

07 February 2024

Our ref: 600-23PER6977

City of Rockingham
PO Box 2142
ROCKINGHAM WA 6967

Attention: Planning Officer

Dear Sir/Madam,

RE: Bushfire Attack Levels: Stage 10 Brightwood Estate, Baldivis

The information below has been provided to inform subdivision clearance approval for 22 lots within Stage 10 of Brightwood Estate, Baldivis (the subject site; Figure 1). These lots are identified as Lots 315-320, 330-333 & 373-384 on the Deposited Plan (Appendix A) and are subject to Western Australian Planning Commission (WAPC) subdivision approval (WAPC Ref. 156448) issued on 2 July 2018 and associated plan for conditions dated 26 March 2018 (Appendix B).

This letter provides information required to clear Condition 9 and 10 of the subdivision approval as follows:

9. Proposed lots referenced as 'Condition 9' on the plan dated 26 March 2018 (attached) are excluded from the approved plan of subdivision until such time as bushfire risk presented by the adjacent land to the west is either permanently removed, or it is demonstrated to the satisfaction of the Western Australian Planning Commission that a bushfire attack level (BAL) of BAL-29 or below can be achieved for the development of the lots. (Local Government)

10. A Notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land' (Western Australia Planning Commission)

The subject site is located within a designated bushfire prone area as per the *Western Australia State Map of Bush Fire Prone Areas* (DFES 2021) and proposed lots were subject to Bushfire Attack Levels (BALs) as detailed in the Bushfire Management Plan (BMP) prepared to support subdivision approval (Natural Area Consulting 2017).

With respect to Condition 9, due to vegetation located adjacent to the western side of the site depicted in the BMP (Natural Area Consulting 2017), 21 of the proposed lots that form part of the Brightwood Estate were to be withheld from construction until the bushfire risk was removed. Four of these lots, identified as Lots 330-333 on the Deposited Plan (Appendix A), are located within the subject site. However, as can be seen in Figure 1 and Appendix C the vegetation which resulted in the BALs for proposed lots 330 - 333 (within the 21 original withheld) has been removed for development as confirmed by a site assessment completed on 05/12/2023. Consequently, the bushfire risk has been removed and no Bushfire Attack Level (BAL) ratings will apply to proposed lots 330-333.

With respect to Condition 10, data obtained during a recent site assessment completed on the 5 December 2023 was utilised to determine the Bushfire Attack Level (BAL) in accordance with *Australian Standard AS 3959: 2018 Construction of Buildings in Bushfire Prone Areas (SA 2018) Simplified Procedure* (Method 1). Results are depicted in the Bushfire Attack Level (BAL) Assessment Report (Appendix D) which demonstrates that the bushfire risk has been removed and all lots within the subject site have a BAL rating of BAL-LOW. ELA, therefore, are under the understanding that no notifications on Titles related to BAL ratings are required for proposed lots within the subject site (Lots 315-320, 330-333 & 373-384 as Stage 10 of Brightwood Estate, Baldivis).

Regards,



Eva Cronin
Bushfire Team Lead – Western Australia
Senior Bushfire Consultant



Enclosed: Figure 1: Site overview, Appendix A, Appendix B, Appendix C and Appendix D.

