



**DEVELOPMENT SERVICES ATTACHMENTS  
ORDINARY MEETING OF COUNCIL  
WEDNESDAY 19 FEBRUARY 2025**

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
DS01 – 02/25	<b>Amendment to Council Policy 9.7 – ‘Temporary Accommodation During Construction of a Dwelling’</b>  <b>Attachments</b> 1. Draft Amended Policy 9.7 – ‘Temporary Accommodation’ 2. Current Policy 9.7 – ‘Temporary Accommodation During Construction of a Dwelling.	1 – 9
DS02 – 02/25	<b>Application for Development Approval - 17 (Lot 12) Binda Place, Bindoon (Liquor Store)</b>  <b>Attachments</b> 1. Planning Reports & Plans 2. Schedule of Submissions 3. Bushfire Management Statement	10 – 89

### OBJECTIVE

To establish a framework for approving and regulating temporary accommodation outside of caravan parks, in response to amendments to the *Caravan Parks and Camping Regulations 1997* (Regulations). This policy ensures temporary accommodation options comply with environmental health, safety, and amenity standards while addressing local housing needs.

### SCOPE

This policy applies to all temporary accommodation applications within the Shire of Chittering including vacant and established properties. It is applicable to properties zoned under the Shire's Local Planning Scheme and considers both the construction of permanent dwellings and other purposes allowed under the Regulations.

### Policy Provisions

Temporary accommodation on private property (in one caravan) may be considered for approval by the Shire, subject to the following provisions:

1. A current Building Permit has been issued to construct a permanent dwelling on the site or an approved permanent dwelling already exists on the site.
2. The caravan must not exceed the accommodation capacity that it is designed for and must comply with the ventilation requirements of the *Shire of Chittering Health Local Law 2017*.
3. The caravan must be structurally sound, weatherproof, clean and all facilities in good working order.
4. Caravans used for temporary accommodation on vacant properties may be parked inside of a shed. If no shed is available, the caravan shall be parked in close proximity to the approved dwelling location or the existing dwelling.
5. Caravans must be mobile and capable of being moved offsite at all times to minimise the risk to the occupants in the event of a bushfire emergency and enable efficient evacuation of the site.
6. A temporary accommodation approval can only be issued for a period no longer than twenty-four (24) consecutive months.
7. Approval will only be considered on land zoned under the Shire's Local Planning Scheme as:
  - (a) Agricultural resource
  - (b) Rural Residential
  - (c) Rural Smallholdings
  - (d) Rural Retreat
  - (e) Townsite
  - (f) Residential
8. The following minimum facilities are to be provided in a caravan or available to use at the lot to enable approval for temporary occupation to be granted:
  - (a) Connection to an approved wastewater treatment and disposal system (use of an offsite dump point will not be considered an appropriate means of wastewater disposal);
  - (b) An adequate supply of potable water;
  - (c) Cooking facilities and sink;

- (d) A refrigerator;
  - (e) Connection to the mains power supply or an alternative power supply (e.g. solar panels with battery storage), however the use of a generator is not supported;
  - (f) Shire waste and recycling bins (in serviced areas); and
  - (g) Beds for all intended occupants.
9. The following facilities may be installed in a shed to support the comfort, amenity and convenience of the caravan occupiers:
- (a) A toilet;
  - (b) A sink or trough;
  - (c) A shower;
  - (d) A washing machine
10. Overnight sleeping is not permitted in a shed, only a caravan.
11. The Shire may revoke any temporary accommodation approval should it be determined that the approval is not being carried out within the provisions of this policy or any other relevant legislation.

### Application Process

1. The applicant is to complete the attached 'Application for temporary accommodation' form and submit this to the Shire together with site plan, evacuation plan and the application fee.
2. An Authorised Person may conduct a site inspection prior to the issuance of an approval for temporary accommodation to determine the suitability of the land for temporary accommodation with respect to:
  - (a) Safety and health;
  - (b) Access to services; and
  - (c) Potential impact on amenity.
3. Following the expiry of the 'temporary accommodation' approval, an inspection will be conducted by an Authorised Person to ensure that the construction of the dwelling has commenced or is completed.
4. Should an approval for temporary accommodation expire, the Shire may issue a further approval with the timeframe at the discretion of the Shire, but not exceeding twenty-four (24) consecutive months subject to:
  - (a) 'Substantial progress' has been made to a dwelling on the site being constructed under a valid Permit;
  - (b) No significant complaints or amenity impacts have occurred in the preceding approval period; and
  - (c) A renewal application form is submitted along with payment of the relevant fee.

### Advice relating to approval

1. If the dwelling is being constructed by a building contractor other than by an owner-builder, the owner is advised to seek agreement with the contractor to inhabit the site in temporary accommodation facilities during construction.
2. Failure to comply with the provisions of this policy and related legislation could result in legal action being taken.

3. Should a shed be constructed prior to a dwelling being constructed on a site in order to supplement 'temporary accommodation', Development Approval from the Shire is likely required to be sought, and a proponent should contact the Shire's Planning Department for further information.
4. The renting or leasing of a caravan, or land occupied by a caravan used under a 'temporary accommodation' approval, for financial gain is not permitted. Any commercial arrangements under this manner are likely to require Development Approval from the Shire, and would not qualify for 'temporary accommodation' under the provisions of this Policy.

### POLICY STATEMENT

Temporary accommodation may be approved for up to 24 months on eligible properties, subject to compliance with relevant legislation, health and safety, and amenity standards. Approvals are contingent upon meeting the specified conditions and are subject to revocation in cases of non-compliance. Living in sheds without approval is prohibited, and temporary accommodation in tents will not be supported.

### DEFINITIONS

**Authorised person** – means a person appointed under section 17 of the *Caravan Parks and Camping Grounds Act 1995* (Western Australia).

**Caravan** – means a vehicle that is fitted or designed for habitation and can include an annex. (Note: a tiny home on wheels is regarded as a 'caravan')

**Dwelling** – means a Class 1a building defined in the *Building Code of Australia* which is used for habitation.

**Building Permit** – means a building permit as defined in the *Building Act 2011*.

**Shed** – means a Class 10a building defined in the *Building Code of Australia* which is non-habitable.

**Substantial progress** – means a dwelling is at least 50% completed.

**Temporary accommodation** – means a caravan that is used for temporary occupation of land.

### ROLES AND RESPONSIBILITIES

The Chief Executive Officer (or a delegated authority per the Council's delegated authority register), is authorised under the *Caravan Parks and Camping Grounds Act 1995* to approve temporary accommodation applications.

### COMPLIANCE

Legislation	<i>Building Code of Australia</i> <i>Caravan Parks and Camping Grounds Act 1995</i> <i>Caravan Parks and Camping Grounds Regulations 1997</i> <i>Health (Miscellaneous Provisions) Act 1911</i> <i>Public Health Act 2016</i> <i>Local Government Act 1995</i> <i>Shire of Chittering Health Local Law 2017</i> <i>Shire of Chittering Local Planning Scheme No. 6</i>
Industry	Department of Local Government, Sport & Cultural Industries Guidelines
Organisational	Nil



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Strategic Community Plan	Link to SCP objective(s)
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### POLICY ADMINISTRATION

Review Cycle	3 Years	Next Review Due	2028
Policy Owner	Development Services		

Version	Decision Ref	Date	Change
1	CR		

## 9.7 Temporary Accommodation During Construction of a Dwelling

**Policy Owner:** Executive Manager Development Services  
**Person Responsible:** Principal Environmental Health Officer  
**Date of Approval:** 20 November 2019  
**Amended:**

### Background

It is recognised that property owners are often short of financial resources and seek an inexpensive form of accommodation while building their main dwelling. Being able to live on site while their dwelling is being constructed can also save considerable travelling expenses and improve site security.

### Objective

The objective of this policy is to permit the use of temporary accommodation on site during the construction of a permanent dwelling to ensure that minimum standards are applied with respect to environmental health, safety and amenity.

### Policy

Approval is required to occupy temporary accommodation in the Shire of Chittering pursuant to the ***Caravan Parks and Camping Grounds Regulations 1997 - r11(2)***.

The following persons are authorised under the ***Caravan Parks and Camping Grounds Act 1995, s17*** to authorise temporary accommodation applications:-

- Chief Executive Officer
- Executive Manager Development Services
- Principal Environmental Health Officer

Living in a shed is prohibited unless approval has been granted in accordance with this policy.

This policy supersedes Local Planning Policy No.27 '*Living in Sheds*'.

### Legislation

This policy is in accordance with the provisions of the *Building Code of Australia*, the ***Caravan Parks and Camping Grounds Act 1995***, the ***Caravan Parks and Camping Grounds Regulations 1997***, the ***Health (Miscellaneous Provisions) Act 1911***, the ***Public Health Act 2016***, the ***Shire of Chittering Health Local Law 2017***, the ***Local Government Act 1995*** and the *Shire of Chittering Local Planning Scheme No 6* where applicable.

