. Inclusion of these Lots in the ODP will also demonstrate the subdivision of the subject site's integration with the land to the east.

The following provides justification for the ODP as proposed particularly in regard to the land being able to support subdivision in the form proposed on the ODP. We attach the Report prepared by Statewest dated 27 January 2005 as the basis for general background research information relating to site characteristics, existing land use, zoning etc. to satisfy the requirements of the City of Swan Town Planning Scheme No. 9 (TPS 9), which specifies the information to be contained within an ODP proposal. Any departure from Statewest's Report has been identified and duly justified.

Outline Development Plan Design

The ODP (please refer to attached) prepared as part of this proposal varies in a number of details from the original plan prepared and submitted by Statewest and the modified plan (Statewest's) which included the subject site. The following will provide an explanation of the design details of the ODP.

Road Layout and Access

The ODP depicts the continuation of Hopedale Ridge from the east through Lots 11 and 14. This road will terminate in a cul-de-sac near the eastern boundary of the subject site. A road running in a north south direction will connect from this road through Toodyay Road (direct access) between Lots 11 and 14. The road layout is justified on the following basis:

1. The road layout is permeable providing through access throughout the subdivision from the east and to the north;
2. The road layout is acceptable from a fire and emergency access point of view. That is to say, two (2) entry/exit points exist providing suitable emergency ingress and egress;
3. The road layout is in accordance with the provisions of the Western Australian Planning Commission's (WAPC) Development Control Policy No. 3.7 – Fire Planning;
4. Main Roads Western Australia (MRWA) has provided consent to road access onto Toodyay Road (please refer to MRWA correspondence attached);
5. Each of the three Lots (10, 11 and 14) can be subdivided independently and without the reliance for an adjoining lot to be subdivided. In this regard, the subject site can be subdivided utilizing existing road frontages to Roland and Toodyay Roads. Lots 11 and 14 can construct an under width road within each respective lot providing access in a north south direction to Toodyay Road. Each of these outcomes provides sufficient and safe access;
6. Topographical constraints (refer to attached photographs) on the subject site prevent continuation of Hopedale Ridge through to Roland Road which would:
 - a. Require extensive loss of vegetation (refer to attached photographs - 31m swathe through 70 year old Jarrah re-growth) (Department of Environment (DoE) advice to Council states that clearing of native vegetation (without approval) in WA is prohibited. Please refer to DoE letter of 4 March 2005);
 - b. Require extensive engineering earthworks blighting the landscape and detrimentally impacting on the visual amenity of surrounding landowners and passers by (DoE advice to Council states the volume of fill in the floodplain should be minimised. Please refer to DoE letter of 4 March 2005 and to the report from David Porter Engineering regarding fill);
 - c. Cause potentially serious and ongoing soil erosion (DoE advice to Council states crossings and culverts should be aligned perpendicular to main channel flow. Inappropriate location and alignment often causes erosion. Crossings should not be located in fragile areas. Please refer to DoE letter of 4 March 2005);
 - d. Require considerably expensive construction costs for the road and culvert;
 - e. Require a large culvert or crossing over Susannah Brook leading to detrimental environmental impacts on the creek line and further fill. The DoE recommend minimal watercourse crossings and in this particular case, several crossings exist over Susannah Brook in the immediate locality;
 - f. Create unsafe traffic conditions (Hopedale Ridge would be conducive to high vehicle speeds and "reckless" drivers) via a long continuous stretch of road;
 - g. The City of Swan road design criteria requires roads having both horizontal and vertical curvature to conform with the terrain to achieve a desirable aesthetic quality and to be in harmony with the landform (refer to David Porter report page 2 section 4.0 already submitted to Council)
7. Access points to Toodyay Road will be reduced to one controlled access point via the new north south road. All other access points or crossovers from private lots will be via Roland Road or the new internal roads of the subdivision.

In view of the details provided above, the road layout and access design features of the ODP are considered justified and appropriate. The road layout will be a better environmental outcome with safe road design which are features that justify the appropriateness of the ODP especially in comparison with the ODP prepared by Statewest.



Lots

A total of 14 lots are depicted on the ODP, consisting of 5 on the subject site, 5 on Lot 11 and 4 on Lot 14. They range in size from 2.01 ha in area to 3.41ha. The average lot size is approximately 2.42ha. Both the minimum and average lot sizes comply with the City of Swan Gidgegannup Rural Strategy and the Gidgegannup/Brigadoon Place Plan. The lot sizes are consequently justified and appropriate.

No Public Open Space (POS) is identified on the ODP, whereas ODP No. 119 prepared by Statewest, identified extensive portions of POS along the alignment (both sides) of the Susannah Brook. This alignment of POS identified by Statewest is considerable to say the least and beyond what is normally expected by a "rural residential" subdivision of this nature. The ODP retains the existing Susannah Brook in private ownership. The following provides justification for the retention of the Susannah Brook in private ownership particularly in regard to the subject site:

1. We are amenable to lodging a "Conservation Covenant" (as suggested to Mr Greg Harris by Council Technical Officers) over the land containing the Susannah Brook, including a reasonable portion of land (10m) north and south of the Brook. A "Conservation Covenant" prevents development within the nominated area and requires the landowner, through use of a management plan, to undertake management of the watercourse. This matter is discussed in further detail below. Please refer to ATA Environmental correspondence attached and to the Media Statement issued by the State Government in 2004 supporting "Conservation Covenants";
2. "Conservation Covenants" can adequately achieve environmental objectives, particularly in regard to protection of the environment;
3. Proposed Lot 5, which contains the Susannah Brook, is capable of supporting development (residence, associated outbuildings etc) and an effluent disposal system. Please refer to justification provided by ATA Environmental attached. ATA advised that approximately 75% of proposed Lot 5 has a fair to high capability for supporting effluent. In this regard the different soil types for the subject site are mapped on the ODP. As depicted on the ODP the entire building envelope for proposed Lot 5 is included within the YG1 soil unit, which has a high capability for both effluent disposal and house construction. In addition, the Environmental Protection Authority's (EPA) 30m horizontal setback from watercourses is achieved. It should also be noted, ATA Environmental have undertaken a "desk top" assessment and they do not envisage (based on the available information) the southern portion of the subject site being unsuitable for development (i.e. residence and effluent disposal system). Based on the evidence provided above, including proposed Lot 5 as POS on the basis of land capability (not being able to support development) is dismissed (the Department of Health and Department of Agriculture have provided similar verbal advice to our Client);
4. Susannah Brook (through Lots 10, 11 and 14) is currently in private ownership, and from our understanding there is no outstanding dispute with the City of Swan, relating to the Brook's upkeep or management;
5. From experience Council's are reluctant to want to manage watercourses due to cost, resources and the continual need for upkeep and management;
6. Further to the above, Council Technical Officers have advised our Client they do not have the finances and resources to maintain the Brook in a state that is suitable for public use;
7. Access to the POS east of Lot 11 is not required given existing points of access. These points of access exist south of Lots 10, 11 and 14 (this strip of land is not maintained by Council, overgrown and unsuitable for pedestrian access at present)(refer to photographs attached), north of Centenary Road, off Lakeview Drive and Strawberry Hill Drive. Ample opportunities exist for access through to the Susannah Brook Reserve, consequently the subject ODP should not be seen as an opportunity for Council to obtain further POS for access purposes;



8. The Susannah Brook Reserve is poorly maintained and particularly overgrown (refer to photographs attached). This consequently highlights Council's inability to maintain the existing POS along Susannah Brook. Extension of the POS through Lots 10, 11 and 14 will extend the Susannah Brook Reserve by nearly a third, placing greater pressure on Council to maintain this portion of POS;
9. Council Technical Officers have advised they approached landowners abutting the Susannah Brook Reserve to maintain the portion of the POS abutting their respective property. Our Client has indicated that landowner responses to this request were unsupportive;
10. The population abutting Susannah Brook is limited given the existing Special Rural subdivision (lot sizes of approximately 2ha in area). POS is generally associated with higher populated Residential/Urban areas where there is a need to provide open space for the community where private open space is limited due to lot size (i.e. residential lots). Consequently, POS is not required from the point of view of providing open space in the absence of suitable private open space;
11. The POS distribution as proposed by Statewest is inequitable in terms of the portion of land required from Lot 10 in comparison with Lots 11 and 14;
12. The existing land abutting Susannah Brook (and to be included as POS as proposed by Statewest) (in Lot 10) is currently used for productive purposes (i.e. farming);
13. The POS as proposed by Statewest will reduce Lot 10's ability to be self sufficient by using water that is currently onsite (e.g. for irrigation and other domestic purposes);
14. There is no specific provision under a WAPC policy requiring rural subdivisions to cede land for POS. The WAPC Development Control Policy No. 2.3 relates specifically to public open space in residential areas, not in rural areas. This Policy doesn't identify any close relationship to Policies relating to rural subdivision.

Based on the above, the lot layout as proposed (excluding areas of POS) is appropriate and justified.

Conservation Covenant

The State Government issued a media release on 19 May 2004 supporting Conservation Covenants stating the following (refer to copy attached):

"Conservation Covenants are a legal mechanism to protect land and prevent activities that will reduce their conservation value. The land remains in private ownership, but the covenant gives landowners the security of knowing that the land will be protected after they pass on ownership."

Furthermore:

"The important aspect is that the State Government has provided an incentive for people to set aside parts of their properties and manage those areas for conservation. In effect, it will help create a myriad of 'mini' private nature reserves across the landscape that will complement the formal conservation reserve network."

If the owners of Lots 11 and 14 do not wish to participate in the "Conservation Covenant" process, but are willing to cede (free of cost) their sections of Susannah Brook for POS, our Client suggests that these portions of land be transferred into the ownership of proposed Lot 5 (part of Lot 10 subdivision) instead of POS to form an extended "Conservation Covenant" area for which the owner of proposed Lot 5 (current owner of lot 10) would be prepared to develop a management plan and manage the land covered by the "Conservation Covenant" in total. This would enable the removal of dividing fences between Lots 10 and



14 and 14 and 11 thus making management of the Susannah Brook easier. Our Client has advised proposed Lot 5 is where they wish to build their retirement residence.

Meeting with Technical Officers from the Department for Planning and Infrastructure

Our Office has recently met with Technical Officers from the DPI to discuss the proposed ODP and amongst other things, the ODP proposed by Statewest. Two (2) issues of note, as referred to above, include the road layout and provision of POS. The following is a summary of the discussions undertaken at this meeting based on the ODP prepared by Statewest and the ODP prepared by our Office (in response to Statewest's ODP):

1. DPI Technical Officers were amenable to the ODP prepared by our Office as an alternative to the ODP prepared by Statewest. That is to say, they agreed with our explanation of topographical constraints, vegetation retention, watercourse crossings and construction costs as the main reasons for Greg Rowe and Associates' ODP as being a suitable alternative, particularly from a road/access point of view.
2. DPI Technical Officers reinforced the requirement of through access on the ODP from Hopedale Ridge. The DPI Technical Officers advised the following as "secondary" access options, specifically for emergency access (in order of preference):
 - a. new road connecting to Toodyay Road running in a north south direction from the extension of Hopedale Ridge (as proposed by Greg Rowe and Associates);
 - b. new road running north south from the extension of Hopedale Ridge terminating in a cul-de-sac near Toodyay Road with emergency access provided; and
 - c. a strategic firebreak being provided through to Roland Road for emergency access (if MRWA disallow access to Toodyay Road).
3. DPI Technical Officers advised they would consider justification in support of the ODP not providing POS.

As a result of MRWA's recent consent to allow road access onto Toodyay Road, the DPI's preference is for "secondary" access to be provided via a north south road to Toodyay Road. The ODP's road layout is based on this outcome and is considered justified and appropriate. Based on the justification provided above the exclusion of POS from the ODP is appropriate. We reiterate the DPI's Technical Officers were supportive of considering justification in support of excluding POS.

Flooding of Susannah Brook

Our Client wishes to dispute the assertion by the DPI under its letter of 27 October 2005 that the area (implying Lots 10, 11 and 14) is prone to flooding.

Lots 10, 11 and 14 have never been flooded through natural inundation in the thirty years that our client has owned Lot 10. There is an exception when the creek overflowed its embankments and the extent of the flooding was limited to approximately 200 metres upstream of the Roland Road culvert (i.e. contained within the subject site). This flooding was caused by debris (logs, small branches and rubbish material) accumulating across the face of the triple barrel culvert at Roland Road.

Our Client advises a backhoe was engaged privately to remove the debris, as we are instructed, the City of Swan was not prepared to send a backhoe until the water had subsided. The flooding was causing damage to the hay crop on the subject site and the blockage had to be removed in order to drain water from the hay crop.



Since then we understand the creek has been successfully managed removing debris and keeping the water way clear. There has been no flooding of this nature since 1976.

We wish to bring to Council's attention a precedent concerning the ceding of land for POS on an adjacent subdivision which contains the Susannah Brook. Our Client advises that from his personal observations the land immediately downstream of the subject site (i.e. Swan Loc 574), which receives all the water from Susannah Brook via the Roland Road culvert as well as natural inundation from that property and road runoff floods every year. We believe this occurrence is well known to Council. This occurs for several reasons:

1. Susannah Brook has a very dynamic meandering system through this property
2. Susannah Brook's flow is severely restricted at Toodyay Road by a culvert which cannot take the aggregated flow, and
3. Susannah Brook in this property is rarely cleared of debris.

Our Client has researched and advises that Swan Loc 574 was the subject of an amalgamation/subdivision process in 2000/01 (WAPC Subdivision Ref. No. 113753). The investigation confirms at that time, the WAPC (or through the recommendation to the subdivision of the City of Swan, DoE, or Waters and Rivers Commission) did not require any land for POS as a means of protecting the waterway as a condition of subdivision, yet this land is more prone to natural flooding than any other part of the Susannah Brook.

Our Client advises, to date conditions 11 and 12 of that subdivision have not been fulfilled, these being:

- a) To establish a buffer of at least 15 metres either side of the creek using native vegetation, and
- b) To fence the water course and buffer area to prevent livestock from grazing riparian vegetation

Of the four properties involved in this debate (i.e. Lots 10, 11, 14 and Swan Loc 574), our Client advises he is the only landowner who has made a consistent effort to re-vegetate the watercourse and fence it from livestock. It should be noted the subject site has endured wandering livestock from Lots 11, 14 and Swan Loc 574 entering the watercourse and destroying small native vegetation plantings obtained from Men of The Trees (MOTT).

Access to POS at the Roland Road Culvert

The embankment running from the sealed road down to the creek at the culvert on Roland Road is very steep (greater than 45 degrees). Consequently, access to the Susannah Brook at this point is possibly hazardous and unsafe for pedestrian access.

The alternative access via an existing POS strip (although this will require upgrading) along the southern boundary of the subject site presents a much safer entry point for pedestrians wishing to walk along the existing Susannah Brook Reserve through to Centenary Drive etc. This strip already forms part of reserve 45948.

Summary

In view of the details provided above and the Report prepared by Statewest Surveying and Planning the ODP as proposed is justified and appropriate. The information provided by Statewest addresses general issues such as existing land use, land characteristics, zoning and the City's strategic planning for the



area. The details provided above justify the design of the ODP and address specific land capability issues such as development abutting the Susannah Brook.