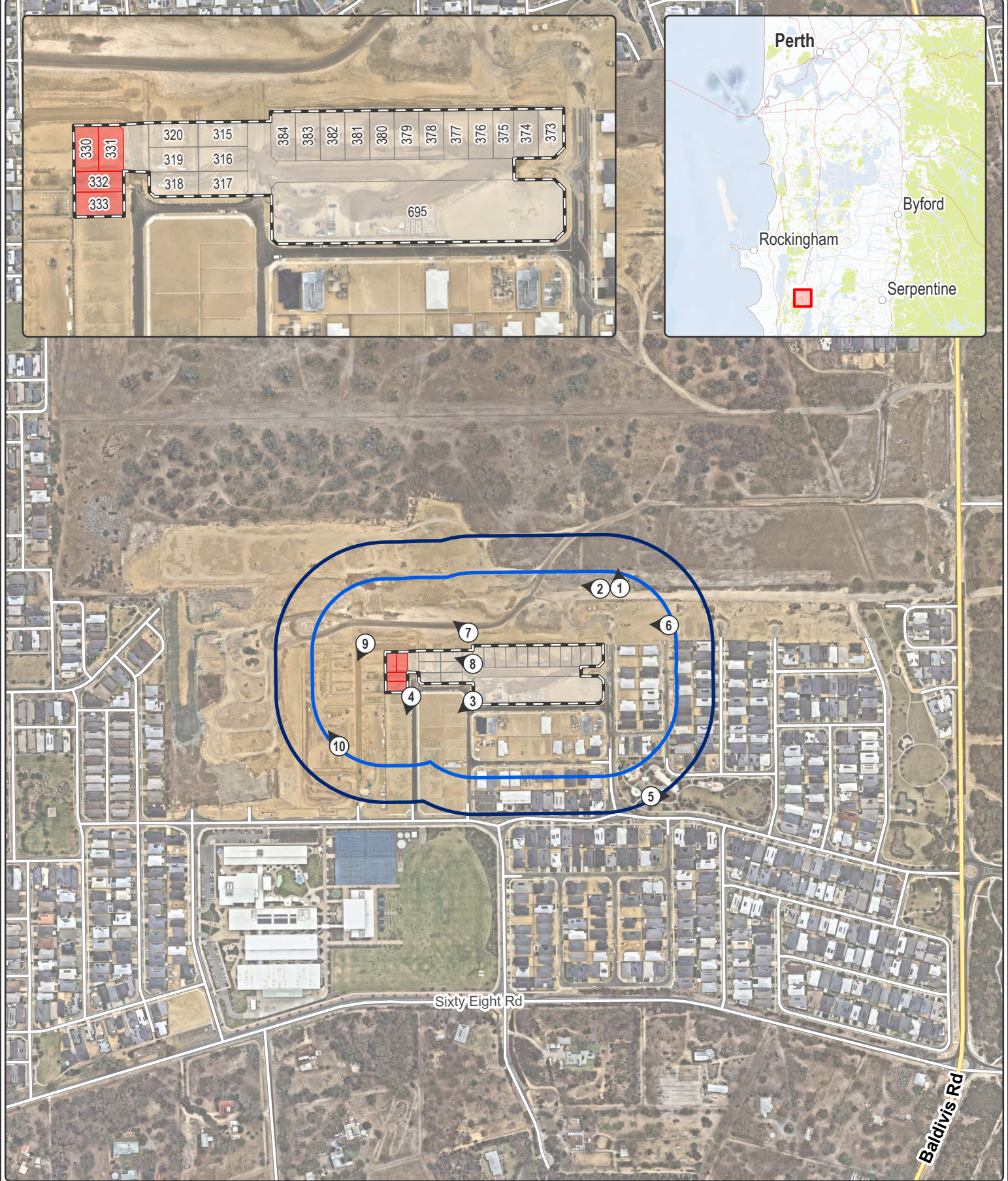





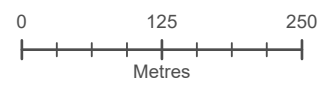


Figure 1: Site Overview

-  Subject site
-  Proposed lot affected by Condition 9
-  100m site assessment
-  150m site assessment
-  Photo location



Datum/Projection:
GDA 1994 MGA Zone 50
23PER6997-SM Date: 6/02/2024



Appendix A Deposited Plan

Plan Information

Tenure Type	Freehold
Plan Type	Deposited Plan
Plan Purpose	Subdivision

Plan Heading

Lots 315-320, 330-333, 373-384, 695, 9037, 9038 & Roads

Locality & Local Government

Locality	Baldivis
Local Government	City of Rockingham

Department of Planning, Lands and Heritage

File Number	
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Examination

Examined	Date
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Planning Approval

Planning Authority	WAPC
Reference	156448

Delegated under S. 16 P&D Act 2005 Date

In Order For Dealings

Subject To	
For Registrar of Titles	Date

Plan Approved

REG 26A(1)(4)

Inspector of Plans and Surveys / Authorised Land Officer Date

Survey Details

Field Records	131385
Declared as Special Survey Area	Yes

Survey and Plan Notation

Survey carried out under Reg. 26A(1) Deferred Final Marking Approval. Approval ID xxxx-xx dated Day Month Year : Landgate File xxxxx-xxxx

Limited in Depth to 60.96 metres as to Lot 9036 only

Survey Method Regulatory Statement

Survey carried out under Reg. 26A Special Survey Area Guidelines. See survey sheet(s) to determine the true final position and type of all survey marks placed for this plan.

Survey Certificate - Regulation 54

I, Paul C. C. Rhodes
 hereby certify that this plan is accurate and is a correct representation of the -
 (a) survey; and
 (b) calculations from measurements recorded in the field records,
 undertaken for the purposes of this plan and that it complies with the relevant
 written law(s) in relation to which it is lodged.

Licensed Surveyor Date

Survey Organisation

Name	VERIS
Address	JOLIMONT 6014
Phone	6241 3333
Fax	6241 3300
Email	lodgements.wa@veris.com.au
Reference	11606-S010-PCCR

Former Tenure

New Lot / Land	Parent Plan Number	Parent Lot Number	Title Reference	Subject Land Description
Lots 373-381 & 9038	DP 420155	Lot 9035	C/T 4039/850	
Lots 382 & 695	DP 420155 DP 424279	Lot 9035 Lot 9036	C/T 4039/850 C/T 4039/892	
Lots 315-320, 330-333, 383, 384 & 9037	DP 424279	Lot 9036	C/T 4039/892	

Former Tenure Interests and Notifications

Subject	Purpose	Statutory Reference	Origin	Land Burdened	Benefit To	Comments
33b J 33b K	Easement (Sewerage)	Sec 167 of the P & D Act Reg 33(b)	DP 412121	Lot 9038	Water Corporation	
X	Restrictive Covenant	Sec 129BA of the TLA	Doc	Lot 695	Electricity Networks Corporation	Fire Separation

New Notifications and Memorials

Subject	Purpose	Statutory Reference	Origin	Land Burdened	Benefit To	Comments
	Notification	Sec 165 of the P & D Act	Doc	Lots		Bushfire Management Plan

Vesting Lots

Lot	Purpose	Statutory Reference	Origin	Comments
Lot 695	Reserve For Recreation	Vests in the Crown Under Sec 152 of the P & D Act	This Plan	

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 SUBJECT TO LANDGATE AUDIT**

This plan is
 -Current as at 01.11.2023
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CORRECT copy should be obtained for such purposes.