## Definitions

**“Authorised Person”** means a person appointed under section 17 of the *Caravan Parks and Camping Grounds Act 1995*.

**“Caravan”** means a vehicle that is fitted or designed for habitation and can include an annexe.

**“Dwelling”** means a Class 1 A structure defined in the *Building Code of Australia* which is used for habitation.

**“Permit”** means a building permit or a demolition permit as defined in the *Building Act 2011*, section 3.

**“Shed”** means a Class 10 building defined in the *Building Code of Australia* which is non-habitable.

**“Substantial progress”** means a dwelling is at least 50 % completed.

**“Temporary accommodation”** means a caravan that is temporarily occupied while a dwelling is being constructed.

## Policy Provisions

Living on a property (in a caravan) whilst a dwelling is being constructed may be considered for approval by the Shire subject to the following provisions:

1. A current permit has been issued to construct a permanent dwelling or demolish a building on the site.
2. The caravan must not exceed the accommodation capacity that it is designed for and must comply with the ventilation requirements of the *Shire of Chittering Health Local Law 2017*.
3. Caravans used for temporary accommodation may be placed inside a shed.
4. Caravans must be mobile and capable of being moved offsite at all times.
5. A temporary accommodation approval will be permitted for a period no longer than twelve (12) consecutive months.
6. Approval will only be considered on land zoned under the Shire’s Local Planning Scheme as:
  - (a) Agricultural resource
  - (b) Rural Residential
  - (c) Rural Smallholdings
  - (d) Rural Retreat
7. The following minimum facilities are to be provided in a caravan to enable approval for temporary occupation to be granted:
  - (a) Connection to an approved wastewater treatment and disposal system;
  - (b) An adequate supply of potable water;
  - (c) Cooking facilities and sink;
  - (d) A refrigerator;

- (e) Connection to the mains power supply or an alternative power supply, e.g. solar panels with battery storage, however the use of a generator is not approved;
  - (f) Shire waste and recycling bins (in serviced areas); and
  - (g) Beds for all occupants.
8. The caravan must be structurally sound, weatherproof, clean and all facilities in good working order.
9. The following facilities may be installed in a shed to support the comfort, amenity and convenience of the caravan occupiers:
  - (a) A toilet
  - (b) A sink or trough
  - (c) A shower
  - (d) A washing machine
10. Overnight sleeping is not permitted in a shed, only a caravan.
11. The Shire may revoke any temporary accommodation approval should it be determined that the approval is not being carried out within the provisions of this policy or any other relevant legislation.

#### Application Process

1. The applicant is to complete the attached "Application for temporary accommodation during construction of a dwelling" form and submit this to the Shire together with the application fee.
2. An Authorised Person will conduct a site inspection prior to the issue of an approval for temporary accommodation during construction of a dwelling to determine the suitability of the land for camping with respect to:
  - (a) Safety and health; and
  - (b) Access to services.
3. Following the expiry of the 'living on site' approval, an inspection will be conducted by an Authorised Person to ensure that the temporary accommodation has been vacated and the owners have moved into their new house.
4. Should the above inspection indicate that the main dwelling is not ready for occupancy, an application for an additional twelve (12) consecutive months can be considered for approval providing:
  - (a) Substantial progress has been made to the main dwelling;
  - (b) No significant complaints or amenity impacts have occurred in the preceding period; and
  - (c) A new application form is submitted along with payment of the relevant fee.

**Advice relating to approval**

1. If the dwelling is being constructed by a building contractor other than by an owner-builder, the owner is advised to seek agreement with the contractor to inhabit the site in temporary accommodation facilities during construction.
2. Failure to comply with the provisions of this policy and related legislation could result in legal action being taken.



Diano Enterprises Pty Ltd

21/08/2024

Dear Shire of Chittering Planning & Development,

Please see attached to this letter a proposal for a development for Lot 12 Number 17 Binda Place

Planning Proposal for the use of the building will be a Liquor Store retail outlet.

The building's construction is of steel frame, colour bond, fibre concrete and plasterboard internals. The current drawings show the consideration of environmental controls and its energy footprint.

Septic and leach drains are a Polymaster unit. This will be installed using an approved installer and meet the building waste requirements. This waste application has been done with Water corporation and this unit will over exceed demand. The building drawings have considered storm water disposal, and traffic management. The building car parking requirements will be.

5 main car parks at the front (please see attached). There is also a car park that is on the intersection of Grt Northern Hwy and Binda place next to the service station that can be utilized if required. The driveways between the hairdresser and Lot 12 will be road base asphalt bitumen to accommodate for traffic deliveries.

BAL report and the fire management statement plan. I have engaged a third-party Bush Fire Prone to assess the BAL of FZ and come up with a fire statement management plan, but the building has been designed using non-flammable materials to meet this requirement. The rating is not due to the lot but the crown land that is at the rear of the building.

The lot will be fenced off using approved fencing materials after the construction has been completed.

Diano Family Superannuation Fund  
84 Flame St  
Bindoon WA 6502  
Ph: 0418839524



Diano Enterprises Pty Ltd

Unfortunately, the building envelope does not allow use to keep the regrowth tree that has grown over the last 10 years. This tree is regrowth and will need to be removed. The building will be built by Bindoon local business. I have engaged Troy Martin and CJ Contracting for earth works. Castle Rock Chattering building to build the main structure. Avon Plumbing to complete the plumbing and Rusty Electrical. An application to Western Power and Water Corp have already been submitted to install a water meter and main power dome. This building has the opportunity to increase the footprint of Bindoon with future possible retail possibilities.

Attached to the letter is.

- SITE CLASSIFICATION REPORT
- AS 3959 Bushfire Attack Level (BAL)
- Building main drawings (still pending engineers' approval)
- Unit Specs and install.
- Car park lay out.
- Lot Survey and re-peg that has been completed.
- Application for development
- Cert of Title 1931
- Letter of Interest Chaniz PTY LTD

Diano Family Superannuation Fund  
84 Flame St  
Bindoon WA 6502  
Ph: 0418839524





Diano Enterprises Pty Ltd



Diano Family Superannuation Fund  
84 Flame St  
Bindoon WA 6502  
Ph: 0418839524



TITLE NUMBER

Volume Folio

**1931 597**

# RECORD OF CERTIFICATE OF TITLE

## UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

*BGRoberts*  
REGISTRAR OF TITLES



### LAND DESCRIPTION:

LOT 12 ON DIAGRAM 82385

### REGISTERED PROPRIETOR: (FIRST SCHEDULE)

DIANO FAMILY SUPER FUND PTY LTD OF UNIT 8 375 CHARLES STREET NORTH PERTH WA 6006  
(T Q027096 ) REGISTERED 14/6/2024

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

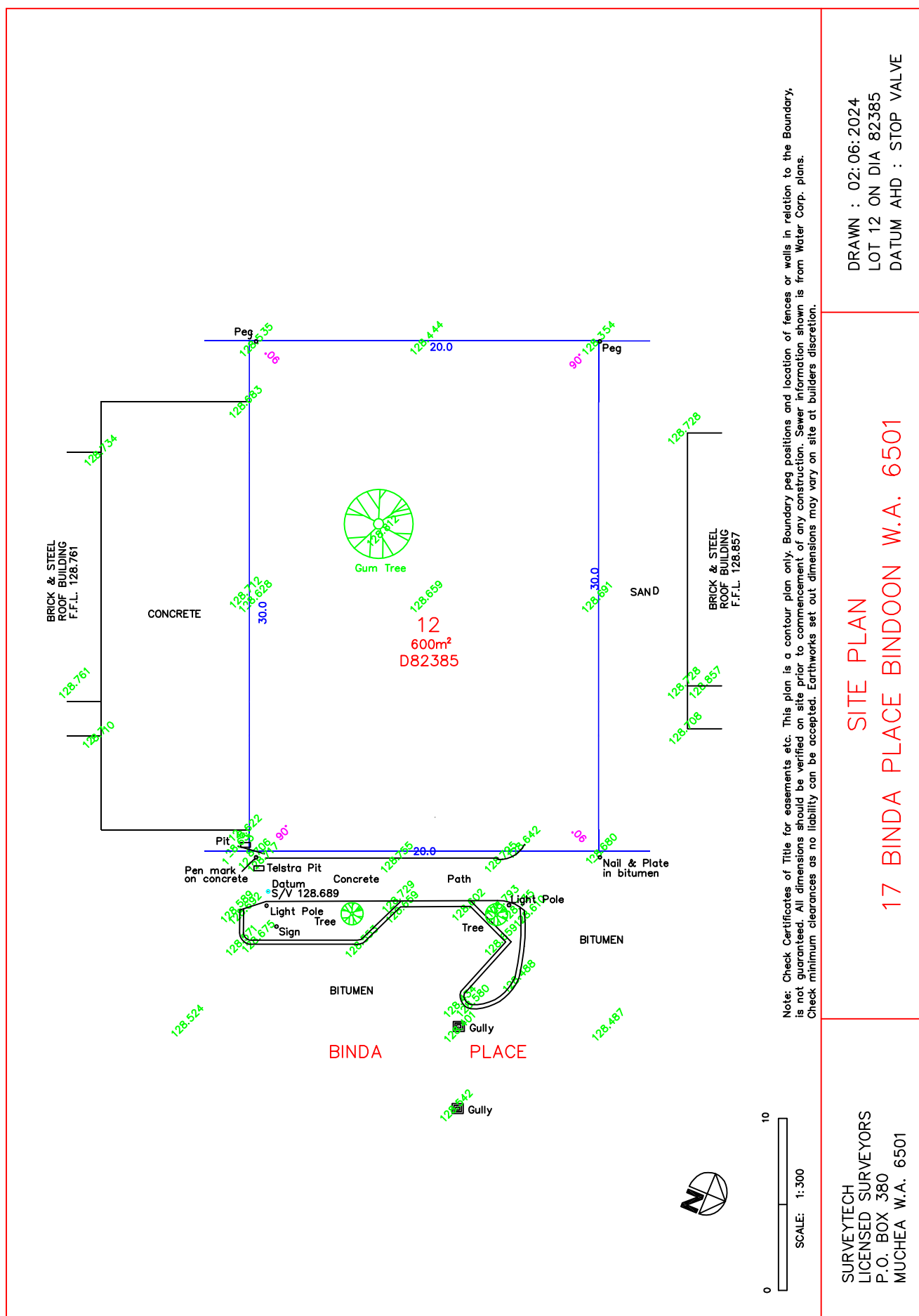
Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
Lot as described in the land description may be a lot or location.