Accessibility throughout the ODP is supported through the consent of Main Roads Western Australia for a road access onto Toodyay Road. The deleting of existing private access points, and environmental and topographical constraints, which restrict the ability to extend Hopedale Ridge through to Roland Road also support the design of the ODP.

Retaining the Susannah Brook within private ownership will benefit many parties, including Council (no resources or finances required), the public (maintained landscape, protect environment and watercourse) and the landowners (maximum lot yield and equitable road construction) of Lot 10, 11 and 14. The environmental attributes of the Susannah Brook will be satisfactorily controlled through a "Conservation Covenant" and a subsequent management plan to be implemented by the landowners whilst allowing the land to remain in private ownership.

In view of the details provided above, we respectfully request the City of Swan approve the ODP as the basis for subdivision and development of Lots 10, 11 and 14 Toodyay Road, Gidgegannup. We look forward to your confirmation that Council will consider the ODP at the next available Council meeting.

In the mean time should you require any further information or clarification, please do not hesitate to contact the undersigned or Mr Greg Rowe from our Office.

Yours faithfully
GREG ROWE AND ASSOCIATES



LUKE MONTGOMERY

Encl:

C.c. Mr Greg Harris



ATTACHMENT 1

Outline Development Plan

ATTACHMENT 2

Statewest Surveying and Planning's Outline Development Plan Report

OUTLINE DEVELOPMENT PLAN 119

lots 10, 11 and 14 Toodyay Road Gidgegannup

Prepared by:

Statewest Surveying & Planning
PO Box 1377 Midland 6936 (69 Great Northern Highway 6056)
Telephone: 9274 3198
Fax: 9274 3878

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1. INTRODUCTION

An Outline Development Plan (ODP 38) has been prepared for a substantial portion of the land bounded by Toodyay, Stoneville, Cameron and Roland Roads. Land in the north west sector was not included in the initial design for the area. Lots 10, 11 and 14 are within the north west sector. In view of the advanced progress of current amendments to ODP 38, it was necessary to prepare this as a new Outline Development Plan, ODP 119, attached.

2. LOCATION

The land is located 14 kilometres north east of Midland on the south side of Toodyay Road, east of Roland Road in Gidgegannup. See Location Plan. ODP 38 dealt in detail with properties to the south and east of the subject land and established a road link to the eastern boundary of Lot 11, Hopedale Ridge.

3. SITE CHARACTERISTICS

3.1. Topography

The east/west ridge which separates the Toodyay Road valley from Susannah Brook terminates at Roland Road. The land rises at a gentle grade from Toodyay Road, across a plateau, and then falls towards the south and Susannah Brook.

3.2. Land Capability

The OPD identifies the land units defined by Agriculture WA in its Darling Range Regional Land Capability Study. The characteristics of these land units are described below:

Dwellingup 2 (D2) – Gently undulating terrain, with well drained, shallow to moderately deep gravelly brownish sands, pale brown sands and earthy sands overlying laterite duricrust.

Yarragil 1 (Yg1) – Gently to moderately inclined sideslopes with moderately well drained yellow duplex soils, and yellow and brown massive earths.

Yarragil 4 (Yg4) – Valley floors with poorly drained mottled yellow duplex soils.

The capability of these land units is described in Table 1 below:

Land Unit	Rural Retreat	House and Road Construction	Effluent Disposal (Septic Tanks)
D2	IIIp	II	IIIp
Yg1	II	II	II
Yg4	Vo	IIIfi	Vo

Legend

Capability Class		Limiting Quality	
II	High Capability	F	Flood Risk
III	Fair Capability	I	Waterlogging/Inundation Risk
V	Very Low Capability	O	Water pollution risk by overland flow
		P	Microbial Purification ability

On the basis of this assessment the subdivision guide plan has been designed to avoid the location of buildings and associated effluent disposal systems on the Yg4 land unit.

Accordingly, building envelopes in the ODP are located in areas where the soil is capable of satisfactorily accommodating conventional septic systems and where these have a separation distance beyond 100 m from Susannah Brook.

The existing residences have well functioning conventional septic tanks and leach drains.

As noted on the ODP, at the time of subdivision and/or development, the proponent shall demonstrate that the site is suitable for on site effluent disposal or alternative treatment units to the satisfaction of the Health Department of Western Australia and the City of Swan.

3.3. Vegetation

The site has generally been cleared of vegetation. However some clumps of trees remain. Wherever possible, building envelopes have been located so that these are retained.

There will be revegetation along the Susannah Brook, particularly in the area where dams have been removed.

- Wetland Planting

The recommended planting species include canopy, some understorey and sedge and reed plants, as follows:

Botanical Description	Common Name	Type of Plant
Acacia alata	Winged Wattle	Shrub
Agonis linearifolia	Swamp Peppermint	Small tree/large shrub
Astartea fascicularis		Shrub
Banksia littoralis	Swamp Banksia	Tree
Baumea articulata	Jointed Twig Rush	Reed
Baumea Juncea	Bare Twig Rush	Reed
Bolboschoenus caldwellii	Marsh Club Rush	Tree
Eucalyptus rudis	Flooded Gum	Tree
Hypocalymma angustifolia	White Myrtle	Shrub
Isopogon dubius	Pincushion Coneflower	Shrub
Juncus holochoenus	Jointleaf Rush	Reed
Melaleuca preissana	'Modong' Paperbark	Tree
Melaleuca raphiophylla	Swamp Paperbark	Tree
Melaleuca viminea	'Mohan'	Shrub

- Upland Planting

The following plants should be considered for planting in the (slightly) more elevated sections of the reserve. However, in the early formation of the planting programme, for this vegetation zoning, it is recommended that tree planting only takes place.

Botanical Description	Common Name	Type of Plant
<i>Acacia pulchella</i>	Prickly Moses	Shrub
<i>Acacia saligna</i>	'Coojong'	Shrub
<i>Allocasuarina humilis</i>	Dwarf Sheok	Shrub
<i>Calothamnus quadrifidus</i>	One sided Bottlebrush	Shrub
<i>Calothamnus rupestris</i>	Cliff Net Bush	Shrub
<i>Calothamnus sanguineus</i>	Silky Leafed Blood Flower	Shrub
<i>Corymbia calophylla</i>	Marri	Tree
<i>Dryandra armata</i>	Prickly Dryandra	Shrub
<i>Dryandra praemorsa</i>	Urchin Dryandra	Shrub
<i>Eucalyptus megacarpa</i>	Bullich	Tree

This range of plants is representational only, and more could be used, but it is recommended that a limited variety be tested in the first instance.

Best practice should be used in the planting process to maximise survival potential. It is recommended that Sure Gro (or similar) plant protection devices be used for tree and shrub planting in both the wetland and upland zones, along with weed mats and, where appropriate, fertilizer. Neither Proteace plants nor the reeds should be fertilised, and only an approved native plant fertilizer should be used on all other plants.

3.4. Visual Assessment

A Visual Resource Analysis was undertaken for the Darling Scarp Regional Park Study. As it included Gidgegannup it was referred to in the Gidgegannup Rural Strategy.

The subject land is classified as Zone B – Medium Visual Quality described as:

"This zone is moderately capable of accepting change to its landscape. The zone is quite sensitive visually but not to the same degree as Zone A.

The Visual Quality Objective for this zone is that development should, by a period of two years after initial change, be visually apparent but not dominant in the landscape. Developments must still follow the design principles dictated by the surrounding landscape characteristics and the component forms, lines, colours and textures."

4. EXISTING LAND USE

The properties are substantially cleared and function as rural-residential locations.

The properties have a series of dams within the Susannah Brook valley.

5. ZONING

The subject land is zoned 'Rural Residential' in the City of Swan Town Planning Scheme No: 9.

The purpose and intent of the Rural Residential Zone is to provide the opportunity for site sensitive rural residential development.

This ODP satisfies Council's Scheme requirement to prepare an Outline Development Plan prior to subdivision and includes the necessary information.

6. GIDGEGANNUP RURAL STRATEGY AND PLACE PLAN

The subject land was identified in the Strategy and the recent Gidgegannup Place Plan as being suitable for rural residential land use. The ODP complies with the main development criteria including 2ha minimum lot sizes, subject to land capability and demonstrated supply of on-site potable water.

7. THE SUBDIVISION GUIDE PLAN

The ODP identifies lot sizes, building envelopes and public open space provision. The subdivision design enables the individual landowner's independence in subdivision.

As indicated, building envelopes of approximately 2000m² (in accordance with City of Swan's requirements and as per surrounding development) are located around existing residences or structures or, otherwise, generally located in cleared areas to retain any existing vegetation. They are located on the land units with good capability to support effluent disposal (ie D2 and Yg1) and are more than 100 metres from Susannah Brook to ensure adequate separation as required by the Department of Health. Except in the case of accommodating existing buildings, the building envelopes have adequate clearance of least 20m from boundaries.

As indicated on the attached ODP, all lots are provided with street frontage. The majority of lots have frontage to the extended Hopedale Ridge or to Roland Road. Only two of the fourteen proposed lots, S1 & S2, on which the existing residence on existing Lot 11 is located, have direct access to Toodyay Road. As indicated, these crossover onto Toodyay Road. As indicated, these 2 proposed lots are to share the existing access/egress to Lot 11. Accordingly, no additional access/egress points on Toodyay Road are proposed.

8. VEHICULAR ACCESS

Main Roads WA have provided written advice in support of the access arrangements for Toodyay Road. The arrangements for access retain the existing crossovers.

Hopedale Ridge is to be extended to Roland Road.

9. PUBLIC OPEN SPACE

Public open space (POS) is provided along the southern boundary of the site around Susannah Brook, providing adequate width for management access and strengthening POS already provided in land to the south and east.

A management plan and revegetation plan is being prepared for City of Swan approval for that part of Susannah Brook which falls within the site and links with the management and revegetation plan which exists for ODP 38 to the east. All existing dams which fall within the POS are to be filled

The boundary of the open space for the established ODP 38 was selected to provide a practical and manageable area. A continuation of this principle and the requirement of appropriate areas has set up the proposed POS.

10. EFFLUENT DISPOSAL

All building envelopes are located in areas where the soil is capable of satisfactory accommodating conventional septic systems and have a separation distance beyond 100m from Susannah brook.

The existing residences have conventional septic tanks and leach drains, and it is proposed that similar requirements will prevail for all the proposed lots.

11. ENVIRONMENTAL IMPACT

The pattern of development proposed for lots 10, 11 & 14 is similar to that embodied in ODP 38 where setbacks are established and preserved along Toodyay Road and revegetation provided along Susannah Brook

12. POTABLE WATER

Reticulated water is not available to the site. All residences are obliged to be supported by a 120,000 litre watertank as a condition of building approval.

13. VISUAL IMPACT

The development principles supported in ODP 38, involving land fronting Toodyay Road, will be applied to the Toodyay Road frontage of lots 10, 11 & 14.

There already exists substantial screen planting along Toodyay Road that screens any activity of the lots from the users of Toodyay Road. To avoid any building profile above the existing vegetation, a significant area from the road has been designated on the ODP as being excluded from development.

14. POPULATION

The subdivision guide plan identifies a total of 13 lots to be created out of 2 lots. This is a net gain of 10 lots. Lots 10 and 11 contain 1 residence whilst Lot 14 contains 2, therefore the ODP could be expected to create 9 additional residences and an additional 19 persons.

15. FACILITIES

The Gidgegannup Townsite, located approximately 6 kms by road from the subject area, contains shopping, medical and postal facilities, a primary school and recreational facilities.

16. BUSHFIRE MANAGEMENT

A Fire Management Plan is being prepared for the proposed subdivision and links to the Fire Management Plan for ODP 38.

17. BUFFER AREAS

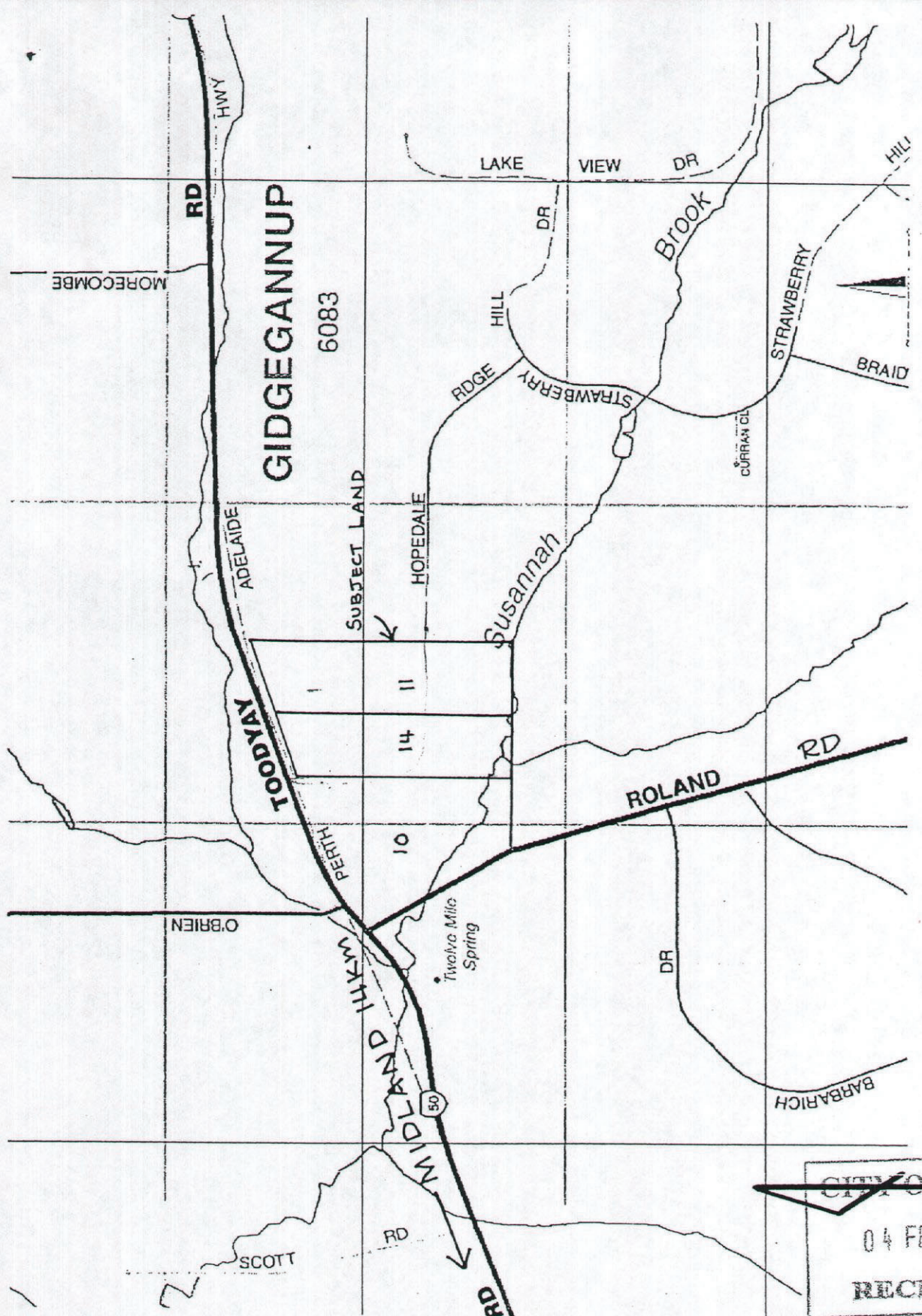
The subject land is not located within proximity of any rural activities that may require buffer areas.