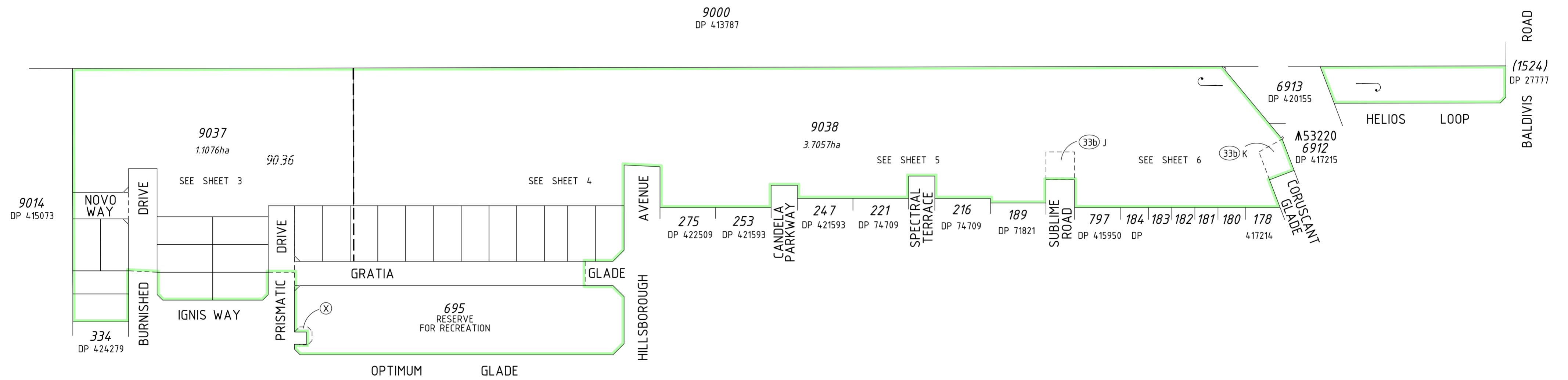

 ADDITIONAL SHEETS
 Survey Sheet(s)

 SHEET SHEETS
 1 OF 6

 VERSION NUMBER
 1

 DEPOSITED PLAN
 426542

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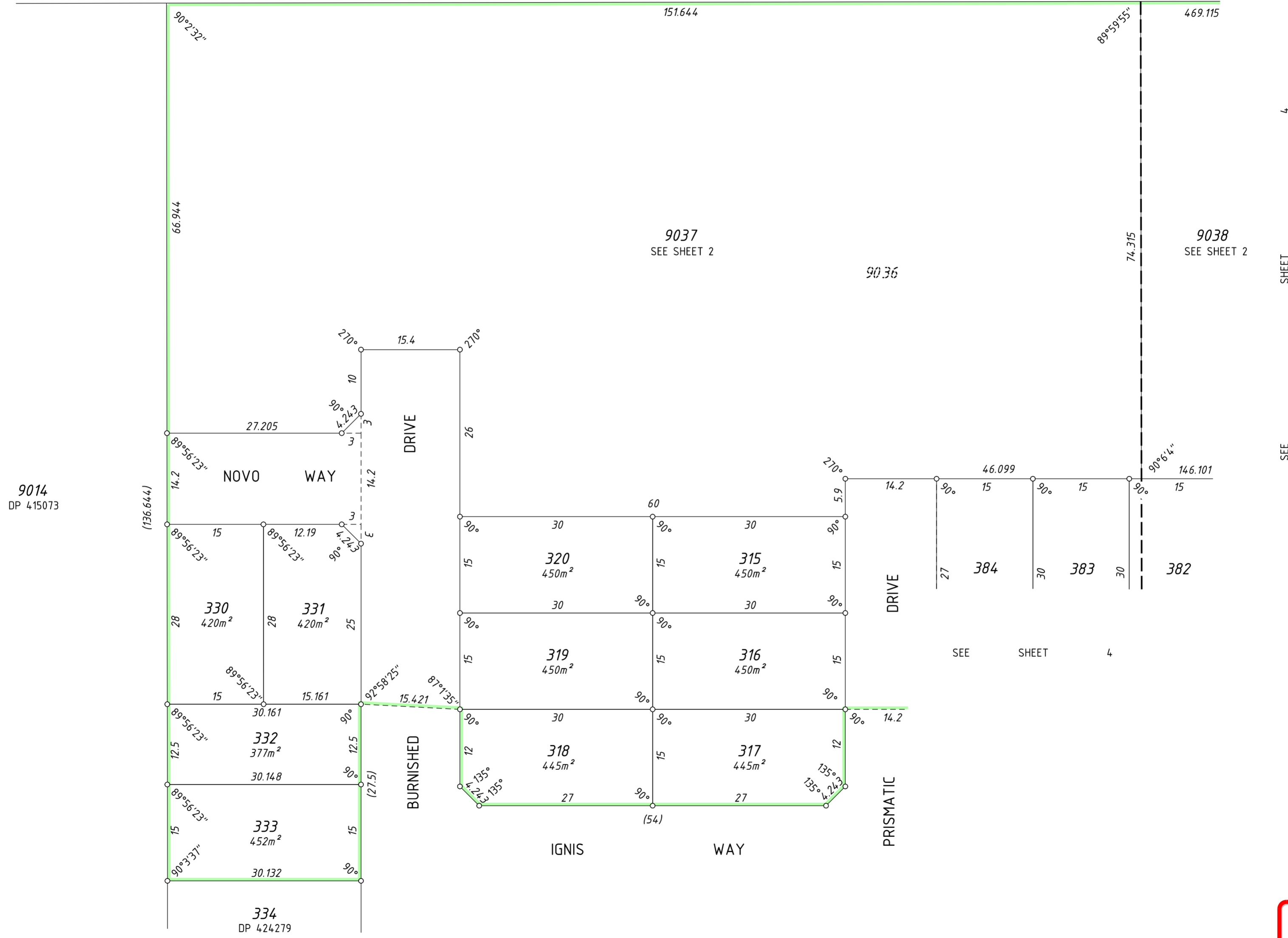
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DP 413787

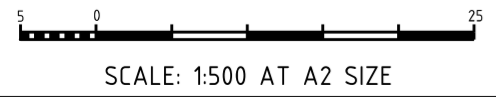
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SHEET
SEE

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ADDITIONAL SHEETS Survey Sheet(s)	SHEET 3	SHEETS OF 6	VERSION NUMBER 1	DEPOSITED PLAN 426542
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Limited in Depth to 60.96 Metres as to Lot 9036 Only