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

### STATEMENTS:

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

SKETCH OF LAND: 1931-597 (12/D82385)  
PREVIOUS TITLE: 1902-670  
PROPERTY STREET ADDRESS: 17 BINDA PL, BINDOON.  
LOCAL GOVERNMENT AUTHORITY: SHIRE OF CHITTERING



# Bushfire Attack Level (BAL) Certificate

Determined in accordance with AS 3959-2018

This Certificate has been issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme. The certificate details the conclusions of the full Bushfire Attack Level Assessment Report (full report) prepared by the Accredited Practitioner.

## Property Details and Description of Works

Address Details	Unit no -	Street no 17	Lot no 12	Street name / Plan Reference Binda Place		
	Suburb Bindoon			State WA	Postcode 6502	
Local government area	Shire of Chittering					
Main BCA class of the building	7b	Use(s) of the building		Commercial		
Description of the building or works	Workshop and office/retail space					

## Determination of Highest Bushfire Attack Level

AS 3959 Assessment Procedure	Vegetation Classification	Effective Slope	Separation Distance	BAL
Method 1	Class (A) Forest	0 degrees	5.6m	BAL-FZ

## BPAD Accredited Practitioner Details

Name Kathy Nastov	 <p>I hereby declare that I am a BPAD accredited bushfire practitioner.</p> <p>Accreditation No. BPAD 27794</p> <p>Signature <i>K. Nastov</i></p> <p>Date 21/08/2024</p> <p>Authorised Practitioner Stamp</p>
Company Details BPP Group Pty Ltd ABN 39 166 551 784	
I hereby certify that I have undertaken the assessment of the above site and determined the Bushfire Attack Level stated above in accordance with the requirements of AS 3959-2018.	

Reliance on the assessment and determination of the Bushfire Attack Level contained in this certificate should not extend beyond a period of 12 months from the date of issue of the certificate. If this certificate was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated certificate issued.

**Chanlz Pty Ltd T/as Masstengo**  
31 Tarbenian Way, Brigadoon WA 6069  
ABN 84 162 072 648  
Wholesale License: 616212817019  
Exporter ID 10428  
Ph: +61 (0) 8 9272 2002  
Mb: 0400 282 001  
sales@masstengo.com



## **Expression of Interest – Liquor Store Bindoon**

To Isaac Parfrey, Senior Planning Officer, Shire Of Chittering WA.

This letter confirms the genuine interest in leasing the premises to be built by Diano Enterprises Pty Ltd at Lot 12 Binda Place Bindoon for the purposes of a Liquorbarons branded liquor store.

### **General explanation of the Business**

The business is intended to operate as a liquor store. A liquor store licence under section 47 of the Act authorises the sale and supply of liquor for consumption off the licensed premises.

The directors at Chanlz Pty Ltd, Ross Stewart and Timothy Macnamara, have a wealth of knowledge in the liquor industry and currently own and operate the wine brand Masstengo along with two suburban liquor stores, Liquorbarons Bayswater and Liquorbarons Maylands.

We can see the need for a local liquor store in Bindoon, that focuses on local wines from the Chittering and Swan Valley regions and boutique offerings from the Margeret River and Great Southern regions of WA. Furthermore, Bindoon residents must currently travel about 40 mins to get to a liquor store with a reasonable range of products and we can see the need for them to have the option to shop locally. Our current stores focus on organic wines and craft beers, and we would bring a taste of that flavour to Bindoon along with mainstream offerings such as packaged beer and ready to drink beverages.

### **Estimated Traffic Movements**

Based on similar local liquor stores it is estimated that the business will serve between 100 to 150 customers on the peak traffic days of Friday, Saturday and Sunday with the maximum number of customers per hour being under 30. The average customer transaction takes less than 5 minutes therefore it is estimated that during the peak transaction period the minimum car bays needed to service the customers at any given time will be 3 bays. The plans currently allow for 5 bays which should be ample.

Table 1 below outlines the average customer count and peak customer per hour count for Liquorbarons Bayswater which is a typical suburban liquor store.

**Table 1.****Average Customer Count Liquorbarons Bayswater**

	Total Count	Peak per Hour
Mon	46	11
Tues	66	17
Wed	64	15
Thur	102	19
Fri	112	24
Sat	136	24
Sun	72	15

**Operating Hours**

We expect to operate the Liquor Store within the following hours subject to liquor Licensing approval for Sunday trading.

Monday	9am – 7pm
Tuesday	9am – 7pm
Wednesday	9am – 7pm
Thursday	9am – 7pm
Friday	9am – 8pm
Saturday	9am – 8pm
Sunday	11am – 6pm

**Staffing**

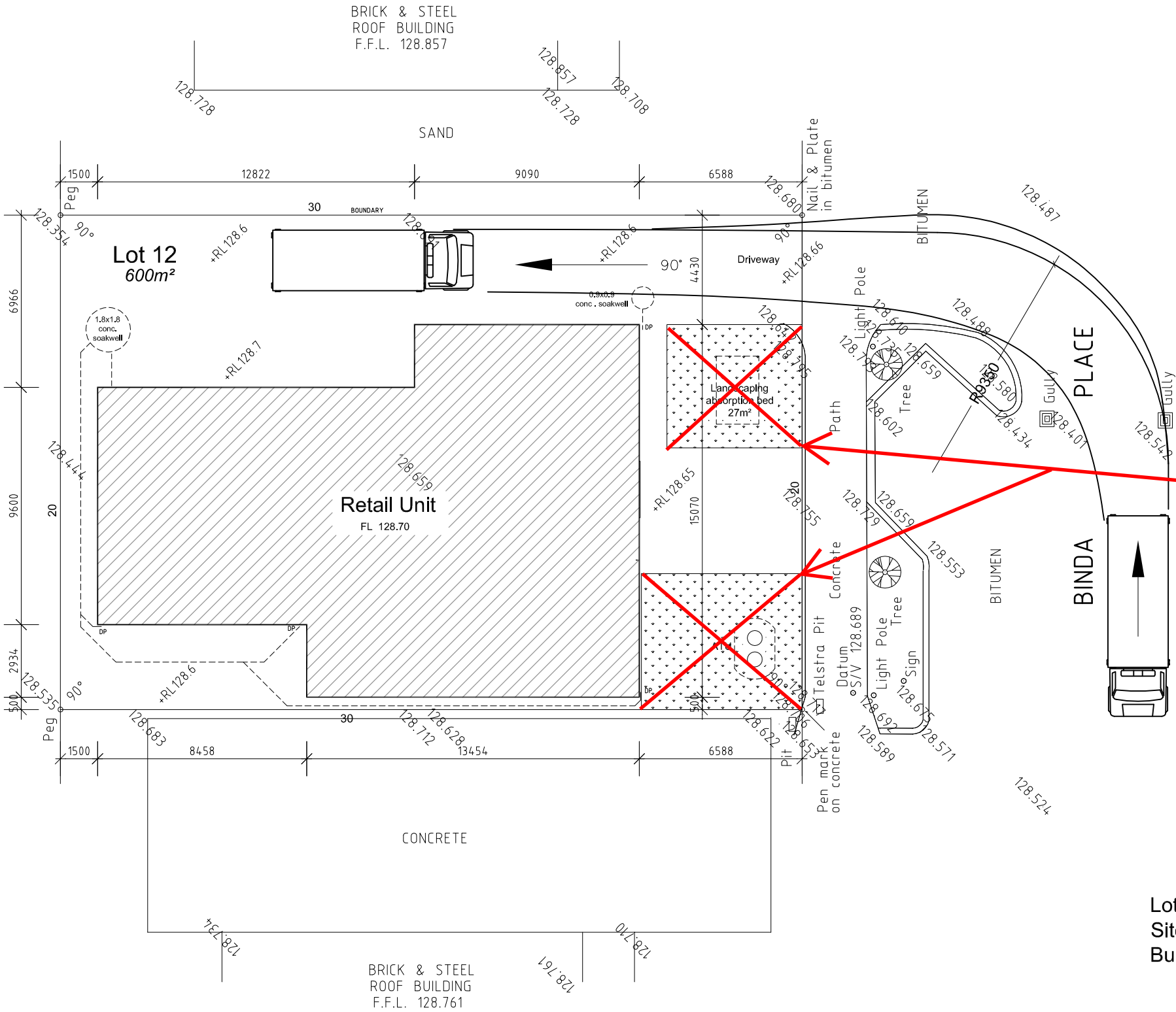
We envisage that the liquor store would employ two full-time staff members and two casual staff members once fully operational.