18. DEVELOPER COMMITMENTS

The landowners commit to the full and complete documentation of:

- bushfire management
- management and revegetation of Susannah Brook
- agreement to utilisation only of existing crossovers to Toodyay Road
- agreement to areas of no-development and revegetation along Toodyay Road.

- o0o -



CITY OF SWIN
 04 FEB 2005
 RECEIVED

STATEWEST SURVEYING & PLANNING

Licensed Surveyors & Town Planners

Midland House P.O. Box 1377, Midland, WA 6936 • 69 Great Northern Highway, Midland
 Telephone: (08) 9274 3198 • Facsimile: (08) 9274 6592 • Email: statewest@statewest.oz.nf

Project **ODP No 119 – LOCATION PLAN: Lot 10, 11, 14 Toodyay Road Gidgegannup**

Scale N.T.S.	Date 27.10.05	Drawn	Checked	Reference 12346	Sheet No. 1
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SUBJECT TO SURVEY

SHARED ACCESS / EGRESS TO EXISTING TOODYAY ROAD
WHICH BECOMES THE SERVICE ROAD WHEN THE
PERTH-ADELAIDE HIGHWAY IS ESTABLISHED.

EMERGENCY FIRE ACCESS
UNTIL HOPEDALE RIDGE IS
EXTENDED TO ROLAND ROAD.

ROAD

PROPOSED
SERVICE ROAD

TOODYAY

O'BRIEN
ROAD

ROLAND
ROAD

ROAD

Susannah

HOPEDALE
RIDGE

Brook

STATEWEST SURVEYING & PLANNING

Licensed Surveyors & Town Planners
Directors B.A.Hunt & R.J.M.Rogers Associates P. Incerti, S O'Hara & L.G. Smith
Midland House P.O. Box 1377, Midland W.A. 6936 69 Great Northern Highway, Midland
Telephone (08)9274 3198 Facsimile (08) 9274 3878 Email statewest@statewest.net
Website <http://www.statewest.net>

SUBDIVISION AND DEVELOPMENT REQUIREMENTS

- A. (i) No clearing of vegetation shall be undertaken (including within the building envelope) without approval from the City of Swan.
(ii) Minimum lot size of 2ha.
(iii) Dam on S9 which encroaches on P.O.S. to be modified / filled in accordance with the requirements and to the satisfaction of the City of Swan.
(iv) Dams within the public open space are to be filled in accordance with the requirements and to the satisfaction of the City of Swan.
- B. At the time of subdivision and / or development :
- (i) A Fire Management Plan will be prepared and approved by Fire and Emergency Services of Western Australia / Bush Fires Board, and the City of Swan.
(ii) A Foreshore Management Plan including a Revegetation Plan will need to be prepared and approved by the Waters and Rivers Commission and the City of Swan.
(iii) The proponent shall demonstrate that the site is suitable for on site effluent disposal or alternative treatment units to the satisfaction of the Health Department of Western Australia and the City of Swan.
- C. The subdivision layout of lot 10 is indicative only and requires detailed investigation prior to subdivision or development.

LEGEND

- SOIL UNIT BOUNDARY
--- P.O.S. BOUNDARY
[] BUILDING ENVELOPE
[] VEGETATION
[] EXISTING BUILDINGS
[] EXISTING DAMS TO BE RETAINED OR MODIFIED
(See notes A(iii) & A(iv) above)
[] EXISTING DAMS TO BE FILLED
(See note A(iv) above)

OUTLINE DEVELOPMENT PLAN No. 119
LOTS 10,11 & 14 TOODYAY ROAD
GIDGEGANNUP

SCALE	DATE	DRAWN	CHECKED	REFERENCE	SHEET No.
1:4000	6-10-04	T.C.		12346	

ATTACHMENT 3

Main Roads' Western Australia Advice



Government of
Western
Australia

90311340



MAIN ROADS
Western Australia

ABN: 50 880 676 021

Enquiries: Kevin Trent on 9323 4682
Our Ref: 05/1274
Your Ref: MODP 119

15 February 2006

Chief Executive Officer
City of Swan
PO Box 196
MIDLAND WA 6936

ATTENTION: MARC CORNELL

Dear Sir

**OUTLINE DEVELOPMENT PLAN – LOTS 10, 11 and 14 TOODYAY ROAD,
GIDGEGANNUP.**

Thank you for your letter dated 11 January 2006 seeking Main Roads comments on the request to reconsider the outline development plan and access to Toodyay Road.

Main Roads has reconsidered the application and in the light of the fresh information supplied by Greg Rowe and Associates, report dated 6 January 2006 and the report by Uloth and Associates, of 19 August 2005, is prepared to accept the proposal subject to the following conditions being imposed:

1. Access being provided onto Toodyay Road for the proposed structure plan via a road way straddling the current boundary of Lot 11 and Lot 14. This roadway is to be sealed to the standard required by the City of Swan and visibility at the intersection with Toodyay Road being , maintained to the satisfaction of the City of Swan.
2. All driveways from Lots 10, 11 and 14 onto Toodyay Road being closed and removed.
3. No vehicle access shall be permitted onto the Toodyay Road reserve from the proposed adjoining lots. This shall be noted on the deposited plan in accordance with Section 129BA of the Transfer of Land Act (as amended) as a restrictive covenant for the benefit of Main Roads WA at the expense of the applicant.
4. No earthworks shall encroach onto the Toodyay Road reserve.
5. No stormwater drainage shall be discharged onto the Toodyay Road reserve.
6. The applicant shall make good any damage to the existing verge vegetation within the Toodyay Road reservation.

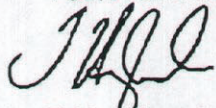
If Council disagrees with or resolves not to include as part of its conditional approval, any of the above conditions or advice to applicant, please inform Main Roads.

90311340

Please forward us a copy of the Council's determination on this proposed development, quoting file reference 05/1274.

If you require any further information please contact Kevin Trent on 9323 4682.

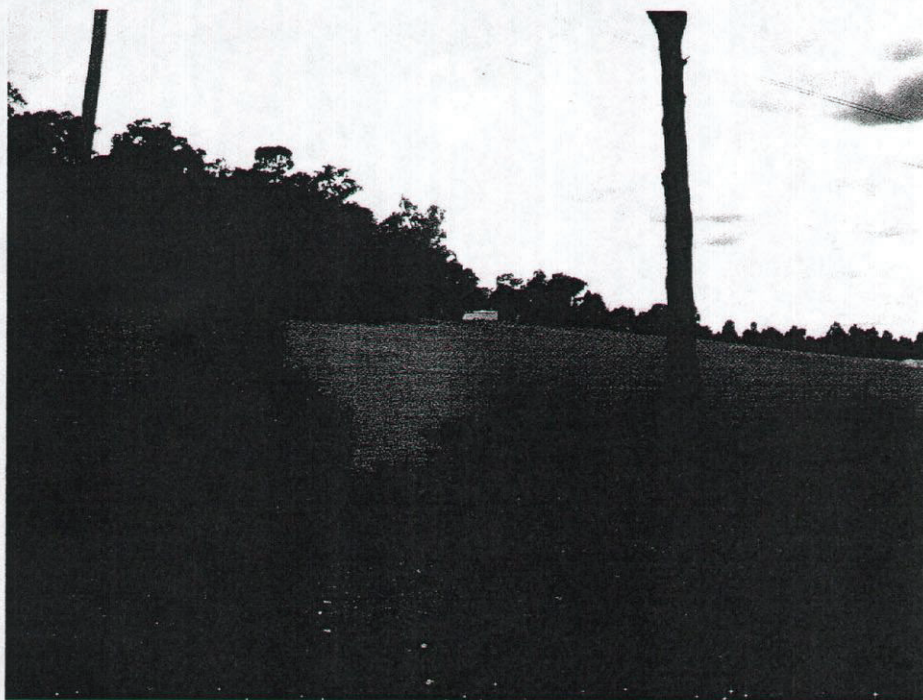
Yours faithfully



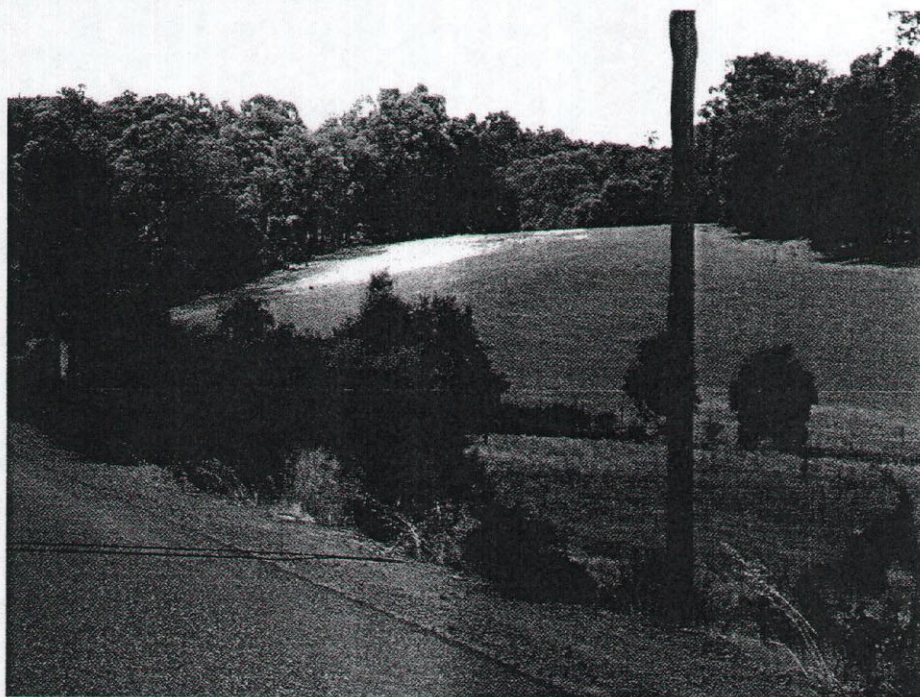
T Hazebroek
Traffic Manager

ATTACHMENT 4

Photographs

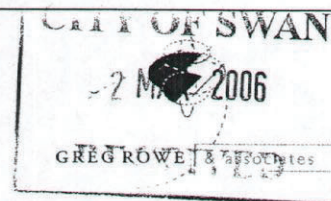


PHOTOGRAPH 1: Subject site looking east. Roland Road is in the foreground.



PHOTOGRAPH 2: Subject site looking north. Roland Road is in the foreground.

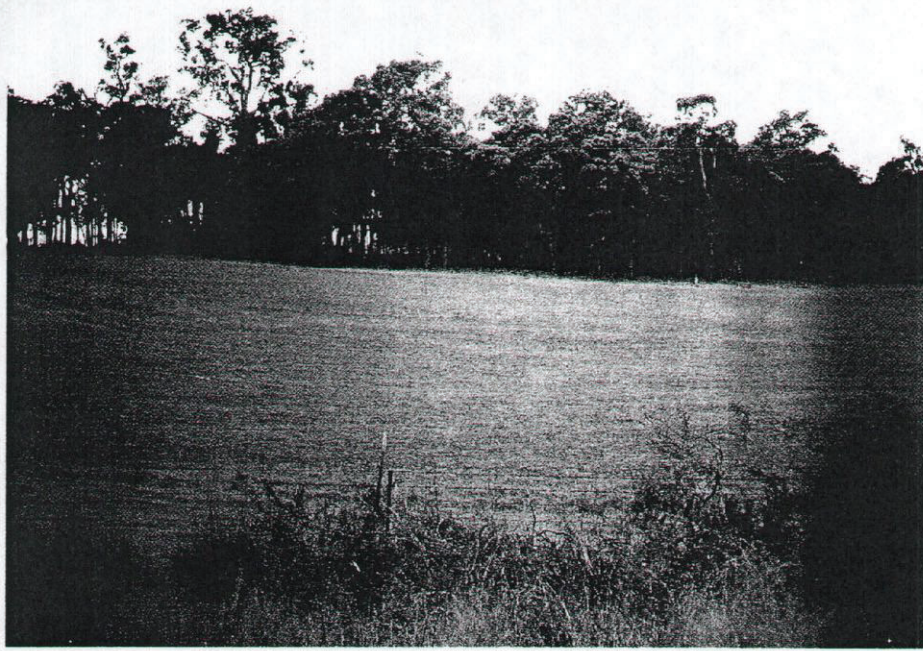
	title site photographs			
	address lot 10 toodyay road gidgegannup			
	date	21 February '06	job no.	4686
	scale	not to scale	e ref	020602
	designer	L Montgomery	drawn	Y Martin
client				



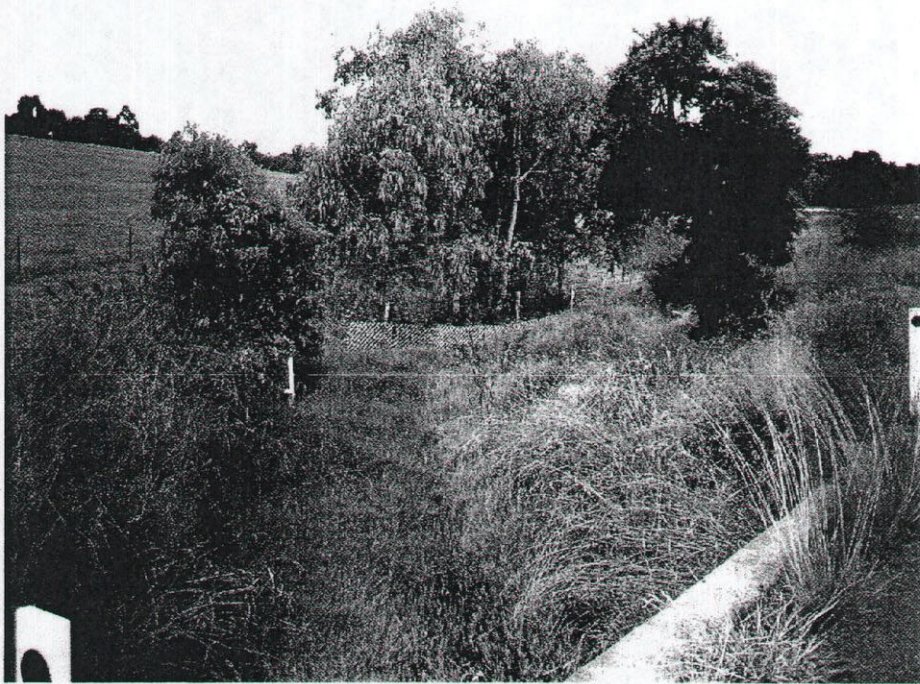
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PHOTOGRAPH 3: Subject site's existing vegetation which would require removal under Statewest's ODP.