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DP 413787

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SEE SHEET 3

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SEE SHEET 2

9036

9038
SEE SHEET 2

5

SHEET

SEE

275
DP 422509

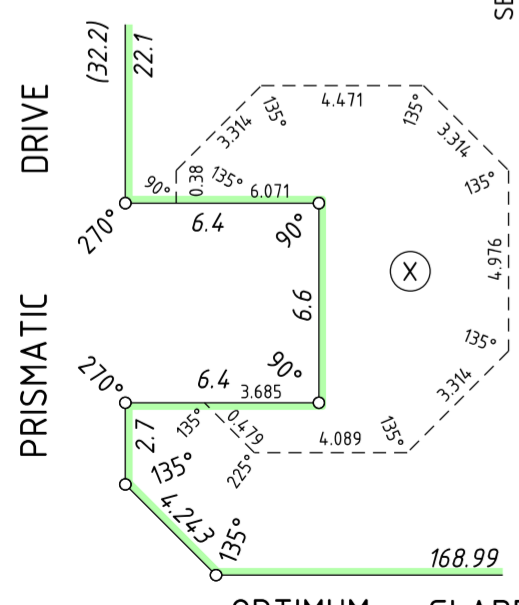
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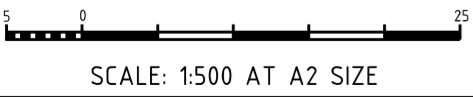
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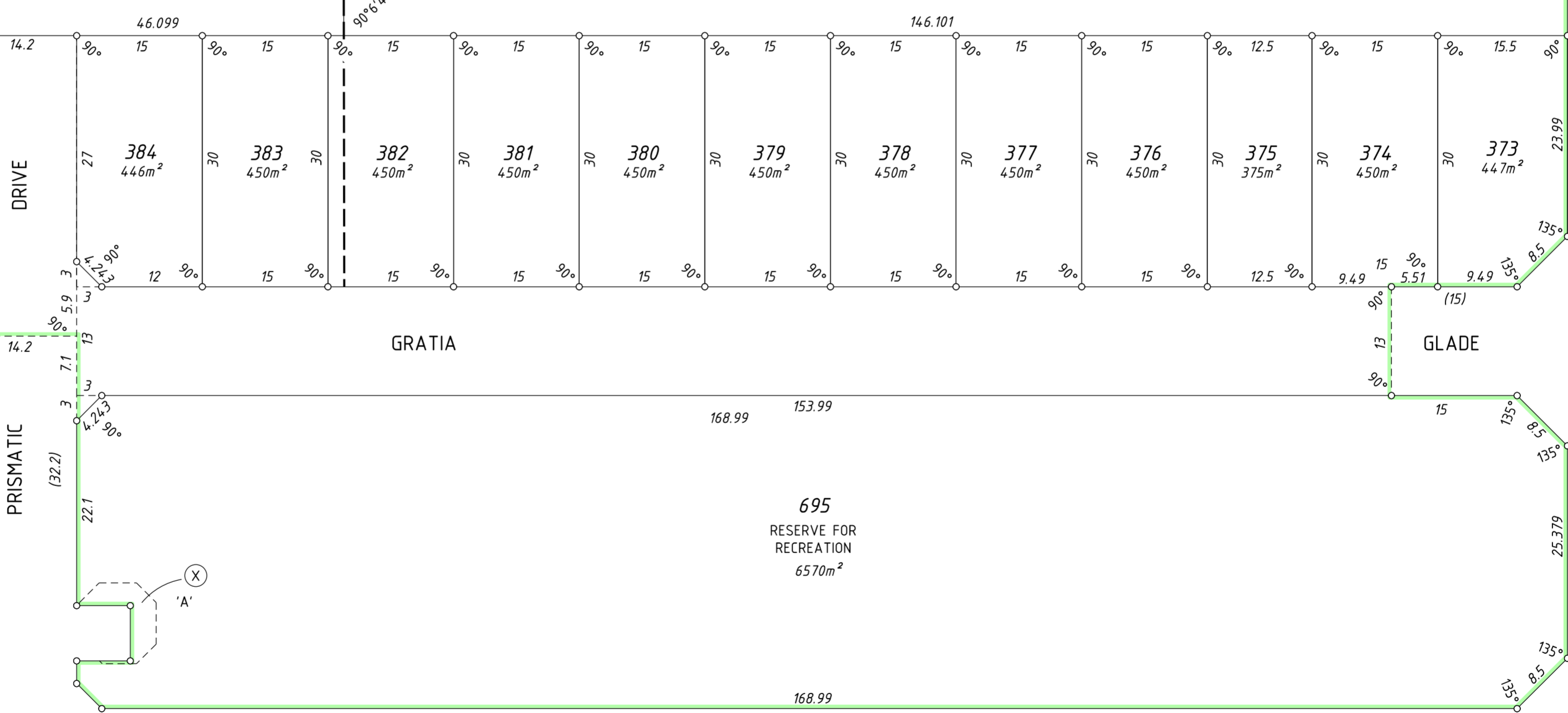
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ENLARGEMENT AT 'A'
NOT TO SCALE