We look forward to working with Joel Diano and the team at Diano Enterprises Pty Ltd towards securing the lease and the subsequent liquor licence and to becoming part of the local Bindoon community.

Kind Regards

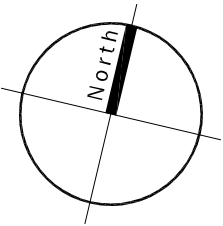


**Ross Stewart**  
DIRECTOR  
14/08/2024



SITE PLAN  
1:200

Lot 12 Areas  
Site 600m²  
Building 272m²



Issue	Date	Amendment
A	AUG24	ISSUED FOR DEVELOPMENT APPROVAL

By  
sgb

sgb

drafting  
services

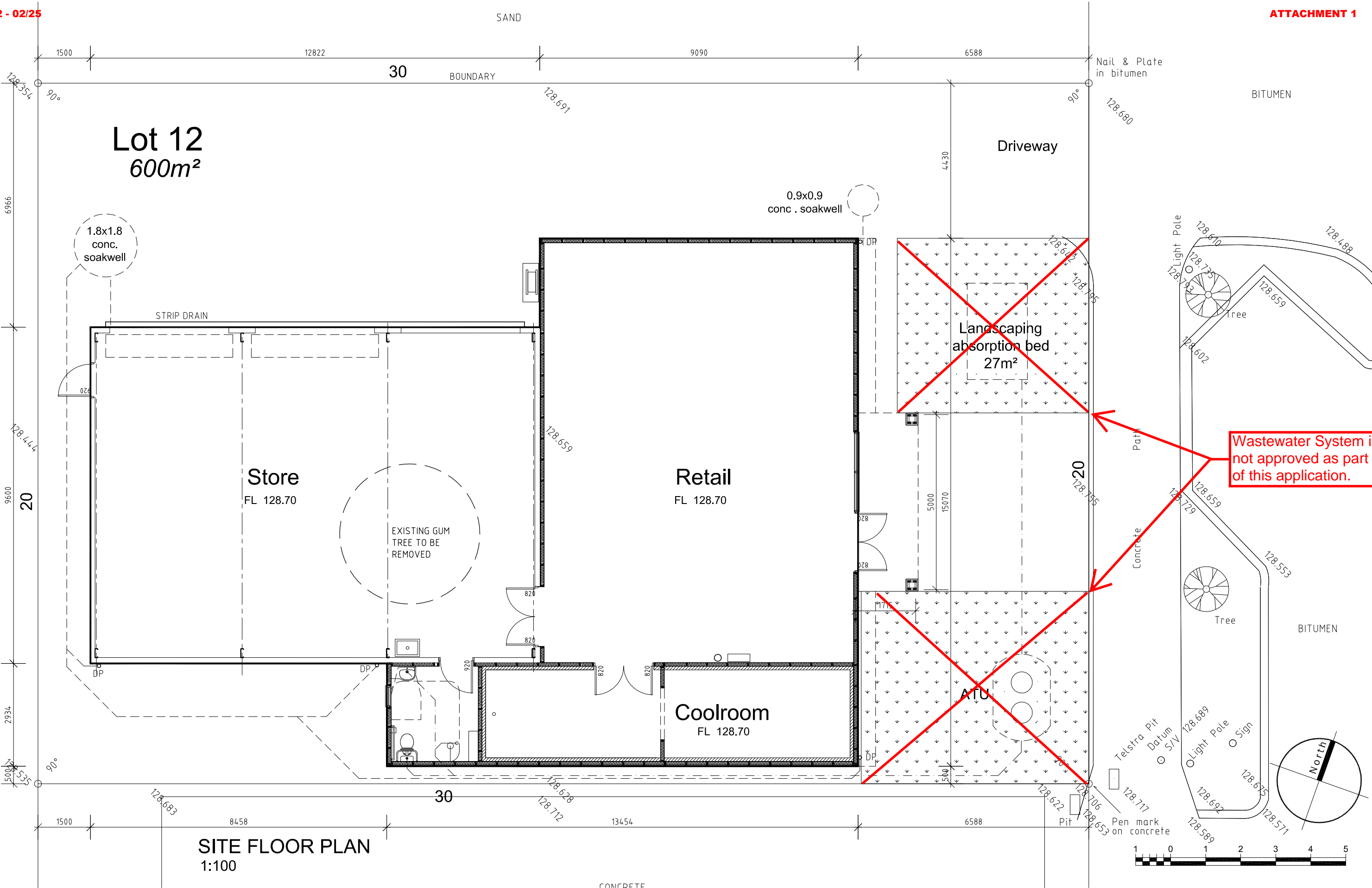
architectural drafting and design service from concept to completion