PHOTOGRAPH 4: Susannah Brook

title site **photographs**

address lot 10 **toodyay road**
gidgegannup

date 21 February '06 **job no.** 4686

scale not to scale **e ref** 020602

designer L Montgomery **drawn** Y Martin

client

24 - 26 / WICKHAM



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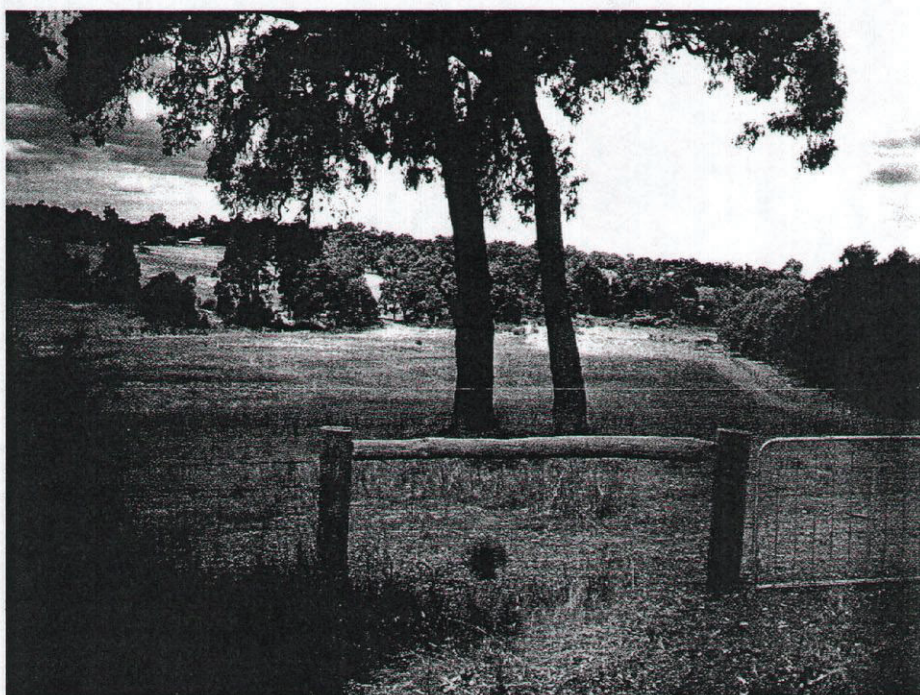
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6004 (08) 9221 1991 / email gra@greg-rowe.com
(08) 9221 1919 web greg-rowe.com



PHOTOGRAPH 5: Subject site looking east. Approximate location of Building Envelope for Lot 5.



PHOTOGRAPH 6: Subject Site looking east. Approximate location of Building Envelope for Lot 5.

title site **photographs**

address lot 10 **toodyay road**
gidgegannup

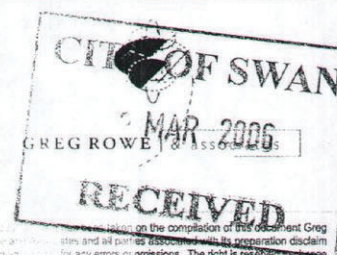
date 21 February '06 **job no.** 4686

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designer L Montgomery **drawn** Y Martin

client

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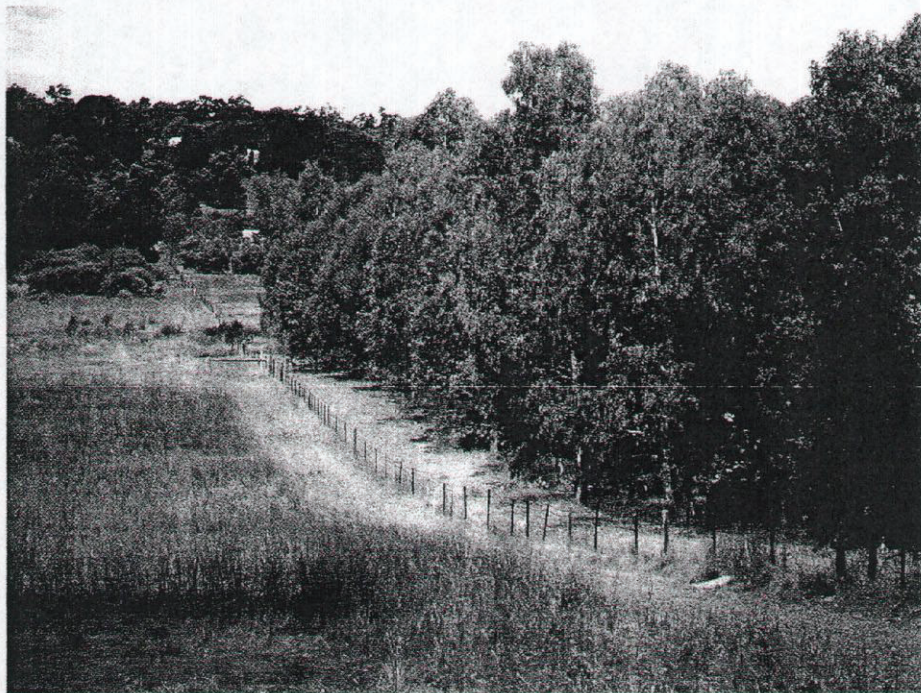
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6004

email gra@greg-rowe.com
web greg-rowe.com



title **sitephotographs**

address **lot 10 toodyay road**
gidgegannup

date	21 February '06	job no.	4686
scale	not to scale	e ref	020602
designer	L Montgomery	drawn	Y Martin
client			



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PHOTOGRAPH 9: Susannah Brook Reserve identifying unmaintained and overgrown state.



PHOTOGRAPH 10: Susannah Brook Reserve identifying extensive shrub growth.

title **site photographs**

address lot 10 **toodyay road**
gidgegannup

date 21 February '06

job no. 4686

scale not to scale

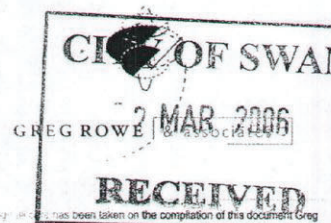
e ref 020602

designer L Montgomery

drawn Y Martin

client

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North Western Agency 6004

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0221 1919 web greg-rowe.com

ATTACHMENT 5

Department of Environment's Advice

Chief Executive Officer
City of Swan.
PO Box 196
Midland WA 6936

Attn : **Natalie Goode**

Dear Ms Goode

RE: ODP NO 119 – LOTS 10,11 14 TOODJAY RD, GIDGEGANNUP

Thank you for your referral dated 14 February 2005. The Department of Environment has assessed the information and offers the following advice:

Construction of roads across waterways often results in significant erosion downstream due to inappropriate culvert design. Detailed designs showing how the water volume and downstream impacts will be managed should be submitted to the Local Government and the Department of Environment prior to development commencing. The bridge or culverts should be designed to ensure that the local hydrology and stream characteristics (eg. meanders) remain essentially unchanged.

Recommendations for crossings on waterways that may apply:

- Open span bridge/arch structures or low level floodway crossings are preferred where feasible to minimise interference with the natural flows and aquatic habitat of a river channel.
- If culverts are used, then box culverts that replicate the natural channel cross-sectional area and shape are preferred so that flows are not concentrated or flooding increased and disturbance to the waterway is minimised.
- The number of waterway crossings should be minimised.
- The volume of fill in the floodplain to build crossings should be minimised.
- Crossings and culverts should be aligned perpendicular to the main flow channel and be located away from river bends. Inappropriate location and alignment often initiates erosion of the banks. Crossings should not be located in sensitive or fragile areas.
- Crossings should preferably not be built over meandering or dynamic waterways where the meandering process is active and is likely to continue in the future. Crossings interfere with this natural process of meander progression and structural damage to the bridge can occur, as well as channel erosion.
- Erosion control protection of the bed and banks in the vicinity of the crossing will be required to the satisfaction of the Department of Environment.

A Foreshore Management Plan should be prepared with details of revegetation for POS area adjacent to Susannah Brook.

Clearing of native vegetation in Western Australia is prohibited, unless the clearing is authorised by a clearing permit obtained from the Department of Environment, or is of a kind that is exempt in accordance with Schedule 6 of the Environmental Protection Act 1986 or Environmental Protection (Clearing of Native Vegetation) Regulations 2004. Please note that exemptions in the Regulations do not apply in areas that are considered to be environmentally sensitive.

Should you require further information please contact Hywel Phillips on 6250 8090.

Yours sincerely

Carolyn Hills
A/PROGRAM MANAGER
SWAN GOLDFIELDS AGRICULTURAL REGION

4 March 2005

ATTACHMENT 6

ATA Environmental's Advice

24 August, 2005

P3003_001_pvdm

Mr Greg Harris
42 Casuarina Drive
Halls Head WA 6210

Dear Greg,

RE: ODP LOTS 10, 11 AND 14 TOODYAY ROAD, GIDGEGANNUP

Following is our response to the proposed Outline Development Plan (ODP) for Lots 10, 11 and 14 Toodyay Road, Gidgegannup. The advice relates, particularly to your landholding on Lot 10 and concerns raised by you regarding several matters pertaining to the ODP.

The advertised ODP prepared by Statewest Surveying & Planning includes 13 rural residential lots of minimum size 2ha, and a Public Open Space (POS) strip along the southern ODP boundary. The POS strip accommodates Susannah Brook on all three lots and some additional elevated land south of Susannah Brook on Lot 10. The total area of POS on your lot (lot 10) is 3.05ha.

You have asked us to comment on two particular issues relevant to the ODP. Firstly, the question of whether the 3ha POS area on Lot 10 is warranted, and secondly whether the management of Susannah Brook is best achieved through POS or some other mechanism.

Firstly, we understand that the rationale for designating the 3ha POS area on Lot 10 was on the basis that the area contained a section of Susannah Brook land that the capability of the area was not suitable for rural residential development, especially for effluent disposal. Lot 10 comprises three different land units according to the Darling Range Rural Land Capability Study undertaken by the Department of Agriculture in 1990. The three units are the Dwellingup 2 unit on the elevated ridge in the northern half of the lot; the Yarragil 1 unit on the lower to mid slopes; and the Yarragil 4 unit on the low-lying land associated with Susannah Brook in the south-east portion of the lot.

According to the Department of Agriculture's assessment of the land capability of these land units, the Dwellingup 2 unit has a Fair capability for effluent disposal by standard septic tanks and a High capability for house and road construction. The Yarragil 1 unit has a High capability for both effluent disposal and house and road construction. The Yarragil 4 unit has a Very Low capability for effluent disposal and a Fair capability for house and road construction.

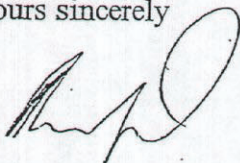
The southern portion of Lot 10 is mapped as comprising about 70% Yarragil 1 land unit, 25% Yarragil 4 and 5% Dwellingup 2. From the photos you have provided (both aerial photo and on-ground photo) and contour information, I believe that these land units reasonably apply to the areas for which they are mapped. Therefore, on the basis of the Department of Agriculture's assessment, approximately three-quarters of the site has a Fair to High suitability for rural retreat form of development. Therefore, the designation of POS over the whole 3ha southern portion of Lot 10 on the basis that the land units in this area are not suitable for effluent disposal is not correct. Houses, roads and effluent disposal units should definitely be kept out of Susannah Brook as well as the Yarragil 4 land unit, however they are considered suitable for the remainder of the southern portion of lot 10. The EPA's required setback distance from ephemeral creeklines such as Susannah Brook is 30m. It would be possible to site a house and effluent disposal unit on the southern part of Lot 10 adjacent to Roland Road and still be set back more than 30m from Susannah Brook.

The second issue you have asked us to comment on is the long-term management of Susannah Brook. Management of the brook could be achieved in one of two ways. Firstly, the creekline and associated buffer could be reserved as POS and vested in the City of Swan to manage. Secondly, the creekline and buffer could be retained in private control and managed by the landowners. In our experience, many local authorities are not keen on managing creeklines due to the cost of maintaining the creek to avoid flooding, and the cost of weeding, rehabilitation and fire control management. In such instances, a more effective way to manage the creekline and its surrounds could be to have a conservation covenant over the land that restricts development in the area covered by the covenant and requires through a management plan for the landowner to undertake management works in the creek. We understand that POS was not required for the redevelopment of the land to the west of Roland Road which includes a section of Susannah Brook. Therefore, the City of Swan may consider extending the private management of the brook to the lots covered by this ODP. If a conservation covenant were to be considered then this should be expanded to the future lots in Lots 11 and 14. The conservation covenant and management plan will need to be legally binding and scrutinised to ensure its implementation. However, it should be remembered that the brook is currently in private ownership with no obligations on management. Therefore, the conservation covenant scenario is not a threat to the brook if it were not implemented properly.

On this basis we believe that the ODP could be revised to better accommodate the suitability of the land for rural residential development and the more effective management of Susannah Brook.

Please contact me if you require any further information on this issue.

Yours sincerely



DR PAUL VAN DER MOEZEL
Partner

ATTACHMENT 7

State Government Media Statement

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////// MEDIA STATEMENT

GOVERNMENT OF WESTERN AUSTRALIA

19/05/2004

Land tax dropped on conservation lands

The State Government has introduced a further incentive to encourage private landowners to manage parts of their properties for nature conservation.

Environment Minister Judy Edwards said legislation had been introduced into Parliament to remove the land tax liability for those areas of private land that were protected and managed for nature conservation under eligible conservation covenanting programs.

"The Government is pleased with this breakthrough as conservation and land care groups have been campaigning for years to have the tax removed," Dr Edwards said.

Conservation covenants are a legal mechanism to protect land and prevent activities that will reduce their conservation value. The land remains in private ownership, but the covenant gives landowners the security of knowing that the land will be protected after they pass on ownership. ←

"Tax on land covered by these covenants can be a disincentive for people who otherwise would like to manage parts of their properties for the natural biodiversity values," the Minister said.

Dr Edwards said the move was in line with commitments made under the Labor Party's Environment Policy in the lead-up to the 2001 election. It also was consistent with the Government's response to the State Salinity Taskforce report in 2002, the State Sustainability Strategy, and the National Objectives and Targets for Biodiversity Conservation 2001-2005, to which the State was a signatory.

"Owners of land covered by conservation covenants administered by the Department of Conservation and Land Management and the National Trust of Australia (WA) will be eligible for the land tax exemption," the Minister said.

"This is because these covenants are primarily for lands of high nature conservation value, and involve 'stewardship' of the land for ensuring appropriate management into the future.

"People who have entered into 'conservation zones' through local government town planning schemes need not miss out, as they only need to enter into a covenant to be exempt from the tax.

"The important aspect is that the State Government has provided an incentive for people to set aside parts of their properties and manage those areas for conservation. In effect, it will help create a myriad of 'mini' private nature reserves across the landscape that will complement the formal conservation reserve network."

OUTLINE DEVELOPMENT PLAN 119

Lots 10, 11 and 14 Toodyay Road, Gidgegannup

Foreshore Management Plan for Portion of Susannah Brook

1. This plan relates to the area delineated as "Conservation Covenant Area" as depicted on the approved Outline Development Plan (ODP) (attachment A).
2. This plan sets out the obligations of current and future owners of the areas of land detailed above which are and will be subject of Conservation Covenants with the Department of Agriculture and Food.
3. These obligations are set out as follows:

Fencing:-

A sufficient post and wire, or post and rail fence that is stock proof shall be erected and maintained along the boundaries of the "Conservation Covenant Area" as depicted on the approved ODP.

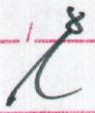
Re-vegetation:-

General revegetation of areas away from the Susannah Brook within the "Conservation Covenant Area" shall comprise the species detailed in Attachment B.

Revegetation of the brook bed and embankment shall comprise the species detailed in Attachment C.