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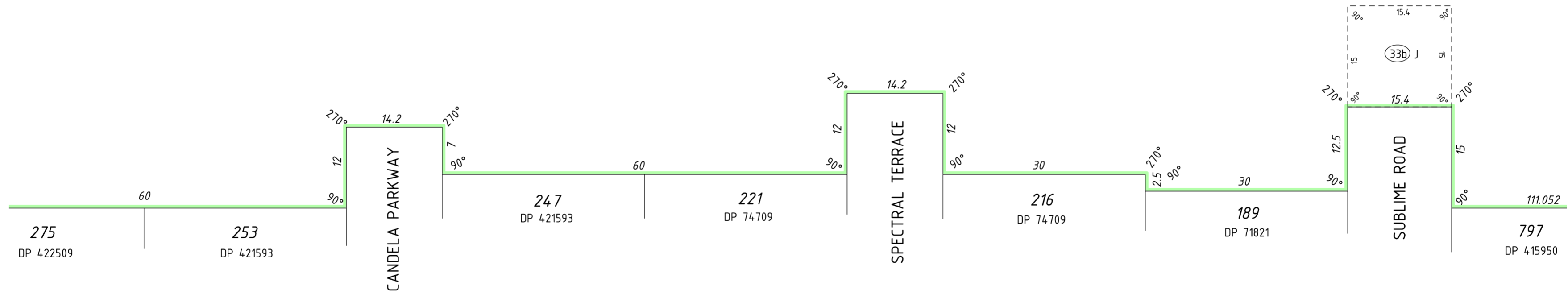
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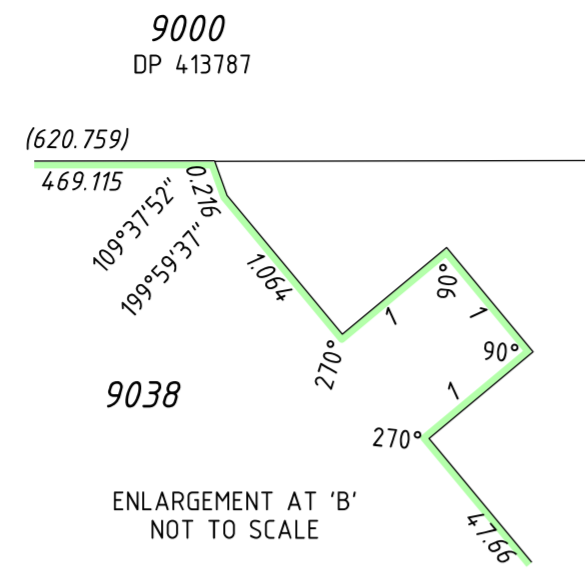
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Survey Sheet(s)

SHEET SHEETS
5 OF 6

VERSION NUMBER
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DEPOSITED PLAN
426542

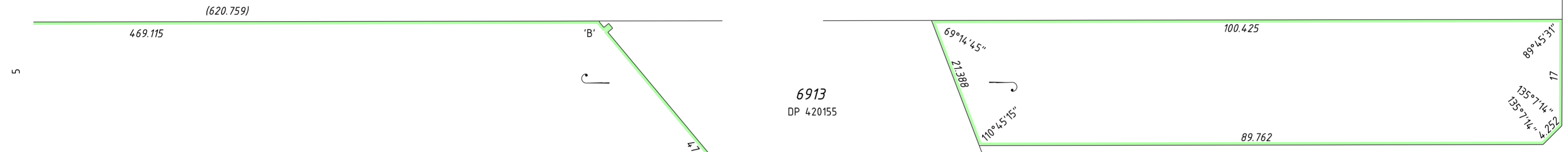
Limited in Depth to 60.96 Metres as to Lot 9036 Only



6913
DP 420155

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DP 413787

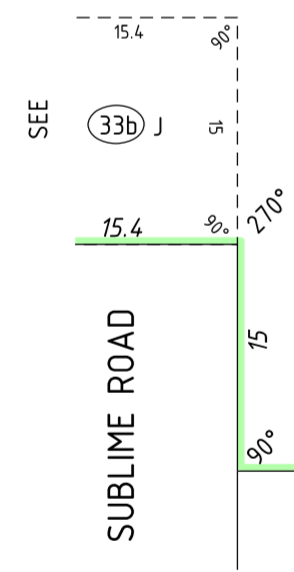
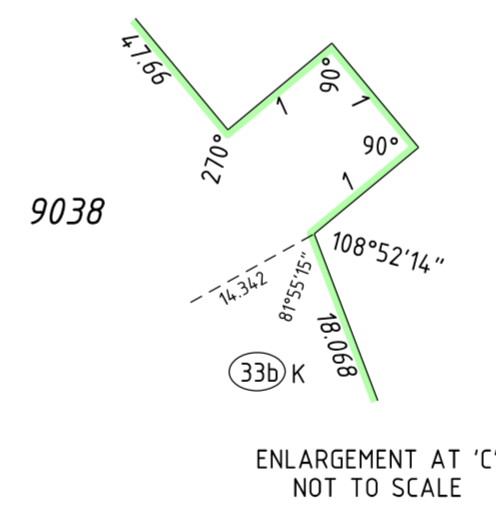
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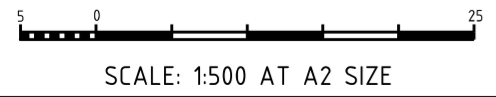
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ADDITIONAL SHEETS Survey Sheet(s)	SHEET 6 OF 6	SHEETS 6	VERSION NUMBER 1	DEPOSITED PLAN 426542
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Appendix B Plan for WAPC Approval Condition 9 Lots dated 26 March 2018

Condition 9 and advice note 1 - lots excluded until bushfire risk remediated

Condition 21 - Access restriction to Baldvis Road

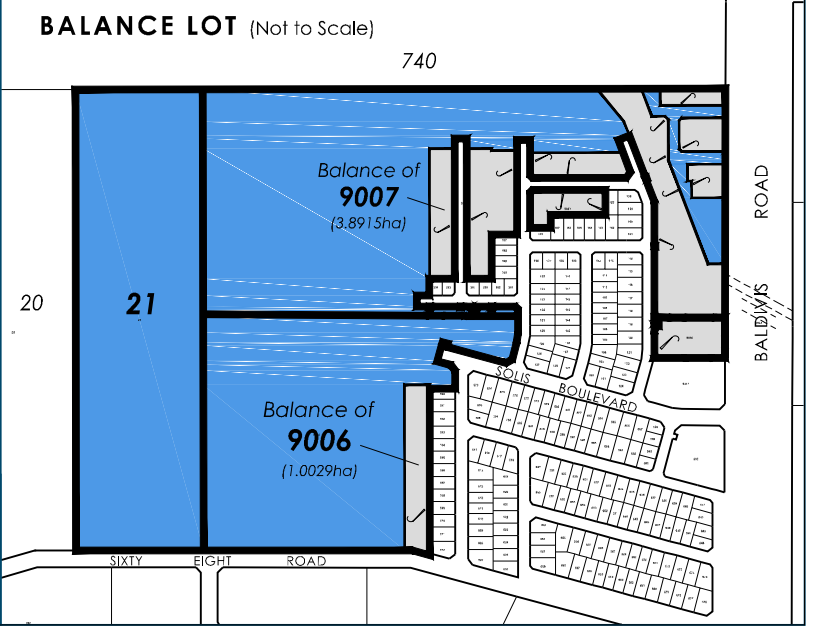
DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE 26-Mar-2018 FILE 156448