162 Smith Road  
Bullsbrook WA 6084  
p 08 9571 1847  
e sgbdraftingservices@bigpond.com  
m 0400 508 585

Project	Title
Lot 12 BINDA PLACE BINDOON	SITE PLAN

Job No.	Date	Scale (@ A3)
	APR24	1:200
Drawn	Drawing No.	Issue
	DA01	A





SITE FLOOR PLAN  
1:100

Issue	Date	Amendment
A	AUG24	ISSUED FOR DEVELOPMENT APPROVAL

By  
sgb

**sgb**  
drafting  
services

162 Smith Road  
Bullsbrook WA 6084  
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m 0400 508 585

architectural drafting and design service from concept to completion

Project  
**Lot 12 BINDA PLACE  
BINDOON**

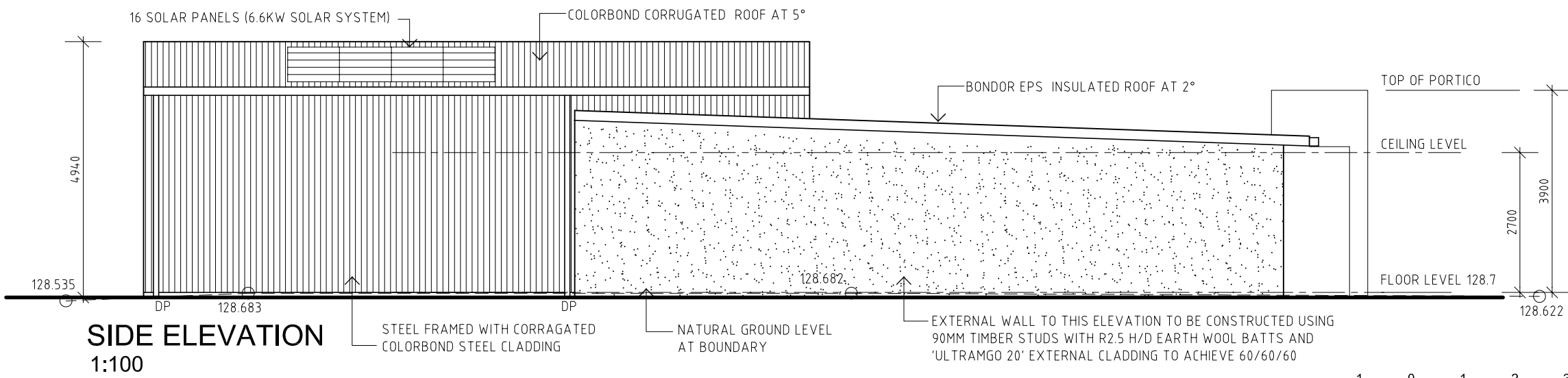
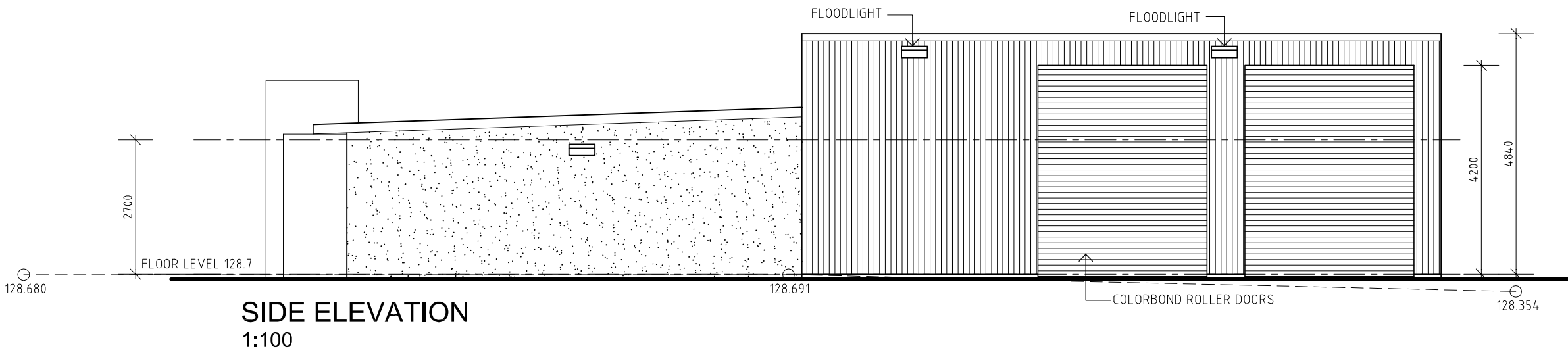
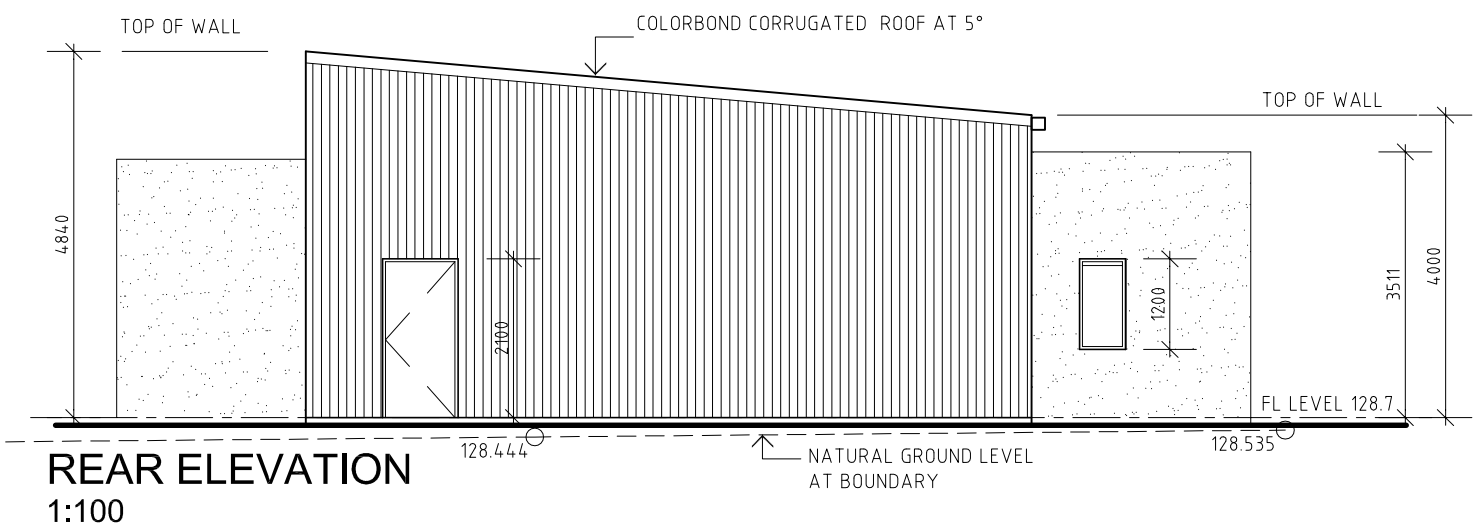
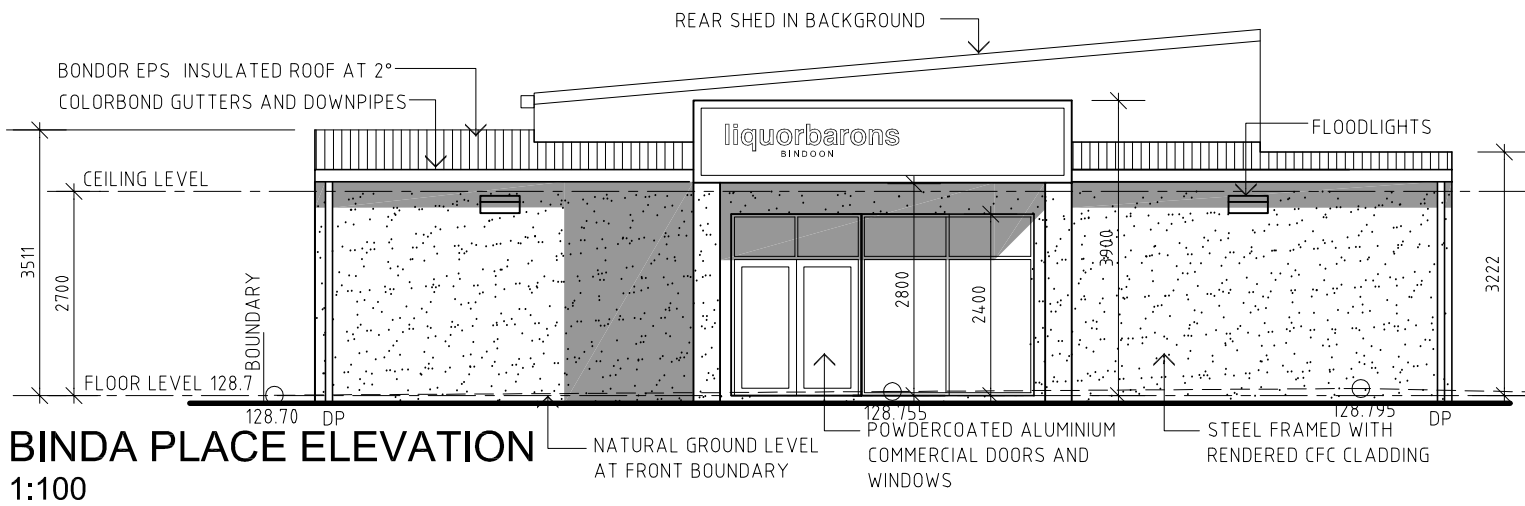
Title  
**SITE FLOOR PLAN**

Job No.	Date	Scale (@ A3)
	APR24	1:100
Drawn	Drawing No.	Issue

**DA02**

**A**





Issue	Date	Amendment
A	AUG24	ISSUED FOR DEVELOPMENT APPROVAL

By

sgb

sgb

drafting  
services

architectural drafting and design service from concept to completion

162 Smith Road  
Bullsbrook WA 6084  
p 08 9571 1847  
e sgbdraftingservices@bigpond.com  
m 0400 508 585

Project

**Lot 12 BINDA PLACE  
BINDOON**

Title

**ELEVATIONS**

Job No.	Date	Scale (@ A3)
	APR24	1:100
Drawn	Drawing No.	Issue
	DA04	A











5x Existing  
Car Bays  
Proposed to  
be used

Subject Site

Existing  
overflow  
parking  
proposed to  
be used

All staff members of  
the proposed liquor  
store are to utilise  
this overflow  
parking for the  
parking of their  
personal vehicles



## SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

AGENCY SUBMISSIONS			
Submitter	Comment	Proponent Response	Shire Officer Response
Department of Health	<p>The DoH provides the following comment which is in addition to advice provided by your local environmental health services in relation to this proposal:</p> <p>1. <i>Water Supply and Wastewater Disposal</i> Drinking Water: No objection subject to connection to drinking water supply provided by a licensed service provider.</p> <p>Wastewater:</p> <ul style="list-style-type: none"> <li>The wastewater treatment system(s) and land application area(s) will be required to meet all of the current requirements of the <i>Government Sewerage Policy 2019</i>. It should be noted that this area is a <i>Sewage Sensitive Area</i> (SSA) and the lot is next to a lake. The implications of this must be considered, and an onsite secondary treatment wastewater system will be required.</li> <li>The subject land may have issues with drainage for onsite wastewater disposal. Further advice will need to be sought with the Shire's environmental health officer regarding the requirement of a site-specific Site and Soil Evaluation as per AS/NZS 1547:2012 to ensure the land application area is located and sized appropriately.</li> <li>A formal wastewater application must be submitted for the Shires assessment and approval.</li> <li>Disposal of wastewater generated on site is required to comply with the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i>.</li> <li>Noting that the proposed septic and leach drains are a Polymaster unit. Only DoH approved product must be installed. See: Approved wastewater systems (health.wa.gov.au)</li> </ul> <p>2. <i>Food Act Requirements</i> Any handling of food (including alcohol) intended for sale, or sale of food at this facility will need to comply with the <i>Food Act 2008</i>, <i>Food Regulations 2009</i> and any relevant standards of the <i>Australia New Zealand Food Standards Code</i>. This includes the requirement to notify or register as a food business under the <i>Food Act 2008</i> with the appropriate enforcement agency (local government where the business is located) prior to commencing operating.</p> <p>More information on starting a food business can be found at <a href="https://www.health.wa.gov.au/Articles/S_T/Starting-a-food-business-in-WA">https://www.health.wa.gov.au/Articles/S_T/Starting-a-food-business-in-WA</a></p> <p>Should you have any queries or require further information please contact Vic Andrich on 9222 2024 or eh.eSubmissions@health.wa.gov.au</p>	<p>Main Water has been installed on the lot. This will be for drinking and amenities that are located on DA30_A</p> <p>Further Waste deposal information has been gathered form Monique Di Francesco and Greg Thompson. Unit that has been now proposed will be ACE1200. This is on the approved Shire waste management approval list. Please see current email attached for your reference on the application and system. Storm water draining is visible on the DA02_A drawing. This was a part of the submission.</p> <p>This ACT will be maintained as apart of the liquor licence. This will be the tenets responsibility to uphold any ACT that aligns with the sale of close liquor and closed food.</p> <p>11. <b>Food businesses that sell certain packaged food (s. 109)</b> For section 109 of the Act, a food business conducted at any premises is an <i>exempted food business</i> in respect of those premises if the food business consists solely of selling food —</p> <p>(a) that is not potentially hazardous food; and (b) that cannot be handled <del>in the course of</del> conducting the food business because the food is contained in a closed package.</p>	<p>Noted. An advice note has been placed on the recommendation advising the applicant of their requirement to obtain approval from the Department of Health.</p> <p>Noted.</p>
Department of Fire and Emergency Services	<p>I can now see that there is a BMS on page 9 which addresses generic bushfire protection criteria. I don't think I saw it before as it doesn't actually address the acceptable solutions. Usually a BMS will state A1.1 – compliant with location etc. but it doesn't do this, I think maybe because it cannot comply with Elements 1 and 2 so it has kind of ignored them. In some ways this might be a blessing for the applicant as it doesn't address the acceptable solution requirements of the old policy or the new one, however I think there is enough information provided to make an assessment against the bushfire protection criteria in SPP 3.7 2024.</p> <p>It is at your discretion as to whether the applicant needs to address the 2015 policy given he applied prior to November 18 or whether there is enough information provided to assess against the new 2024 policy. There is a transition period and there should be judgement call made on whether there is enough information for you to make a decision and for us to assess against the current policy framework. This is what my letter was alluding to, but maybe it wasn't very clear!</p> <p>I have made a brief assessment against the BPC for a commercial building in the Planning for Bushfire Guidelines.</p>	<p>I believe this has been resolved. In speaking to yourself and DFES. This building as meet the current requirements to be apart of the new 2024 policy. Looking at the current policy 3.7 Building Permits the 2019 edition of the BCA does not require class 4,5,6,7,8 or nine buildings. The rear of the building is class 8. The main retail area is build is 20+ meters away from the BAL-FZ. Retail area meets the building requirements above BAL-29 for this.</p>	<p>As the applicant submitted the application prior to November 18, 2024 when the new regulations came into effect, the Shire is willing to consider the application in accordance with the 2015 regulations.</p> <p>A condition has been placed on the recommendation to ensure that the applicant remains compliant with the bushfire attack level and planning report dated 21/07/2024.</p>

## SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

	<p>SPP 3.7 2024 <i>Bushfire Protection Criteria 7 – Commercial and Industrial</i> require a number of acceptable solutions to be addressed:</p> <table><tr><th>BPC 7 – Commercial and Industrial</th><th>Sufficient Information?</th></tr><tr><td>Element 1</td><td>not applicable</td></tr><tr><td>Element 2<ul style="list-style-type: none"><li>A2.1b the siting of a building in an area exceeding BAL-29 (BAL-FZ) should only be considered where:<ul style="list-style-type: none"><li>The lot was created prior to December 2015; and</li><li>There are demonstrated site characteristics and/ or biodiversity or conservation values that prevent the achievement of a radiant heat impact no exceeding BAL-29; and</li><li>It is demonstrated that the reduction in building footprint or a redesign to manage or mitigate the risk, is not practical or appropriate.</li></ul></li></ul></td><td>Your email below states the lot was created prior to 2015.  There are no conservation / biodiversity barriers on the lot.  The lot is small and it may be considered unreasonable to restrict the development to areas of BAL-29 or lower. The applicant is unable to manage the vegetation in the reserve.</td></tr><tr><td>Element 3 - A3.1 – private driveways</td><td>already addressed by the BMS submitted – can comply</td></tr><tr><td>Element 4 - A4.1 – firefighting water</td><td>Already addressed in the BMS submitted – can comply</td></tr></table> <p>Whether you would like the BMS updated to specifically state the new bushfire protection and acceptable solutions is at your discretion, but I think there is enough information provided.</p>	BPC 7 – Commercial and Industrial	Sufficient Information?	Element 1	not applicable	Element 2 <ul style="list-style-type: none"><li>A2.1b the siting of a building in an area exceeding BAL-29 (BAL-FZ) should only be considered where:<ul style="list-style-type: none"><li>The lot was created prior to December 2015; and</li><li>There are demonstrated site characteristics and/ or biodiversity or conservation values that prevent the achievement of a radiant heat impact no exceeding BAL-29; and</li><li>It is demonstrated that the reduction in building footprint or a redesign to manage or mitigate the risk, is not practical or appropriate.</li></ul></li></ul>	Your email below states the lot was created prior to 2015.  There are no conservation / biodiversity barriers on the lot.  The lot is small and it may be considered unreasonable to restrict the development to areas of BAL-29 or lower. The applicant is unable to manage the vegetation in the reserve.	Element 3 - A3.1 – private driveways	already addressed by the BMS submitted – can comply	Element 4 - A4.1 – firefighting water	Already addressed in the BMS submitted – can comply	<p>This submission as meet all the requirements in section. This was agreed when having communication with the shire and DFES. 3.7 page 14 Page 39 2.1B</p>	
BPC 7 – Commercial and Industrial	Sufficient Information?												
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PUBLIC SUBMISSIONS													
Submitter	Comment	Proponent Response	Shire Officer Response										
SUPPORT Jason McLachlan Bindoon	<p>I am writing to express my support for the establishment of a new liquor store at Lot 12 Number 17 Binda Place. As a [resident/business owner/member of the community], I believe that this business will contribute positively to our community in several ways.</p> <p>Liquor Baron Bindoon will provide to the town, such as: convenient access to quality products, job creation, economic growth, filling a gap in local services, etc. The addition of a well-managed and responsibly operated liquor store will not only meet the needs of our community but also enhance the commercial vitality of the area.</p> <p>I am confident that Liquor Baron Bindoon and their team will prioritize compliance with all applicable regulations, uphold high standards of responsibility, and maintain a safe, respectful environment for customers and neighbours alike.</p> <p>Our community thrives on small businesses like this proposed Liquor Store Name, and I am excited to see their plans come to fruition. I kindly urge Local Government/Decision-Making Body to consider approving this establishment, as it will be a valuable asset to our area.</p> <p>Thank you for considering my support for this initiative. Please do not hesitate to contact me if further input or information is required.</p>	No response required	Noted.										
SUPPORT Bradley Brown Lower Chittering	<p>This letter is to confirm that we support the opening of a locally owned liquor store in Bindoon town site that focuses on local Chittering Valley, Swan Valley, Perth Hills and Western Australian boutique wine brands. We would be happy to supply our wines from Stringybark Winery to Liquor Barons Bindoon should the store be approved to open. We would see this as an opportunity to extend our brand to both locals and tourists who travel through the town and an opportunity to increase awareness of the local wine industry from the chittering shire area.</p>	No response required	Noted.										
OPPOSED Andrew Watt Unknown location	<p>Re the proposed new store, will it be an independent liquor store or one of the major chains.</p> <p>To keep with the local vibe, if it is BWS or Dans or Liquorland , then I am opposed.</p> <p>If it is a local endeavour, then yes go ahead</p> <p>PS Why is the Thai food van not allowed to trade anymore in Bindoon, we need more night food outlets , not less</p> <p><i>[Subsequent submission after further information requested];</i></p> <p>Thank you, in regards to Liquor Barons , my answer is NO to the proposal. Already have a local liquor outlet and a Pub up the road , so NO to liquor Barons</p> <p>I await a response re the food van, ta</p>	See below	Commercial competition is not a valid planning reason to recommend refusal of this application. There is no set number or limit as to the amount of businesses that can occur in one locality.										

## SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

		The Scottalian Bindoon Hotel is under the liquor act as a consumer Hotel. This venue does not support for variety/bulk liquor sales Liquor Control Act 1988 <b>Part 3 — Licences and permits</b>	
<b>OPPOSED</b> <b>Anne Maree Hagge</b> <b>Jodie Mortadza</b> <b>Bindoon</b>	<p>We are writing on behalf of concerned community members and as a mental health student with a focus on social and harm minimisation issues, to express our apprehensions regarding the potential establishment of an additional alcohol supplier in Bindoon.</p> <p>As you know, Bindoon is a small community, and the density of alcohol outlets can have profound effects on our residents. Our community is already vulnerable, with approximately 10% of our school population identifying as Aboriginal and/or Torres Strait Islander. This demographic, alongside others who face socioeconomic challenges, may be disproportionately affected by increased access to alcohol.</p> <p>The National Alcohol Strategy articulates a clear need for local policies to improve community welfare, and we believe the local government must play a pivotal role in this initiative. While we continue to champion business and enterprise, it is equally vital that community awareness efforts regarding the effects of alcohol are strengthened through partnerships with Alcohol and Other Drug (AOD) organisations. Community access to local resources for addressing alcohol-related issues is crucial.</p> <p>Our growing concerns about alcohol-related violence, particularly against women and families in our community, cannot be overlooked. The intersection of rising living costs, coupled with limited access to support and prevention resources, suggests that the establishment of another alcohol outlet may lead to severe repercussions for vulnerable individuals and families.</p> <p>Of particular concern is the potential for this outlet to offer competitive or cheaper pricing, which could lead to an increase in alcohol consumption, especially in close proximity to our local school and community housing that accommodates at-risk families. This raises pressing safety questions, especially regarding the likelihood of alcohol-affected drivers on busy thoroughfares. The well-being of children returning home from school and seniors utilising mobility scooters must be prioritised.</p> <p>Furthermore, with a reduction in volunteer numbers for St John Ambulance and the significant distances to the nearest emergency services, we are alarmed by the potential health risks associated with increased alcohol availability. Considering the challenges associated with delayed response times from local law enforcement, we urge the Shire of Chittering to evaluate the issues related to alcohol harm in our community comprehensively.</p> <p>In conclusion, we implore the council to weigh the community's social health against the limited employment opportunities an additional outlet may provide. Before any decisions are made, we hope that verified health information and insights from relevant stakeholders are thoroughly considered to ensure that our community is protected from the potential harms associated with increased alcohol access.</p> <p>Thank you for considering our concerns. We hope to engage in a constructive dialogue about this pressing issue.</p> <p>Sincerely,</p> <p>Anne Maree Hagge &amp; Jodie Mortadza</p>	<p>Under the liquor licence application these topics/concerns are taken into consideration. Social impact on the area is submitted in the licence. The proposed liquor store would adhere to strict regulations and promote responsible alcohol consumption. Local ownership or operation ensures accountability and a commitment to serving the community responsibly.</p> <p><b>This will be reviewed in application by the Chief Health Officer has the meaning given in the Public Health Act 2016 section 4(1);</b></p> <p><b>Apart of the licence application process is below</b></p> <p>9.2. Preparing the tools for gathering public consumer evidence.</p> <p>9.3. Identifying and defining the relevant localit(ies).</p> <p>9.4. Researching various material for preparation of the Public Interest.</p> <p>9.5. Drafting a detailed PIA.</p> <p>9.6. Reviewing and incorporating material received from you and the tenant into the PIA.</p> <p>9.7. Drafting separate detailed Legal Submissions to support the PIA.</p> <p><b>9.8. Drafting the required Harm Minimisation Plan.</b></p> <p>9.9. Liaising with you and the tenant applicant to finalise the application.</p> <p>9.10. Attending to initial lodgement of the application with the Department.</p>	<p>The applicant is required to obtain the relevant approvals from the Department of Local Government, Sport and Cultural Industries to obtain a liquor licence under the <i>Liquor Control Act 1988</i>. As part of this process, they are required to demonstrate how the business will not negatively effect the locality.</p> <p>Shire officers cannot consider the reason that the proposal will have a negative effect on the community as a valid planning reason for refusal as it is not a contributing factor when conducting an assessment against the planning framework that is applicable to an application of this nature.</p> <p>This application was advertised to the relevant state agencies and immediate neighbours who may be impacted by the proposal, and it was also advertised on the Shire's website to allow the community to provide comment. As objections have been received by neighbours and the community, the application has been presented to the February 2025 Ordinary Council Meeting to be determined.</p>
<b>OPPOSED</b> <b>Steve Scott</b> <b>Bindoon</b>	<p>We are writing to formally object to the proposed liquor outlet by Diano Enterprises Pty Ltd in Bindoon, based on the following points:</p> <p>1. Failure to Meet Rural Character Standards</p>	Rural Character Standards? These lots are zoned commercial Business application is submitted and reviewed on all cases.	Commercial competition is not a valid planning reason to recommend refusal of this application. There is no set number or limit as to the amount of businesses that can occur in one locality.