Weeding:-

The Conservation Covenant Areas shall be maintained free of weed species (for reference as to weeds please see "Environmental Weeds of the Eastern Hills" available on request from the City of Swan).

<p>CITY of SWAN</p> <p>APPROVED STRUCTURE PLAN</p> <p>NO: <u>119</u></p> <p>Date: <u>14</u> / <u>8</u> / <u>08</u></p> <p></p> <p>Principal Planner</p>
--

Erosion:-

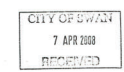
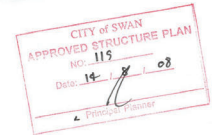
Areas prone to erosion around meanders of the brook shall be stabilised through the instalment of laterite rock where appropriate.

4. General assistance and advice with land care and management as detailed above can be obtained from:
 - Susannah Brook Catchment Group
 - Eastern Hills Catchment Management Project
5. Installation of crossings and modification of the brooks bed and banks may require a Permit from the Department of Water.

ATTACHMENT A



- SUBDIVISION AND DEVELOPMENT REQUIREMENTS**
- A (i) No clearing of vegetation shall be undertaken (including within the building envelope) without approval from the City of Swan.
 - (ii) Minimum lot size to be 2.0ha, or as otherwise approved by the City of Swan.
- Conditions of subdivision approval**
- (i) The consent to enter into conservation covenants with the Department of Agriculture and Food in accordance with clause 104 of the Soil and Conservation Act 1985 for the conservation of the portion of Bannard Brook within their lot and in accordance with the approved Functional Management Plan.
 - (ii) Provision of on-site soil data verifying that the location of the building envelope can accommodate conventional or alternative effluent disposal systems to the satisfaction of the City of Swan.
 - (iii) All driveways onto Toodyay Road being closed and removed.
 - (iv) No vehicle access shall be permitted onto the Toodyay Road reserve from the proposed adjoining lots. This shall be noted on the development plan in accordance with Section 128(4) of the Transfer of Land Act (as amended) as a restrictive covenant for the benefit of Bannard Brook to the extent of the easement.
 - (v) No watercourse shall be discharged onto the Toodyay Road reserve.
 - (vi) No stormwater discharge shall be discharged onto the Toodyay Road reserve.
 - (vii) The applicant shall make good any damage to the existing verge vegetation within the Toodyay Road reservation.
 - (viii) A notification on Title of Lot 15 advising any subdivisions of the potential for a contribution to the cost of construction of the additional access road as indicated on the CDP.
 - (ix) Road access of the proposed lots fronting Roland Road shall be verified to that shown on the CDP.



- SUBJECT SITE
- BUILDING ENVELOPE
- EXISTING BUILDINGS
- EXISTING DAMS
- CREEK LINE
- CONSERVATION COVENANT AREA
- EXISTING LOT BOUNDARIES

outline development plan
lots 10, 11 and 14 toodyay road
gidgegannup
date 14 Mar 08
scale 1:2000 @A1
designer L. Montgomery
check
job no. 4686
s ref. 030602
drawn B. Zhou

Greg Rowe & Associates
100/102 Northbridge Wharfway
Northbridge Western Australia 6000
Tel: 08 9437 1100
Fax: 08 9437 1101
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ATTACHMENT B

Botanical Description	Common Name	Type of Plant
Acacia alata	Winged wattle	Shrub
Acacia pulchella	Prickly moses	Shrub
Acacia saligna	Coojong	Shrub
Agonis linearfolia	Swamp peppermint	Small tree/large shrub
Allocasuarina humilis	Dwarf sheoak	Shrub
Anigozanthus manglesii	Mangles kangaroo paw	Herb
Astartea fascicularis		Shrub
Banksia grandis	Bull Banksia	Tree
Banksia littoralis	Swamp Banksia	Tree
Calothamnus quadrifidus	One sided bottlebrush	Shrub
Calothamnus rupestris	Cliff net bush	Shrub
Calothamnus sanguineus	Silky leafed blood flower	Shrub
Conostylis aculeata	Prickly conostylis	Herb
Corymbia calophylla	Marri	Tree
Dryandra amata	Prickly dryandra	Shrub
Dryandra praemorsa	Urchin dryandra	Shrub
Eucalyptus marginata	Jarra	Tree
Eucalyptus megacarpa	Bullich	Tree
Eucalyptus rudis	Flooded gum	Tree
Hypocalymma angustifolia	White myrtle	Shrub
Melaleuca preissana	Modong paperbark	Tree
Melaleuca raphiophylla	Swamp paperbark	Tree
Melaleuca viminea	Mohan	Shrub
Opercularia hispula	Stinkweed	Herb
Patersonia occidentalis	Purple flag	Herb
Samulus repens	Creeping brook weed	Herb
Thysanotos multiflorus	Fringed lily	Herb

ATTACHMENT C

Botanical Description	Common Name	Type of Plant
Acacia alata	Winged wattle	Shrub
Agonis linearfolia	Swamp peppermint	Small tree/large shrub
Astartea fascicularis		Shrub
Banksia littoralis	Swamp Banksia	Tree
Baumea articulate	Jointed twig rush	Reed
Baumea juncea	Bare twig rush	Reed
Baumea vaginalis		Reed
Bolboschoenus caldwellii	Marsh club rush	Reed
Eucalyptus rudis	Flooded gum	Tree
Hypocalymma angustifolia	White myrtle	Shrub
Isopogon dubius	Pincushion coneflower	Shrub
Juncus holochoenus	Jointleaf rush	Reed
Melaleuca preissana	Modong paperbark	Tree
Melaleuca raphiophylla	Swamp paperbark	Tree
Melaleuca viminea	Mohan	Shrub

FIRE MANAGEMENT PLAN

For

OUTLINE DEVELOPMENT PLAN 119

LOTS 10, 11 & 14 TOODYAY ROAD
GIDGEGANNUP

City of Swan

30 APR 2008

Signed: 

CITY of SWAN

APPROVED

BUSHFIRE MANAGEMENT PLAN

PLAN No: ODP 119

DATE: 30 April 2008


FIRE SERVICES

Prepared for City of Swan

FEBRUARY 2008

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1.0 Purpose of the Management Plan

The purpose of this Bushfire Management Plan is to detail fire management methods and requirements that will be implemented within the proposed subdivision. The aim of the Bushfire Management Plan is to reduce the threat to residents and fire fighters in the event of a fire within or near the subdivision.

2.0 Subdivision Location and Details

The subject land comprises Lots 10, 11 and 14 Toodyay Road, Gidgegannup. It is located approximately five kilometres south-west of the Gidgegannup township near the intersection of Roland Road and Toodyay Road (refer Diagram 1).

3.0 Site Details

The subject land is located in the Darling Range and is mainly cleared. Approximately 80% of the site has been cleared of native vegetation with the majority remnant vegetation along the creek line to the south. The topography is gently-moderately inclined. These physical attributes provided an opportunity for Rural-Residential development to occur without impacting upon the visual integrity of the site.

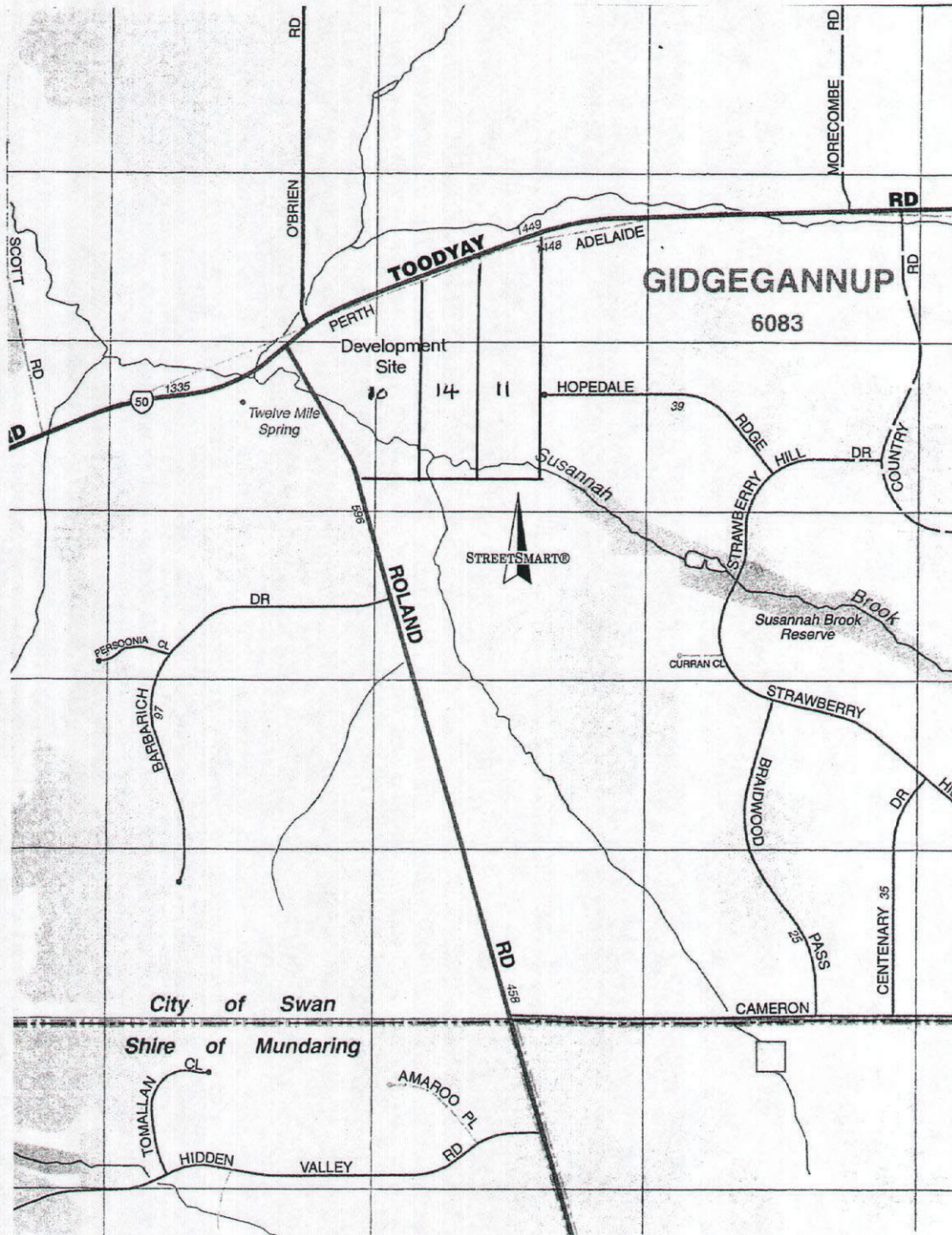
Susannah Brook flows through the southern portion of the site and will be subject to a Conservation Covenant between Agriculture WA and the respective landowners (lots 10, 11 and 14 currently or subsequent landowners after subdivision is enacted).

A battleaxe leg is to be provided within existing lot 10 (forming part of proposed lot 4) as temporary joint access for lots 2 and 4 (created by subdivision) to Roland Road until such time as the Cul-de-sac proposed to service these lots from the extension of Hopedale Ridge is constructed, after which the leg will be closed by locked gates (Gates must be installed by developer prior to subdivision clearance) and serve only as an alternative emergency fire escape route. This leg will be cleared to 4 metres along the common boundary between proposed lots 1, 2, 3 and 4 with a fence constructed allowing a 3 metre wide firebreak/emergency escape track.

4.0 Statutory Conditions

The City of Swan requires preparation of a Bushfire Management Plan for the proposed development as part of Outline Development Plan 119. This document is prepared to satisfy that requirement. As fire management strategies may vary to meet changing environment and land use needs, provisions of the Bush Fires Act 1954 may still be enforced in addition to this Fire Management Plan.

Diagram 1 - Locality of proposed subdivision (not to scale)



5.0 Bushfire Hazard Assessment

Fire risk assessment takes into account existing conditions including

- Topography - particularly ground slopes and accessibility;
- Vegetation cover - remnant and likely vegetation;
- Relationship to surrounding development.

The subject land is currently devoted mostly to grazing stock. Previous and current agricultural activity includes clearing, pasturing and cropping of hillsides and valleys, with rocky spurs and hills remaining uncleared, supporting forest, woodland and scrub vegetation.

For proposed subdivision lots, Bushfire Hazard Assessment is extreme in remnant vegetation and medium in cleared areas (ref: Diagram 2).

A Mediterranean climate is experienced in the area with major rain falling from late autumn through early spring. This rain supports substantial vegetation growth which dries off in summer and autumn.

Prevailing winds and dry vegetation combine to pose fire risks. Therefore bushfire control is considered necessary for protection of life and property and to ensure frequent and uncontrolled burning does not degrade existing or replanted vegetation.



6.0 Fire Management Plan

The Fire Management Plan is structured to reduce threats to residents and fire fighters in the event of a bushfire within or near the site.

It has been developed to incorporate fire management methods including

- Sealed subdivision roads
- Internal fire break systems
- Dwelling construction
- Building protection zones
- Hazard separation zones
- Hazard reduction

6.1 Estate Layout and Road Pattern

Access to the site is via Toodyay Road and extension of Hopedale Ridge. Main access roads within the site will be bitumen sealed; to be constructed by developers prior to the issue of final approval of the subdivision by the Planning Commission. The internal road network will link into the adjoining subdivision (east) via Hopedale Ridge (refer Appendix A) providing a further emergency escape route for those residents.

6.2 Internal Firebreaks

All lots are to comply with the firebreak requirements of the City of Swan Firebreak Notice.

6.3 Dwelling Construction

Individual dwellings on each lot shall be designed and built to conform with:

- Bushfire Survival Manual Guidelines;
- City of Swan specifications and requirements;
- Australian Standard AS 3959 (recommended).

It is recommended that all dwellings comply with Australian Standard AS3959 "Construction of Buildings in Bush Fire Prone Areas". Copies of the Bushfire Survival Manual or other suitable documentation will be issued to each new property owner by the

City of Swan on request or can be downloaded from the FESA website.

Pre-existing buildings remaining on lots created as a result of subdivision of the subject land will not be required to be structurally altered.

It is recommended that a low-pitched roof, together with closed eaves, metal mesh fly screens and vent covers will provide optimum safety protection in bushfire prone areas.

6.4 Building Protection Zones

The aim of Building Protection Zones is to reduce bush fire intensity close to dwellings, and minimise the likelihood of flame contact with buildings. Building protection zones vary in size depending on slope.

The building protection zone is a low fuel area immediately surrounding a building (refer Diagram 3).

Non flammable features such as driveways, vegetable patches, lawn or landscaped gardens (including deciduous trees) should form part of building protection zones. Isolated trees and shrubs may be retained within building protection zones. A building protection zone of 30 metres is to be maintained around all buildings. It must fulfil the following conditions:

- Bushfire fuels should be maintained below 50 millimetres in height
- First 5 metres around all buildings to be kept clear of flammable material. Reticulated gardens may be within this zone
- Between 5 and 30 metres surrounding a building, spacing of trees should be 15 metres apart to provide 5 metre separation between crowns
- Branches which overhang and may fall on the building should be removed
- Grass is to be maintained at no more than 50 millimetres

6.5 Hazard Separation Zone

There must be physical separation between bush fire hazards and development. Hazard protection zones assist in reducing fire intensity when a bushfire impacts on buildings.