Condition 22 - access restriction to Sixty Eight Road

	Lot 21 - 8.3237ha Lot 9006 - 8.5373ha Lot 9007 - 13.5028ha
	Subject Area - 25.4694ha
	Balance of Lot 9006 - 1.0029ha Lot 9007 - 3.8915ha
Yield	
Residential	- 320 lots
Group	- 1 lot
School	- 1 lot
Balance	- 2 lot
Total	- 324 lots



All road carriageway detail where depicted on this subdivision plan including road pavements, road treatments, medians or parking, are for illustrative purposes only and are subject to final engineering design and separate approval processes. The detail reflects the preferred urban design intent for the road network standards.

All dimensions and areas depicted on this plan are subject to pre-col and final survey and will vary from the figures shown. This plan remains the property of CLE.

Appendix C Photographic evidence of compliance



Plate 1: Remnant vegetation (Class G Grassland) located >150 m northeast of the lots affected by Condition 9.



Plate 2: Remnant vegetation (Class G Grassland) located >150 m northeast of the lots affected by Condition 9 (located in background of associated photo).



Plate 3: Evidence of external area to lots affected by Condition 9 being cleared and maintained to low threat.



Plate 4: Evidence of external area to lots affected by Condition 9 being cleared and maintained to low threat.



Plate 5: Evidence of external area located >150 m east of the lots affected by Condition 9 being maintained to low threat (i.e. maintained parkland).



Plate 6: Evidence of external area to lots affected by Condition 9 being cleared and maintained to low threat.



Plate 7: Evidence of external area to lots affected by Condition 9 being cleared and maintained to low threat.



Plate 8: Evidence of internal area to lots affected by Condition 9 being cleared and maintained to low threat.



Plate 9: Evidence of external area to northwest of the lots affected by Condition 9 being cleared and maintained to low threat.



Plate 10: Evidence of external area to west of lots affected by Condition 9 being cleared and maintained to low threat.

Appendix D Bushfire Attack Level (BAL) Assessment Report

Bushfire Attack Level (BAL) Assessment Report for Stage 10 Brightwood Estate, Baldivis

Site Details

Address: Stage 10 Brightwood Estate, Baldivis

Suburb: Baldivis, 6171 **State:** Western Australia

Local Government Area: City of Rockingham

Description of building works: Residential development

Report details

Report/Job number:	23PER6977	Report version:	v1
Assessment date:	5/12/2023	Report date:	7/02/2024
Author:	Maitland Ely	Review:	Eva Cronin (BPAD Level 2-45482)



SITE ASSESSMENT AND SITE PLAN

The assessment of the 22 residential lots was undertaken on 5 December 2023 for the purpose of determining the Bushfire Attack Level (BAL) in accordance with *Australian Standard AS 3959: 2018 Construction of Buildings in Bushfire Prone Areas (SA 2018) Simplified Procedure (Method 1)*. An overview of the site is presented in Figure 1.

VEGETATION CLASSIFICATION

All vegetation within 100 m of the 22 residential lots was classified in accordance with Clause 2.2.3 of AS 3959: 2018. Each distinguishable vegetation class with the potential to determine the BAL is identified below and presented in Figure 1.

Plot 1 Classification or Exclusion Clause Class G Grassland

Photo Point 1 (background)
 Classified vegetation within this plot is comprised of grasses.
 Slope under this plot was assessed as upslope/flat land.



Plot 1 Classification or Exclusion Clause Class G Grassland

Photo Point 2
 Classified vegetation within this plot is comprised of grasses.
 Slope under this plot was assessed as upslope/flat land.



Plot 2 Classification or Exclusion Clause Excluded AS 3959: 2018 2.2.3.2 (e) & (f)

Photo Point 3
 Non-vegetated area that is permanently cleared of vegetation (i.e., footpaths, roads and residential housing).
 Vegetation within this plot is regarded as low threat due to factors such as flammability, moisture content and fuel load as it is managed landscaping and yards.



Plot 2 Classification or Exclusion Clause

Excluded AS 3959: 2018 2.2.3.2 (e)

Photo Point 4

Non-vegetated area that is permanently cleared of vegetation (i.e., cleared areas within subject site for future roads and residential development).



Plot 2 Classification or Exclusion Clause

Excluded AS 3959: 2018 2.2.3.2 (e)

Photo Point 5

Non-vegetated area that is permanently cleared of vegetation (i.e., cleared areas for future roads and residential development).



Plot 2 Classification or Exclusion Clause

Excluded AS 3959: 2018 2.2.3.2 (e) & (f)

Photo Point 6

Non-vegetated area that is permanently cleared of vegetation (i.e., footpaths and playground area).
Vegetation within this plot is regarded as low threat due to factors such as flammability, moisture content and fuel load as it is managed landscaping and parkland.



RELEVANT FIRE DANGER INDEX

The fire danger index for this site has been determined in accordance with Table 2.1 of AS 3959: 2018.

Relevant Fire Danger Index			
FDI 40 <input type="checkbox"/>	FDI 50 <input type="checkbox"/>	FDI 80 <input checked="" type="checkbox"/>	FDI 100 <input type="checkbox"/>
<i>Table 2.4.5</i>	<i>Table 2.4.4</i>	<i>Table 2.4.3</i>	<i>Table 2.4.2</i>

POTENTIAL BUSHFIRE IMPACTS

The potential bushfire impact to the site / proposed development from each of the identified vegetation plots are identified below, Table 1 and Figure 1.

Table 1: BAL Analysis AS 3959: 2018

Plot	Vegetation Classification	Effective Slope	Separation distances required				
			BAL-FZ	BAL-40	BAL-29	BAL-19	BAL-12.5
1	Class G Grassland	All upslopes and flat land (0 degrees)	<6	6-<8	8-<12	12-<17	17-<50
2	Excluded AS 3959: 2018 2.2.3.2 (e) & (f)	-	No separation distances required – BAL-LOW				

DETERMINED BUSHFIRE ATTACK LEVEL (BAL)

The determined Bushfire Attack Level (highest BAL) for the proposed works has been determined in accordance with Clause 2.2.6 of AS 3959: 2018 relevant data from the site assessment shown in Table 2 and Figure 2.

Table 2: BAL Assessment summary

BAL	Affected lots	Construction sections to be consulted in AS 3959-2018
BAL-LOW	All proposed lots	4

Note: This BAL rating is based on the information current at the date of this document and is valid for 12 months.

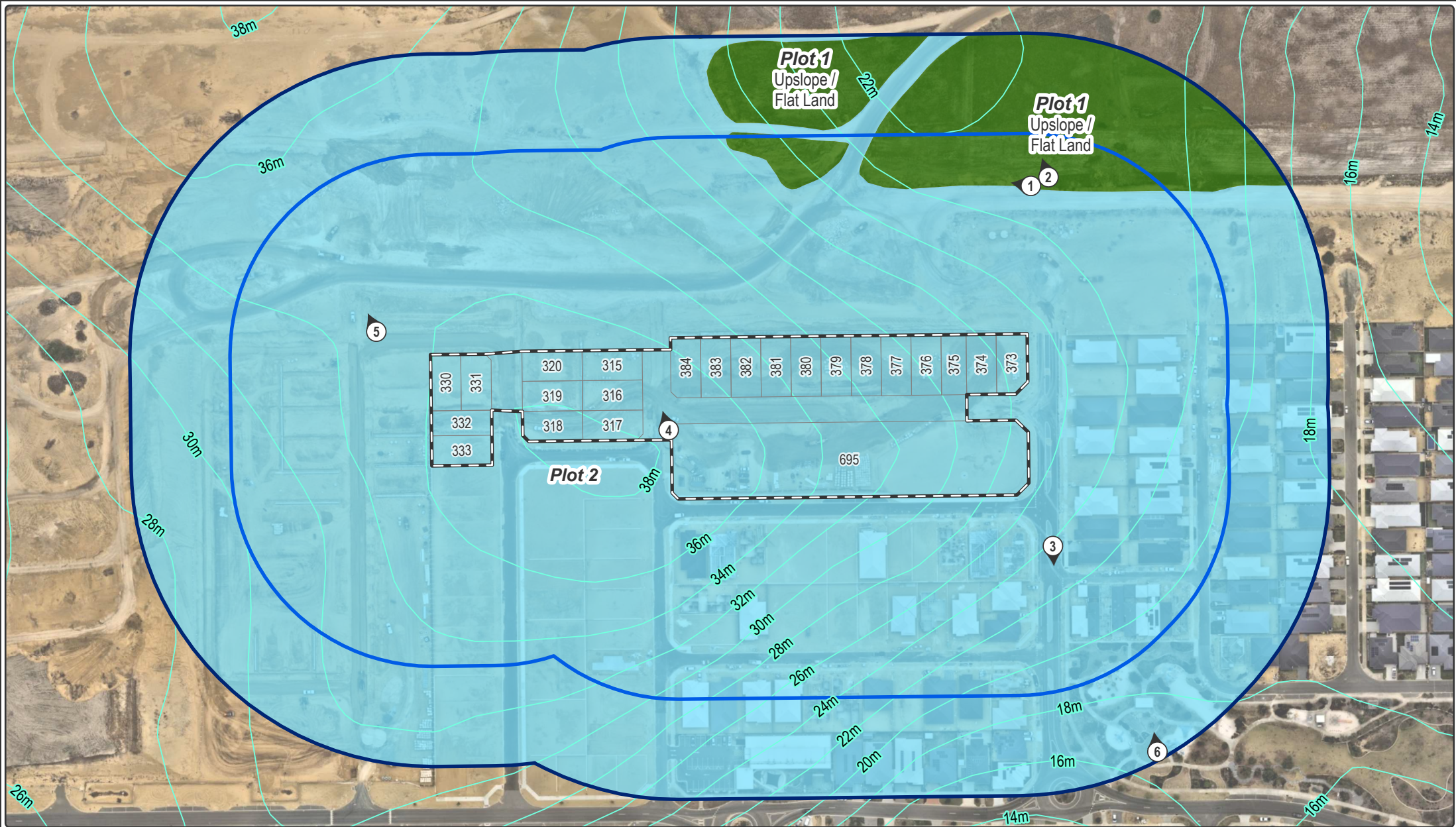








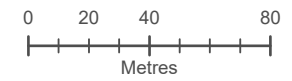


Figure 1: Vegetation Classification

-  Subject site
-  100m site assessment
-  150m site assessment
-  Lot boundary
-  Photo location
-  Contour (2m)

- Vegetation classification**
-  Class G Grassland
 -  Excluded as per clause 2.2.3.2 (e) and (f)