Building protection and hazard separation zones form part of this subdivision approval. It is essential that owners maintain these zones.

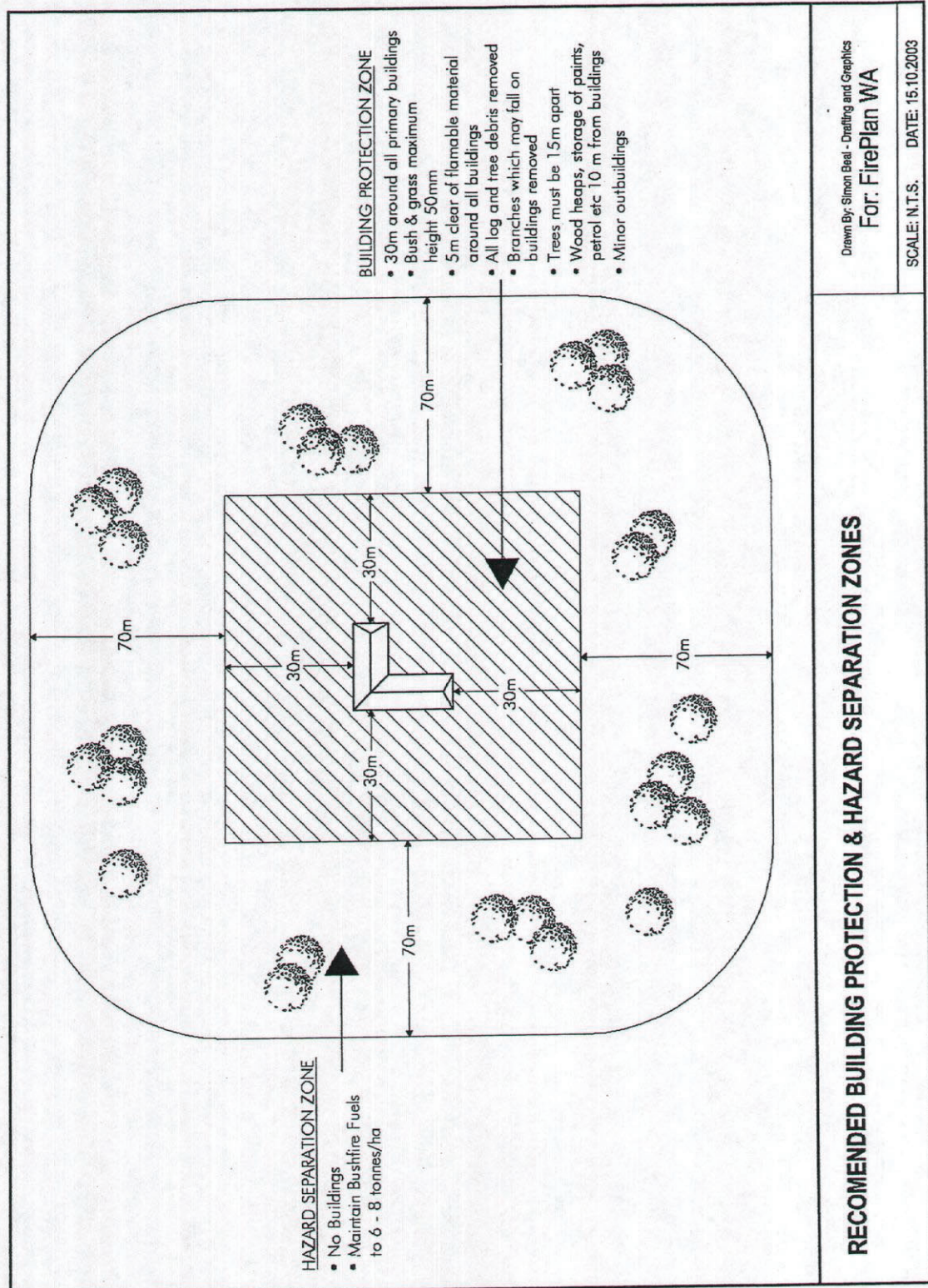
Bushfire fuel loadings must be minimised within the hazard separation zone as detailed in Section 6.6 Hazard Reduction.

The hazard separation zone should extend at least a further 70 metres beyond the building protection zone.

6.6 Hazard Reduction

In remnant vegetation fuels should be maintained below 6-8 tonnes/hectare. City of Swan can provide advice on appropriate techniques to achieve this. Grass fuels should be maintained below 50 millimetres over the whole of each lot and may be achieved by mowing, grazing and slashing.

Diagram 3 - Building Protection and Hazard Separation Zones



7.0 Fire Fighting Facilities

7.1 Water Supply

Individual property owners are required to collect water from roof run-off and provide storage vessels for potable and other water supply purposes.

A water tank exists south of Cameron Road on Roland Road and no further public water tanks for fire fighting are required.

7.2 Use of Domestic Water Supplies for Fire Fighting

Individual (subdivision) property owners are required to supply their own domestic water; minimum 120,000 litres which may be via one main tank, a combination of various tank sizes or as determined by the City of Swan for potable and other uses. Each owner is required to enter into an agreement with the City of Swan to permit fire appliances to use water from this domestic supply for emergency structural fire fighting purposes.

Each property should at all times store a minimum of 10,000 litres of water for structural fire fighting purposes within that property and each owner will be responsible to replenish water used by fire fighters for this purpose at the owner's cost.

To enable standardisation of access to this supply, each private domestic vessel may be fitted with a minimum 75 millimetre Ball Valve and a 75 millimetre Stortz fitting with a blanking cap. This coupling and valve should be installed and maintained in a correct working operation condition at all times at the property owner's expense. Existing 50mm tank fittings will not require upgrading as City of Swan bush fire vehicles have adaptors.

The domestic storage tank should be located in an area which will enable fire appliances quick access to supply.

8.0 Summary

8.1 Overall Fire Threat

The design of this development and facilities constructed at the time of development are such that with implementation of this

Fire Management Plan, fire threat to persons and property within the subdivision is significantly minimised.

8.2 Property Owner's Responsibility

To sustain the minimised level of risk and threat of fire, owners and occupiers of lots created by this subdivision proposal will be responsible for undertaking, complying and implementing measures to protect their assets from threat and risk of bush fire.

- Maintain internal firebreaks on their property within dates shown on the City of Swan Firebreak Notice - currently 2 November to 31 March in the following year and maintain them clear of flammable material for the duration of the Firebreak Notice period - as detailed in Section 6.2
- Maintain in good order and condition all property fencing and gates ensuring vegetation does not encroach on firebreaks;
- Comply with the provisions of sections 7.1 and 7.2 during the prescribed Bushfire Notice period
- Ensure domestic dwellings are designed and constructed in compliance with City of Swan requirements. Home owners should familiarise themselves with advice given in Standards Australia publication "Construction of Buildings in Bush Fire Prone Areas" and the Bush Fire Survival Manual equivalent provided by the City of Swan
- Implement and maintain Building Protection and Hazard Separation Zones as detailed in Sections 6.4 and 6.5 respectively
- Implement Hazard Reduction as detailed in Section 6.6

8.3 Developer's Responsibility

Prior to subdivision being given final approval by the Western Australian Planning Commission the developer shall be required to carry out works as described below. Subsequent to final approval to subdivide, the developer shall have no further responsibilities for provision of fire fighting facilities on lots which pass from their ownership.

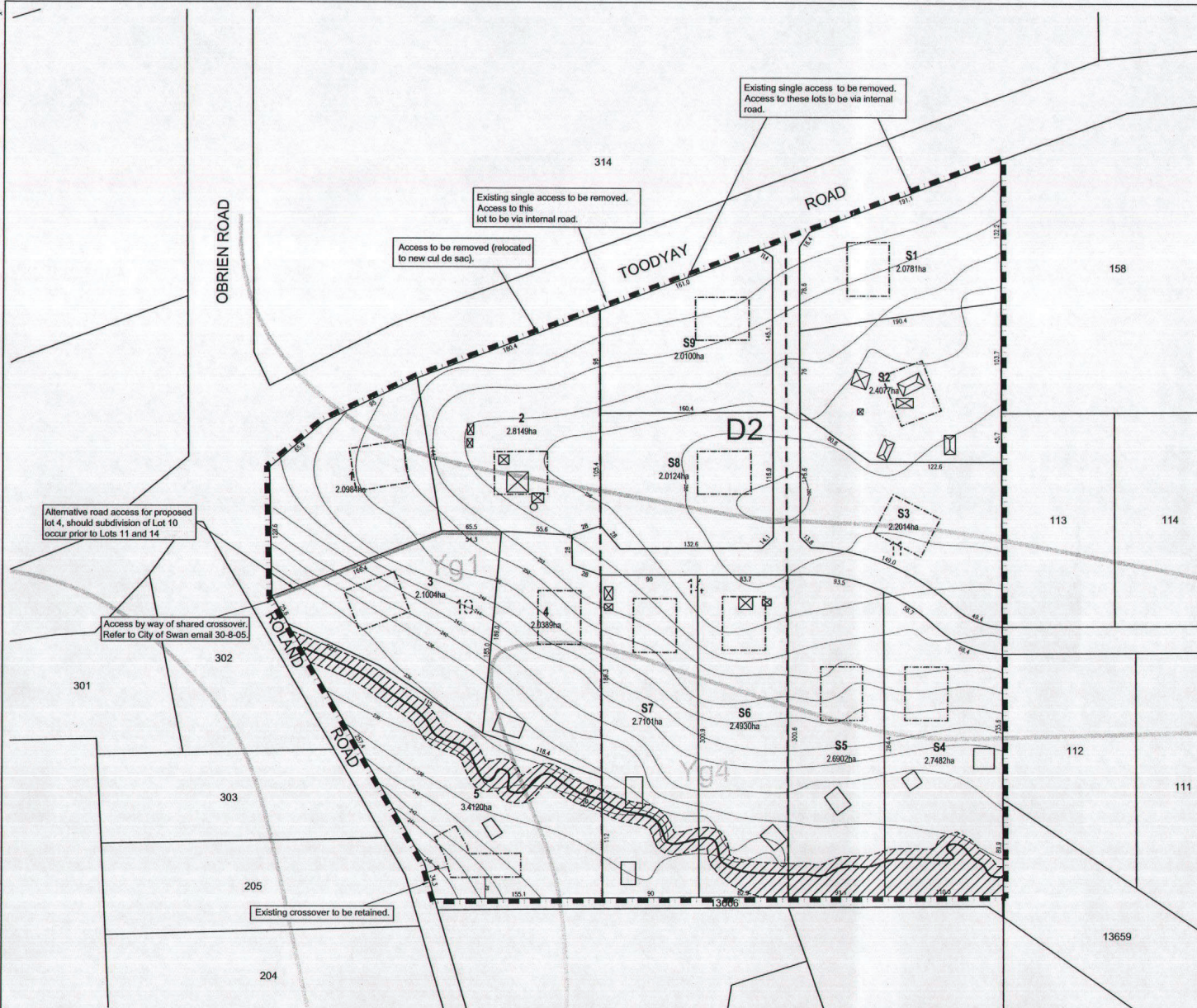
- Lodging a Section 70A Notification (City of Swan Town Planning Scheme) on each Certificate of Title proposed by this subdivision. The notification shall alert purchasers of land and successors in Title of the responsibilities of this Fire Management Plan
- Construction of internal fire breaks
- Supply a copy of this Fire Management Plan

8.4 City of Swan's Responsibility

Responsibility for compliance with the law rests with individual property owners and occupiers and the following conditions are not intended to necessarily transfer to the City of Swan.

- Endorsing a Section 70A Notification (City of Swan Town Planning Scheme) on each Certificate of Title affected by this Fire Management Plan
- Developing and maintaining district fire fighting facilities
- Maintaining in good order the condition of the district water tanks and apparatus for fire fighting purposes
- Maintaining a supply of G1-3 locks to be made available to relevant landowners on request

Appendix A - Subdivision Layout (not to scale)



- SUBJECT SITE
- [] BUILDING ENVELOPE
- [] EXISTING BUILDINGS
- [] EXISTING DAMS
- ~ CREEK LINE
- [] CONSERVATION COVENANT AREA
- EXISTING LOT BOUNDARIES

outline development
plan
 title
 address lots 10, 11 and 14 toodyay road
 gidgegannup

date	14 Mar 08	job no.	4686
scale	1:4000 @A3	e ref	030802
designer	L Montgomery	drawn	B Zhou
client			

Level 3, 369/ NEWCASTLE STREET NORTHBRIDGE WESTERN AUSTRALIA 6007
 Tel: (08) 9221 1991 Fax: (08) 9221 1955 Email: greg@gregrowe.com.au web: gregrowe.com.au

SUBDIVISION AND DEVELOPMENT REQUIREMENTS

- A
 - i) No clearing of vegetation shall be undertaken (including within the building envelope) without approval from the City of Swan.
 - ii) Minimum lot size to be 2.0ha, or as otherwise approved by the City of Swan.
- B At the time of subdivision and / or development:
 - i) A Fire Management Plan will be prepared and approved by Fire and Emergency Services of Western Australia / Bush Fires Board and the City of Swan.
 - ii) A Conservation Covenant, including a Revegetation Plan if required, will need to be prepared and approved by the Waters and Rivers Commission and the City of Swan.
 - iii) The proponent shall demonstrate that the site is suitable for on site effluent disposal or alternative treatment units to the satisfaction of the Health Department of Western Australia and the City of Swan.
- C Conditions of subdivision approval
 - i) The owners to enter into conservation covenants with the Department of Agriculture and Food in accordance with clause IVA of the Soil and Conservation Act 1945 for the conservation of the the portion of Susannah Brook within their land in accordance with the approved Foreshore Management Plan.
 - ii) Provisions of onsite soil data verifying that the location of the building envelopes can accommodate conventional or alternative effluent disposal systems to the satisfaction of the City of Swan.
 - iii) All driveways onto Toodyay Road being closed and removed.
 - iv) No vehicle access shall be permitted onto the Toodyay Road reserve from the proposed adjoining lots. This shall be noted on the deposited plan in accordance with Section 129BA of the Transfer of Land Act (as amended) as a restrictive covenant for the benefit of Main Roads WA at the expense of the applicant.
 - v) No earthworks shall encroach onto the Toodyay Road reserve.
 - vi) No stormwater drainage shall be discharged onto the Toodyay Road reserve.
 - vii) The applicant shall make good any damage to the existing verge vegetation within the Toodyay Road reservation.
 - viii) A Notification on Title of Lot 10 advising any subdividers of the potential for a contribution to the cost of construction of the subdivisional access road as indicated on the ODP.
 - ix) Road access of the proposed lots fronting Roland Road shall be restricted to that shown on the ODP.



FIRE MANAGEMENT PLAN

FOR

OUTLINE DEVELOPMENT PLAN 119

LOTS 10, 11 & 14

Toodyay Rd

GIDGEGANNUP

CITY of SWAN

APPROVED
BUSHFIRE MANAGEMENT PLAN

PLAN No: ODP 119

DATE: 30 APRIL 2008


FIRE SERVICES

CITY OF SWAN

February 2008

City of Swan

30 APR 2008

Signed: 

FMP RELATES TO LOTS 11 & 14 SUBMISSION.

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The recognized underlying Principals applying to Bush Fire Protection:

In making these comments and recommendations in this Plan it should be understood that the focus of this document is to look into minimizing the impact and threat of an inevitable bush fire in a known bush fire prone area to the people residing or staying within this Rural Residential Development.

It must be concluded that bush fires will occur inevitably within this immediate locality. If there is not an immediate response with sufficient resources, the heavy fuel loading and climatic conditions prevailing at the time will in a short space of time, encourage high intensity fires to develop posing a risk to life and property. Any person living or staying within a bush fire prone area in Western Australia must take this established fact into account.

Disclaimer: The measures contained in this fire management plan are considered to be minimum standards and they do not guarantee that a building will not be damaged in a bush fire. All surveys, forecasts, projections and recommendations made in this report associated with the project are made in good faith on the basis of information available to FirePlan WA at the time; and achievement of the level of implementation of fire precautions will depend among other things on the actions of the landowners or occupiers over which FirePlan WA has no control. Notwithstanding anything contained therein, FirePlan WA will not, except as the law may require, be liable for any loss or other consequences (whether or not due to the negligence of the consultants, their servants or agents) arising out of the services rendered by the consultants.

1.0 PURPOSE OF THE MANAGEMENT PLAN

The purpose of this Bushfire Management Plan is to detail the Fire Management methods and requirements that will be implemented within the proposed subdivision. The aim of the Bushfire Management Plan is to reduce the threat to residents and fire fighters in the event of a fire within or near the subdivision.

2.0 SUBDIVISION LOCATION AND DETAILS

The subject land comprises Lots 10, 11 & 14 Toodyay Rd, Gidgegannup and is located approximately 5kms south-west of the Gidgegannup township near the intersection of Roland Road and Toodyay Road (refer Diagram 1).

3.0 SITE DETAILS

The property is located in the Darling Ranges and is mainly cleared. Approximately 80% of the site has been cleared of native vegetation with the majority of remnant vegetation confined to the creek line in the south. The topography is gently –moderately inclined. These physical attributes provide the opportunity for Rural-Residential development to occur without impacting upon the visual integrity of the site.

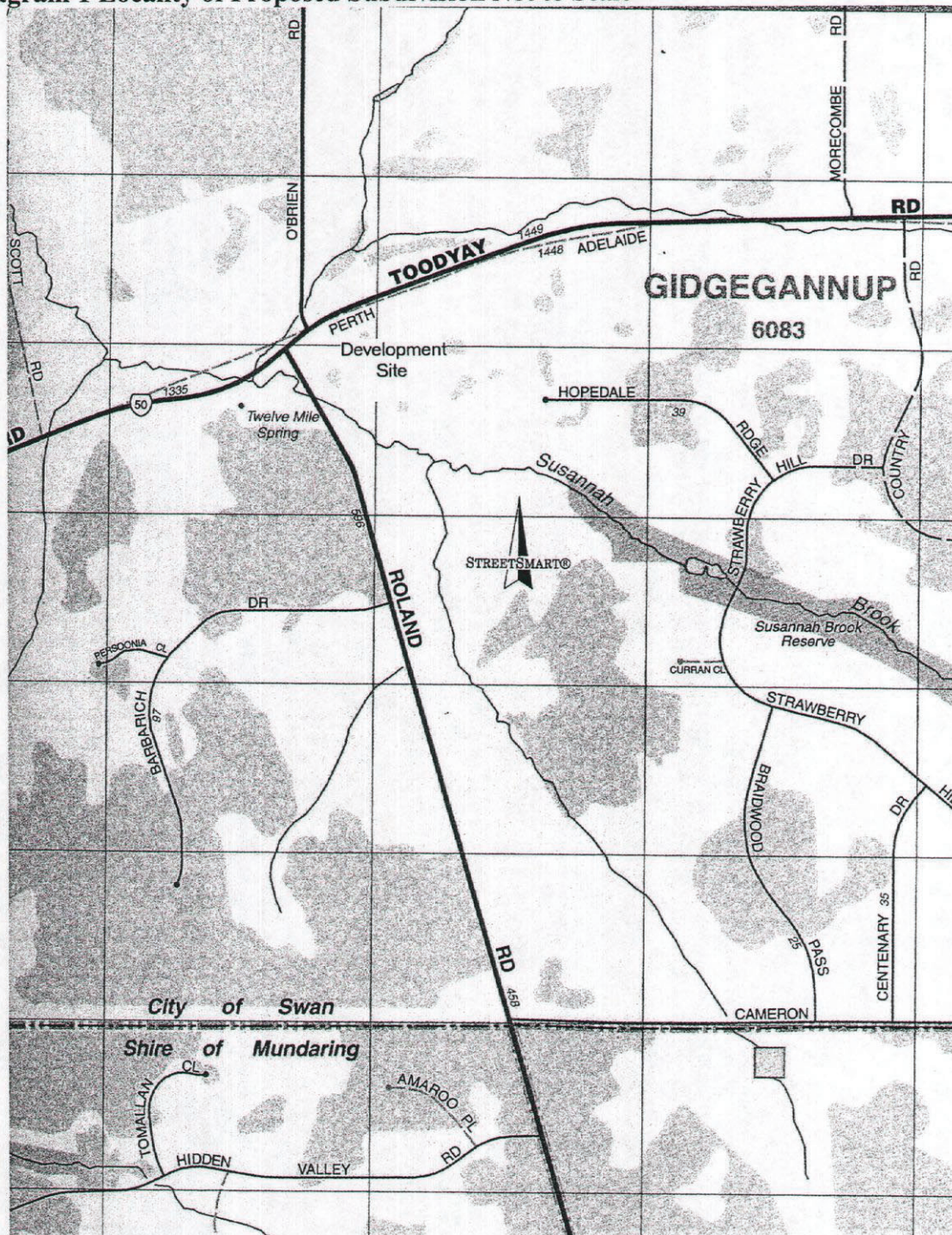
Susannah Brook flows through the southern portion of the site [REDACTED]

4.0 STATUTORY CONDITIONS

The City of Swan requires the preparation of a 'Bushfire Management Plan' for the proposed development as part of the Outline Development Plan No. 119. This document has been prepared to satisfy that requirement.

As fire management strategies may require altering to meet changing climate, environment and land use needs, you are advised that provisions of the Bush Fires Act 1954 may still be enforced in addition to this Fire Management Plan.

Diagram 1 Locality of Proposed Subdivision Not to Scale



5.0 BUSH FIRE HAZARD ASSESSMENT

The assessment of fire risk takes into account existing site conditions which include:

- Topography with particular reference to ground slopes and accessibility;
- Vegetation cover – both remnant and likely revegetation;
- Relationship to surrounding development

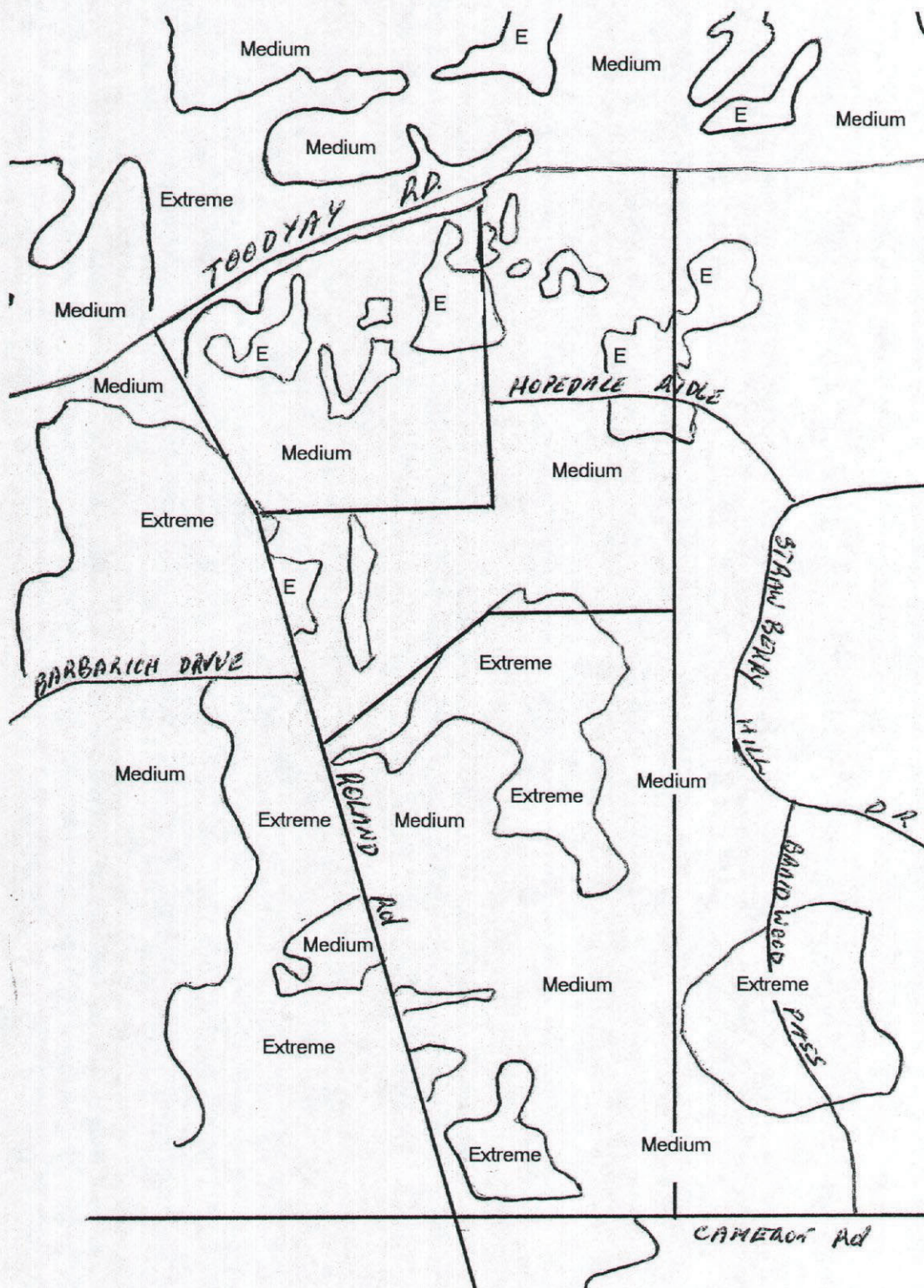
The property is currently devoted mostly to the grazing of stock. Previous and current agricultural activity has led to the clearing and pasturing of hillside and valley vegetation, with the rocky spurs and hills remaining uncleared and supporting forest, woodland and scrub vegetation.

The Bush Fire Hazard Assessment for the proposed Lots is extreme in remnant vegetation and medium in cleared areas. See Diagram 2.

The Mediterranean climate experienced by this area is such that the majority of rain falls in late autumn through to early spring. This rainfall supports substantial vegetation growth which dries off in Summer/Autumn.

The combination of prevailing winds and dry vegetation poses a fire risk and bush fire control is considered essential for the protection of life and property, and to ensure that frequently and uncontrolled burning does not degrade existing and replanted vegetation.

Diagram 2 Bush Fire Hazard Assessment – Not to scale



6.0 FIRE MANAGEMENT PLAN

The aim of the Fire Management Plan is to reduce the threat to residents and fire fighters in the event of bush fire within or near the site.

The Fire Management Plan has been developed to incorporate fire management methods.

- Sealed subdivision roads;
- Internal Firebreaks systems;
- Dwelling Construction;
- Building Protection Zones;
- Hazard Separation Zone;
- Hazard Reduction

6.1 ESTATE LAYOUT AND ROAD PATTERN

Access to the site will be via Toodyay Rd and Hopedale Ridge. The main access roads within the site will be bitumen sealed rural standard roads which will be constructed by the developer prior to the issue of final approval of the subdivision by the Planning Commission. The internal road network will link into the adjoining (to the east) subdivision. See Appendix A

6.2 INTERNAL FIREBREAKS

All lots are to comply with the firebreak requirements of the City of Swan Firebreak Notice. A firebreak is required within each lot along the boundary of the stream reserve in accordance with standard of firebreaks detailed in the Firebreak Notice.

6.3 DWELLING CONSTRUCTION

Individual dwellings on each lot shall be designed and built to conform with:

- The City of Swan Specification and Requirements
- Australian Standards AS 3959 (Recommended)

It is recommended that all dwelling comply with the Australian Standard AS 3959 "Construction of Buildings in Bush Fire Prone areas."

Copies of the Bush Fire Survival Manual or other suitable documentation will be issued to each property owner by the developer of the sale of the allotment.

It is recommended that a low-pitched roof together with closed eaves, metal mesh fly screens and vent covers will provide optimum safety protection in bush fire prone areas.

It is recommended that all habitable dwellings are setback a minimum of 20 metres from the lot boundary and preferably up to 60 metres to enable the installation of building protection and hazard separation zones.

6.4 BUILDING PROTECTION ZONE

The aim of the Building Protection Zones is to reduce bush fire intensity close to dwellings, and to minimise the likelihood of flame contact with buildings. Building protection zones vary in size depending on slope.

The building protection zone is a low fuel area immediately surrounding a building.

Non flammable features such as driveways, vegetable patches, lawn, or landscaped gardens (including deciduous trees) should form part of building protection zones. Isolated trees and shrubs may be retained within building protection zones. A building protection zone of **30** metres is to be constructed around all buildings. It must fulfil the following conditions:

- Bush Fire fuels must be maintained below a height of 50mm in height.
- The first 5m around all buildings are to be cleared of all flammable material. Reticulated gardens may be located in this zone.
- For the next 25 metres (i.e. from ~~5~~**30**metres surrounding any buildings) the spacing of trees should 15 metres apart to provide for a 5 metre separation between crowns.
- Branches, which may fall or overhang on the house, must be removed.
- Grass is be trimmed and maintained to no more than 50mm
- Building protection and hazard separation zones are to be installed prior to any building construction commencing.

6.5 HAZARD SEPARATION ZONE

There must be physical separation between bush fire hazards and development. Hazard separation zones assist in reducing fire intensity when a bush fire impacts on buildings within a subdivision.

The building protection zone and the hazard separation zone are essential for this subdivision to proceed. It is essential that owners maintain the building protection and hazard separation zones.

Bush fire fuel loadings must be maintained within the Hazard Separation Zone as detailed in Section 6.6 Hazard Reduction.

The hazard separation zone should extend at least a further **70** metres beyond the building protection zone.

6.6 HAZARD REDUCTION

In remnant vegetation bush fuels must be maintained below 6-8 tonnes/ha. City of Swan can provide advice on appropriate techniques to achieve this.

Grass fuels must be maintained below 50mm over the whole of each lot and can be achieved by mowing, grazing and slashing.