Datum/Projection:
GDA 1994 MGA Zone 50
23PER6977-SM Date: 6/02/2024



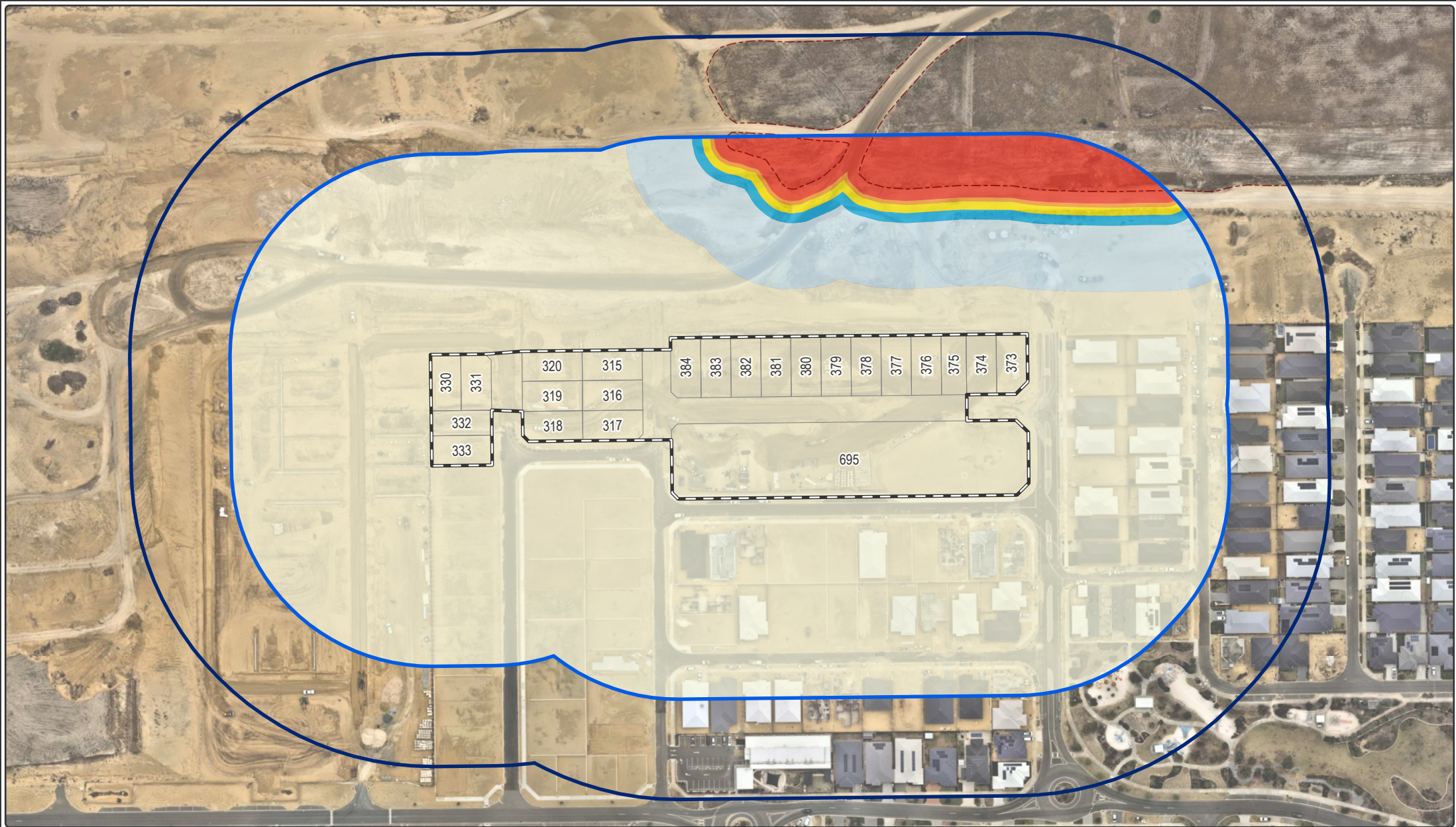
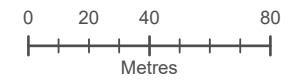


Figure 2: Bushfire Attack Level (BAL) Contours

- Subject site
- Lot boundary
- 100m site assessment
- Bushfire hazard interface
- 150m site assessment

- Bushfire Attack Level (BAL)**
- BAL - FZ
 - BAL - 40
 - BAL - 29
 - BAL - 19
 - BAL - 12.5
 - BAL - LOW



Datum/Projection:
GDA 1994 MGA Zone 50
23PER6977-SM Date: 6/02/2024



Appendix A – Additional Information / Advisory Notes

This assessment was undertaken as per AS 3959: 2018. It is important that the current version of AS 3959, is consulted for construction purposes.

This BAL rating is based on the information current at the date of this letter and is valid for 12 months from the date of this letter.

Bushfire Attack Level (BAL) as set out in the *Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas* (AS 3959), as referenced in the *Building Code of Australia*.

Bushfire Attack Level (BAL)	Classified vegetation within 100 m of the site and radiant heat flux exposure thresholds	Description of predicted bush fire attack and levels of exposure	Construction Section as per AS 3959
BAL-LOW		There is insufficient risk to warrant specific construction requirements.	4
BAL-12.5	$\leq 12.5 \text{ kW/m}^2$	Ember attack	3 and 5
BAL-19	$>12.5 \text{ kW/m}^2 \leq 19 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing radiant heat flux.	3 and 6
BAL-29	$>19 \text{ kW/m}^2 \leq 29 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing radiant heat flux	3 and 7
BAL-40	$>29 \text{ kW/m}^2 \leq 40 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing radiant heat flux with the increased likelihood of exposure to flames.	3 and 8
BAL-FZ	$>40 \text{ kW/m}^2$	Direct exposure to flames from fire front in addition to radiant heat flux and ember attack	3 and 9

Source: “AS 3959: 2018 Construction of buildings in bushfire-prone areas” published by Standards Australia, Sydney