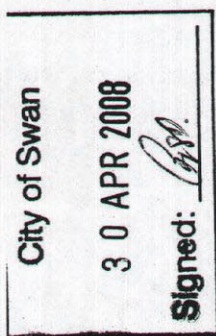
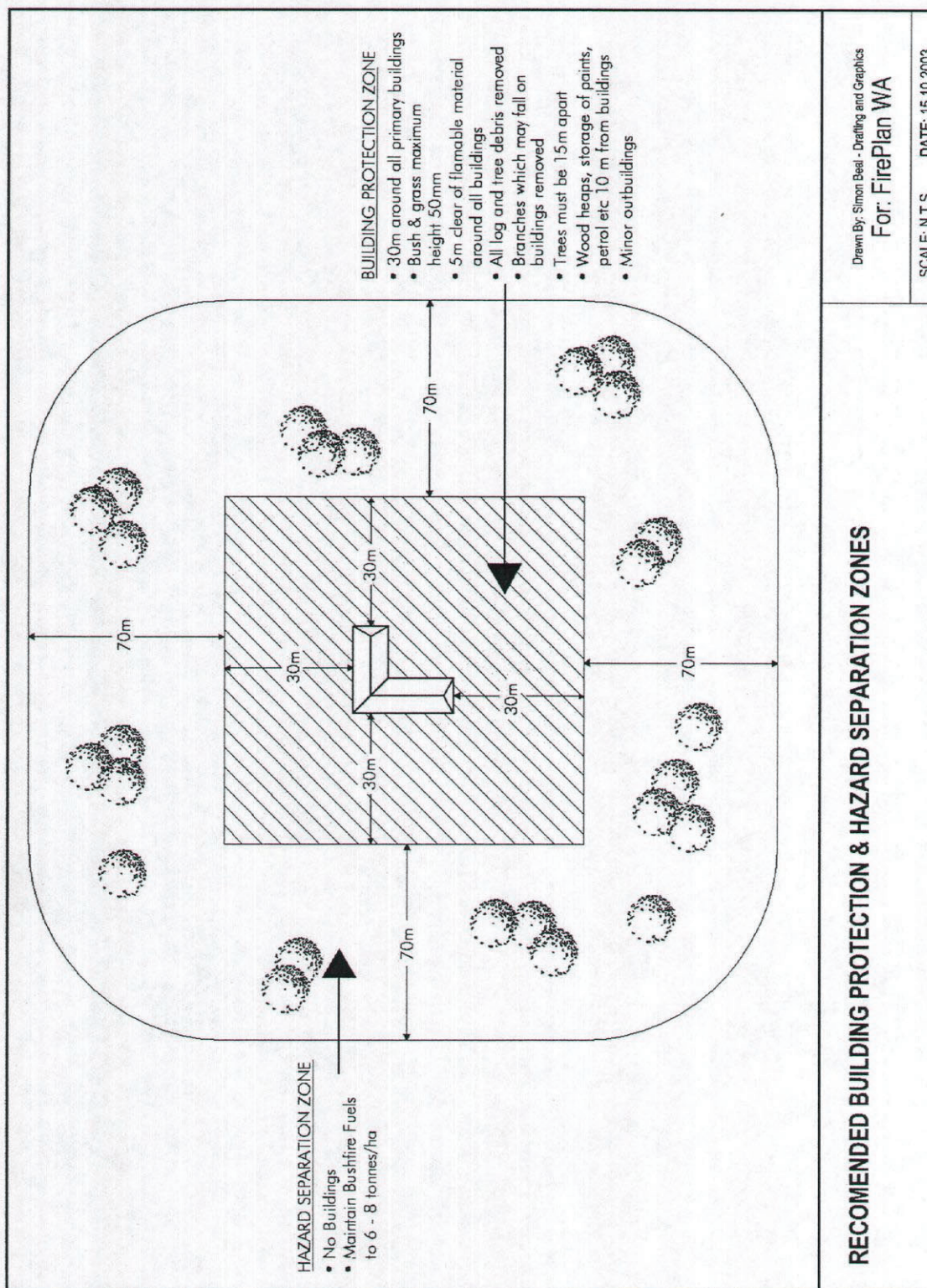


Diagram 3 Building Protection Zone and Hazard Separation Zone.

7.0 FIRE FIGHTING FACILITIES

7.1 Water Supply

Individual property owners are required to collect water from roof run-off and to provide storage vessels for portable and other water supply purposes.

A water tank exists in a previous subdivision south of Cameron Rd on Roland Rd and no further Water Tanks for fire fighting are required.

A City of Swan dam is located on Strawberry Hill Drive.

7.2 Use of Domestic Water Supplies for Fire Fighting

Property owners are required to supply their own domestic water (minimum 120,000 litre tank) or as determined by the City of Swan for potable and other uses. Each owner shall enter into an agreement with the City of Swan to permit fire appliances to use water from this private domestic water supply for emergency structural fire fighting purposes.

Each property shall at all times store a minimum of 10,000 litres of water for structural fire fighting purposes and each owner shall be responsible to replenish water used by fire fighters at the property owner's cost.

To enable standardisation of access to this supply, each private domestic vessel shall be fitted with a minimum 75mm Ball Valve and a 75mm Stortz fitting with a blanking cap. This coupling and valve shall be installed and maintained in a correct operating condition at all times at the property owner's expense.

The domestic vessel shall be located in an area that will enable fire appliances to quickly access the water supply.

8.0 SUMMARY

8.1 Overall Fire Threat

The design of this development and the facilities constructed at the time of development are such that with implementation of this Fire Management Plan, fire threat to persons and property within the subdivision is significantly reduced.

8.2 Property Owner's Responsibility

To maintain the reduced level of risk and threat of fire, the owners/occupiers of lots created by this proposal will be responsible for undertaking, complying and implementing measures protecting their own assets from the threat and risk of bush fire.

- Maintaining internal Firebreaks on their property by the dates shown on the City of Swan Firebreak Notice, (currently 2nd November) and maintain them clear

of flammable material until (currently 31st March) the following year as detailed in Section 6.2;

- Maintaining in good order and condition all property fencing and gates ensuring that vegetation does not encroach over the firebreak;
- Ensuring all domestic dwellings are designed and constructed in full compliance with the requirements of the City of Swan. It is recommended that home owners familiarize themselves with the advice given in the Standards Australia publication "Construction of Buildings in Bush Fire Prone Areas" and the Bush Fire Survival Manual or equivalent provided by the City of Swan;
- Implement and maintain Building Protection Zone as detailed in Section 6.4;
- Implement and maintain Hazard Separation Zone as detailed in Section 6.5.
- Implement Hazard reduction as detailed in Section 6.6;

8.3 Developer's Responsibility

Prior to subdivision being given Final approval by the Western Australian Planning Commission the developer shall be required to carry out works as described below. Subsequent to Final Approval to subdivide, the developer shall have no further responsibilities to provision of fire fighting facilities on lots which pass from there ownership.

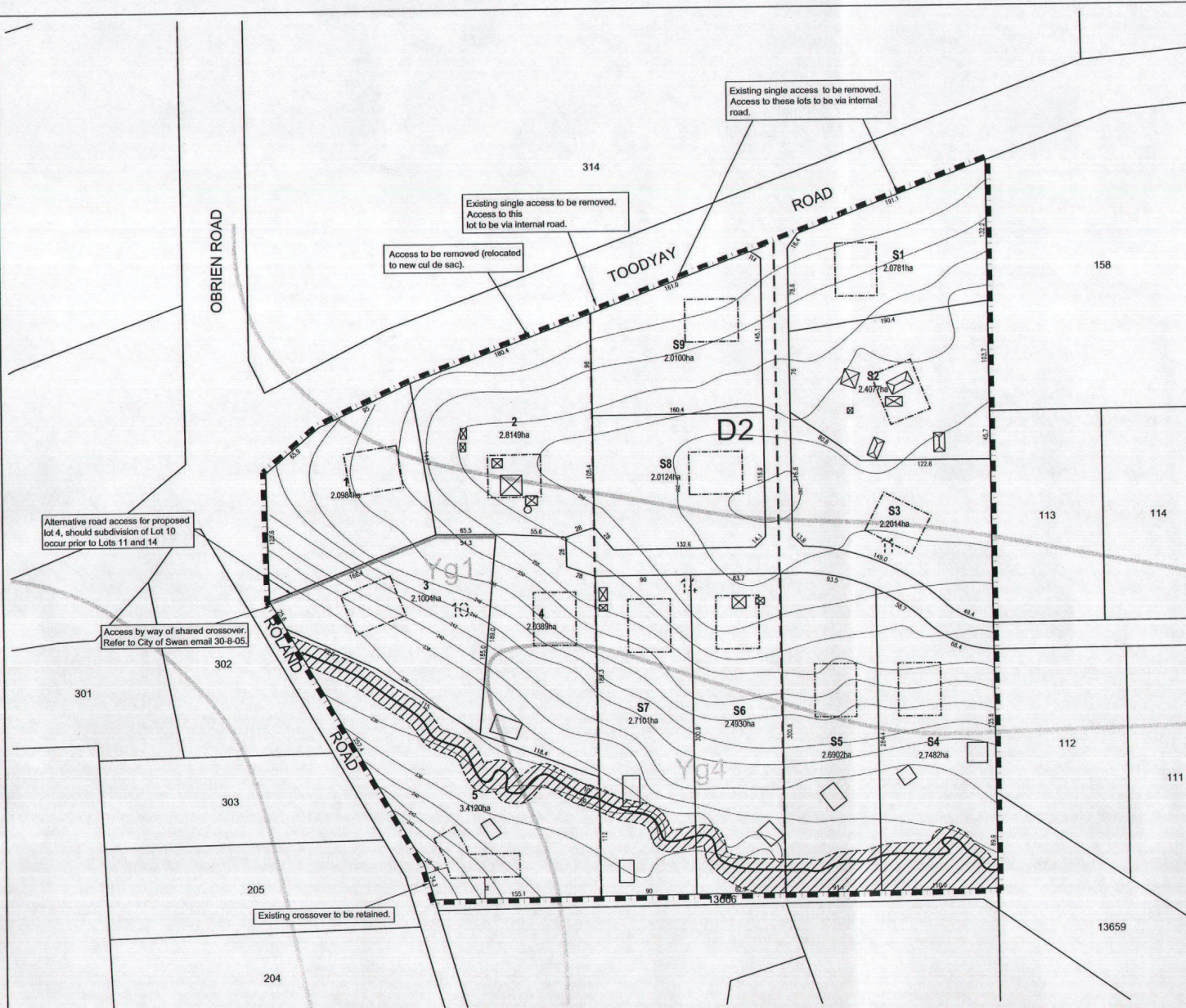
- Lodging a section 70A Notification on each Certificate of title proposed by this subdivision. The Notification shall alert purchasers of land and successors in Title of the responsibilities of this Fire Management Plan
- Construction of internal firebreaks;
- Supply a copy of Fire Management Plan and Bush Fire Survival Manual to each property owner on sale of the allotment;

8.4 City of Swan's Responsibility

The responsibility for compliance with the law rests with individual property owners and occupiers and the following conditions are not intended to unnecessarily transfer some to the responsibilities to the City of Swan.

The City of Swan shall be responsible for:

- Endorsing a Section 70A Notification on each Certificate of title affected by this Fire Management Plan.
- Developing and maintaining District Fire Fighting Facilities
- Maintaining in good order the condition of the district water tanks and the apparatus for fire fighting purposes.
- Maintaining a supply of G1-3 locks to be made available at cost to relevant landowners on request.



- SUBJECT SITE
- [] BUILDING ENVELOPE
- [] EXISTING BUILDINGS
- [] EXISTING DAMS
- ~ CREEK LINE
- [] CONSERVATION COVENANT AREA
- EXISTING LOT BOUNDARIES

outline development plan
 title
 address **lots 10, 11 and 14 toodyay road**
gidgegannup

date	14 Mar 08	job no.	4686
scale	1:4000 @A3	e ref	030802
designer	L Montgomery	drawn	B Zhou
client			

LEVEL 3, 369/ NEWCASTLE STREET / NORTHBRIDGE, WESTERN AUSTRALIA 6003
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SUBDIVISION AND DEVELOPMENT REQUIREMENTS

- A
 - i) No clearing of vegetation shall be undertaken (including within the building envelope) without approval from the City of Swan.
 - ii) Minimum lot size to be 2.0ha, or as otherwise approved by the City of Swan.
- B At the time of subdivision and / or development:
 - i) A Fire Management Plan will be prepared and approved by Fire and Emergency Services of Western Australia / Bush Fires Board and the City of Swan.
 - ii) A Conservation Covenant, including a Revegetation Plan if required, will need to be prepared and approved by the Waters and Rivers Commission and the City of Swan.
 - iii) The proponent shall demonstrate that the site is suitable for on site effluent disposal or alternative treatment units to the satisfaction of the Health Department of Western Australia and the City of Swan.
- C Conditions of subdivision approval
 - i) The owners to enter into conservation covenants with the Department of Agriculture and Food in accordance with clause IVA of the Soil and Conservation Act 1945 for the conservation of the portion of Susannah Brook within their land in accordance with the approved Foreshore Management Plan.
 - ii) Provisions of onsite soil data verifying that the location of the building envelopes can accommodate conventional or alternative effluent disposal systems to the satisfaction of the City of Swan.
 - iii) All driveways onto Toodyay Road being closed and removed.
 - iv) No vehicle access shall be permitted onto the Toodyay Road reserve from the proposed adjoining lots. This shall be noted on the deposited plan in accordance with Section 129BA of the Transfer of Land Act (as amended) as a restrictive covenant for the benefit of Main Roads WA at the expense of the applicant.
 - v) No earthworks shall encroach onto the Toodyay Road reserve.
 - vi) No stormwater drainage shall be discharged onto the Toodyay Road reserve.
 - vii) The applicant shall make good any damage to the existing verge vegetation within the Toodyay Road reservation.
 - viii) A Notification on Title of Lot 10 advising any subdividers of the potential for a contribution to the cost of construction of the subdivisional access road as indicated on the ODP.
 - ix) Road access of the proposed lots fronting Roland Road shall be restricted to that shown on the ODP.

GREG ROWE & associates

TOWN PLANNING
 PROJECT MANAGEMENT



- SUBDIVISION AND DEVELOPMENT REQUIREMENTS**
- A i) No clearing of vegetation shall be undertaken (including within the building envelope) without approval from the City of Swan.
 - ii) Minimum lot size to be 2.0ha, or as otherwise approved by the City of Swan.
 - B Conditions of subdivision approval
 - i) The owner to enter into conservation covenants with the Department of Agriculture and Food in accordance with clause 10A of the Soil and Conservation Act 1985 for the conservation of the free portion of Escarpment Brook within their land in accordance with the approved Function Management Plan.
 - ii) Provisions of covenants shall verify that the location of the building envelope can accommodate conventional or alternative effluent disposal systems to the satisfaction of the City of Swan.
 - iii) All driveways onto Toodyay Road being closed and removed.
 - iv) No vehicle access shall be permitted onto the Toodyay Road reserve from the proposed adjoining lots. This shall be noted on the subdivision plan in accordance with Section 10B(4) of the Transfer of Land Act 1995 as amended as a restrictive covenant for the benefit of Esch Road 10A and the easement of the applicant.
 - v) No surface water and/or runoff onto the Toodyay Road reserve.
 - vi) No stormwater drainage shall be discharged onto the Toodyay Road reserve.
 - vii) The applicant shall make good any damage to the existing verge vegetation within the Toodyay Road reserve.
 - viii) A Notification on Title of Lot 10 advising any subdivision of the potential for a contribution to the cost of construction of the subdivision access road as indicated on the CDP.
 - ix) Road access of the proposed lots bordering Roland Road shall be restricted to that shown on the CDP.

outline development

lots 10, 11 and 14 toodyay road

gidgegannup

date 24 October 08 job no. 4686

scale 1:2000 @A1 e ref 100861

designer L Montgomery drawn O LABRO

client

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