<p>[See Appendix 1 for referenced petitions]</p>	<p>The proposed liquor outlet does not align with Binda Place's existing, family-friendly businesses, which include a butcher, hairdresser, bank, IGA grocery, bakery, petrol station, chemist, and dentist. These businesses are service-focused, meeting essential needs and creating a community-centered, welcoming environment. Bindoon's small-town appeal relies on businesses that support families and local values, and placing a new liquor outlet in Binda Place risks disturbing this delicate balance.</p> <p>2. Incompatibility with Townsite Zone Objectives</p> <p>According to Part 3 of the Shire's zoning objectives, the Townsite Zone (AMO 21 GG 3/4/09; AMO 62 GG 14/02/17) aims to:</p> <ul style="list-style-type: none"><li>- Offer a range of compatible uses that provide a high standard of services and facilities, while preserving Bindoon 's rural village character;</li><li>- Prohibit uses that could detract from the area's visual and residential amenity.</li></ul> <p>Approving a new liquor outlet, where an established business already serves the community, conflicts with these objectives. "Compatible uses" are those that coexist without introducing conflict. Adding a competing liquor outlet does not enhance the town's amenities but disrupts the character and harmony of Bindoon's small, community-oriented commercial landscape.</p> <p>3. Parking Limitations and Traffic Impact</p> <p>Parking capacity and traffic flow are also areas of concern. When Bindoon General Store sought to expand our existing liquor outlet, we were required to provide 12 additional parking bays to meet Shire standards. We question whether similar requirements will be enforced for this proposal, as increased traffic from a second liquor store could further strain parking infrastructure, impacting nearby businesses and diminishing accessibility and convenience for residents.</p> <p>4. Community Impact and Public Interest</p> <p>Approving an additional liquor store would not serve the public interest. Studies show that high outlet density correlates with increased alcohol-related harm, impacting community well-being. Bindoon's small population is already adequately served by the existing outlet, and adding another risks introducing harms associated with greater alcohol availability. A petition stating that the people of Bindoon do not favour this new liquor outlet is to accompany this letter.</p> <p>5. Inaccuracies in the Applicant's Submission</p> <p>The applicant's submission contains notable inaccuracies. The proposed delivery plan requires trucks to go the wrong way on a one-way street to reverse into the driveway, posing both a logistical challenge and a safety concern. Further, a supporting letter from Liquor Barons claims a need for a local liquor store focused on Chittering and Swan Valley wines, a need already met by the Bindoon General Store, which carries a wide variety from both regions. The application also claims that Bindoon residents must currently travel 40 minutes to access a liquor store with a reasonable range of products, suggesting a gap in availability. This statement is incorrect. The Bindoon General Store provides an extensive selection with over 115 wines, 61 beers, 51 spirits, and 50 ready-to-drink options. Additionally, Celebrations in Gingin and larger retailers like Coles and Woolworths which provide home deliveries in surrounding areas provide further access, underscoring that residents already have sufficient local options. These misrepresentations in the application do not reflect the current offerings or needs of Bindoon's residents.</p> <p>In Summary</p> <p>We respectfully urge the Shire of Chittering to consider these concerns and reject this application. The proposal does not align with the Townsite Zone objectives, compromises the integrity of local businesses, and presents unresolved design, parking, and community impact issues.</p> <p>Thank you for considering our perspective. We remain committed to supporting Bindoon's unique character and the well-being of our community.</p>	<p>1. This statement is incorrect how can you say that a business that is not operating yet does no align with the Family Friendly environment. The Tenets of this store will be locally involved and employ locals. Support local events. I believe this is a great place to build a liquor store for more foot traffic, It brings all the main suppliers into one common area for the locals to <b>PARK AND SHOP with convenience.</b></p> <p>2.This Scheme 6 does not have a section in the appendix that says we can't have another liquor building and prohibits competitive competition. PART 3 – ZONES AND THE USE OF LAND is only a guide.</p> <p>Current Business in the community currently do not serv the towns requirements. This store has limited stock and does not counter for personal requirements such as dietary needs. Business conflict is a part of growth this is competition that will increase towns footprint and increase foot traffic for the main street.</p> <p>3.Parking will not be an issue for the main road. The parks allocated for the business is 5 as attached. These will be occupied no longer than 40 mins max. Employee parking will be utilised in the main parking area next to the petrol station.</p> <p>4. This will be reviewed in liquor licence application and submitted to the. <b>Chief Health Officer has the meaning given in the Public Health Act 2016 section 4(1);</b> <b>9.8. Drafting the required Harm Minimisation Plan.</b></p> <p>5.This is not correct. The driveway will accommodate for delivers down the main street as per the direction required. Hardware has deliveries on a consistent bases and does not impact the local traffic.</p> <p>Home delivery is inconsistent and does not meet all the customers needs. <b>Liquor Control Act 1988 section 65</b> Conditions relating to sale and delivery of packaged liquor or liquor for consumption off licensed premises RSA: Responsible Service of Alcohol - Western Australia and the Racing, gaming and liquor Have strict guidelines on home delivery and consumption on supply per delivery.</p>	<p>Lot 12 is zoned as 'Townsite' in accordance with the Shire of Chittering Local Planning Scheme No. 6. An assessment has been completed for the application against all of the relevant planning framework. One aspect of this application is to ensure that the proposal is consistent with the objectives of the Townsite zone. Based on the information provided with the application, Shire officers are confident that the application complies with the objectives of the Townsite zone. A detailed analysis of this aspect of the application can be read in the 'Legislative Implications' section of this report.</p> <p>Extra parking is not possible to be provided on Lot 12 due to the legacy issues that have occurred along Binda Place. There has been no requirement for any of the developed lots along Binda Place to provide their own parking (or provide a cash-in-lieu payment) and therefore is it is not considered appropriate to apply parking requirements to this application.</p> <p>The submission mentions that their respective application required 12 additional parking bays be provided for their business. This business gets direct access/egress from Great Northern Highway and was required to provide 16 bays for their business. As Binda Place already provides parking options along Binda Place (and not along Great Northern Highway) this is not considered to be a similar application and therefore the same parking requirements cannot be applicable.</p> <p>Shire officers cannot consider the reason that the proposal will have a negative effect on the community as a valid planning reason for refusal as it is not a contributing factor when conducting an assessment against the</p>
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		<p>Apart of the liquor licencing submission that is still in progress we have identified that there is a requirement for more products that the General Store currently offers. Currently there is a review process that is done before. liquor licence application takes this factor into consideration.</p> <p>This application also takes into consideration town and area growth.</p> <p>We understand there may be concerns about the potential impact of a new liquor store, such as competition with existing businesses or social issues related to alcohol. See below</p> <p><b>Healthy Competition:</b> A new store can coexist with existing businesses by offering unique products, competitive pricing, and personalized service, ultimately benefiting consumers.</p> <p>Bindoon thrives when it offers diverse business options. A new liquor store would add to the retail landscape, supporting the broader goal of making our town a desirable and self-sufficient place to live, shop, and work.</p> <p><b>Economic Impact</b> A new liquor store would contribute positively to the local economy by:</p> <ul style="list-style-type: none"><li>• Creating jobs for local residents, both in retail and operations.</li><li>• Generating revenue for the town, which can be reinvested in community projects and infrastructure.</li><li>• Encouraging customers to shop locally rather than taking their business to other towns.</li></ul> <p>Below is a SKU/ by brand of product range that is held at a minimum for a liquor baron store email attached as supporting document.</p> <table><tr><th>Product</th><th>Minimum Varieties</th></tr><tr><td>Beer</td><td>200</td></tr><tr><td>Fortifieds</td><td>30</td></tr><tr><td>Casks</td><td>13</td></tr><tr><td>Red Wine</td><td>300</td></tr><tr><td>White Wine</td><td>200</td></tr><tr><td>Rose</td><td>40</td></tr><tr><td>Sparkling</td><td>80</td></tr><tr><td>Whiskeys</td><td>50</td></tr><tr><td>Bourbons</td><td>30</td></tr></table>	Product	Minimum Varieties	Beer	200	Fortifieds	30	Casks	13	Red Wine	300	White Wine	200	Rose	40	Sparkling	80	Whiskeys	50	Bourbons	30	<p>planning framework that is applicable to an application of this nature.</p> <p>As Binda Place is a one way street, logistics around delivery vehicles has always been a issue for existing businesses. This is due to a legacy issue from when the lots were first created. Other existing businesses (such as Mitre 10 and IGA) already face these logistics issues and have managed to successfully operate their business and also allow delivery trucks to safely operate. As such, Shire officers are confident that this application also allow delivery trucks to arrive at Lot 12 without causing further issues to Binda Place.</p>
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<b>OPPOSED</b> <b>Nick Humphry</b> <b>Bindoon</b>	<p>1. Excessive congestion in Binda Place during the busy hours of the day.</p> <p>2. No extra parking is being proposed. The only proposed vehicle access is a short narrow lane for deliveries. Maybe the block is too small for this proposal.</p> <p>3. The possible development of antisocial behaviour in Binda Place, especially in the evenings where trading after dark is proposed.</p> <p>4. The preservation of the mature tree is important for the greening of the precinct.</p>	<p>1. I don’t believe that this new retail outlet will cause any more congestion.</p> <p>2. Parking will not be an issue for the main road. The parks allocated for the business is 5 at attached. These will be occupied no longer than 40 mins max. Employee parking will be utilised in the main parking area next to the petrol station.</p> <p>3. Antisocial behaviour will be a part of the review <b>9.8. Drafting the required Harm Minimisation Plan.</b> But I believe that this will not be a contributing factor. Chinkabee complex/Bindoon Hotel sell open alcohol, and this does not increase antisocial behaviour. The proposed liquor store would adhere to strict regulations and promote responsible alcohol consumption. Local ownership or operation ensures accountability and a commitment to serving the community responsibly.</p>	<p>Extra parking is not possible to be provided on Lot 12 due to the legacy issues that have occurred along Binda Place. There has been no requirement for any of the developed lots along Binda Place to provide their own parking (or provide a cash-in-lieu payment) and therefore is it is not considered appropriate to apply parking requirements to this application.</p> <p>The applicant is required to obtain the relevant approvals from the Department of Local Government, Sport and Cultural Industries to obtain a liquor licence under the <i>Liquor Control Act 1988</i>. As part of this process, they are required to demonstrate how the business will not negatively effect the locality.</p> <p>As Lot 12 is zoned as ‘Townsite’, there is a level of expectation that the lots along Binda Place are to be used for commercial businesses. If the tree was to maintain on the property, the lot could never be developed on due to the location of the tree. Shire officers consider the removal of this tree to be acceptable.</p>														
<b>OPPOSED</b> <b>Jan Bishop</b> <b>Unknown location</b>	<p>PROPOSAL: RECOMMENDATION: NO INCREASE IN LIQOUR OUTLETS IN BINDOON WA.</p> <p>RATIONALE:</p> <p>CURRENT OUTLETS: 3 LIQUOR OUTLETS (established)</p> <p>POPULATION: 1,215 (SAL 2021)</p> <p>Bindoon is a SMALL COUNTRY town 84 kilometres from PERTH.</p>	<p>1. Apart of the liquor licencing submission that is still in progress we have identified that there is a requirement for more products that the General Store currently offers. Currently there is a review process that is done. liquor licence application takes this factor into consideration.</p>	<p>Commercial competition is not a valid planning reason to recommend refusal of this application. There is no set number or limit as to the amount of businesses that can occur in one locality.</p>														

	<p>1. The services already established in Bindoon provide a competent and customer focus environment which meets the needs of the people in this small country town.</p> <p>2. To provide another alcohol outlet without consulting or assessing the needs and wants of the people living in this town displays a lack of respect for the people or environment.</p> <p>3. The current service provided by the established outlets has proven to provide a safe and friendly environment.</p> <p>CURRENT OUTLETS</p> <p>HISTORICAL:</p> <p>BIN DOON GENERAL STORE: Historic General Store: Liquor, Lottery and Newsagent.</p> <p>Proudly Australian owned and family operated business.</p> <p>REVIEWS: excellent</p> <p>Comment: Reviews by real people "Is fun and easy way to find, recommend and talk about what is great and not so great in Bindoon and beyond".</p> <p>HOTEL: The hotel was built 1941 before the town was stablished and was known as Midland Railway tearooms.</p> <p>The hotel is a family owned and operated pub since 2010. This hotel is also an environment which is not only a liquor outlet but is a place where people meet and enjoy collegiality.</p> <p>BOWLING CLUB</p> <p>IS ANOTHER SOURCE FOR ALCOHOL. Meeting place for locals and sporting events.</p> <p>In conclusion to introduce another business selling alcohol is detrimental to other family-owned businesses who would obviously be impacted by this unwarranted proposal.</p> <p>This is a heritage town which has a small population and is a family, friendly and a safe environment and does NOT require another alcohol outlet.</p>	<p>This application also takes into consideration town and area growth.</p> <p>The current range and personal requirements are not met with the current stock levels</p> <p>2. We see a need for a sustainable business in town that has a 10 year + lease. Current business proposal will increase opportunity for town to shop local with competitive market and product range</p> <p>3. New proposed business with be operated by well experienced business owners that have 2 other stores. Locals will be employed to be a part of the business. Liquor Baron is a WA corporation family run.</p> <p>The Scottalian Bindoon Hotel is under the liquor act as a consumer Hotel. This venue does not support for variety/bulk liquor sales.</p> <p>Liquor Control Act 1988</p> <p><b>Part 3 — Licences and permits</b></p> <p>Bowling Club also sells open consumer alcohol this falls under</p> <p>Liquor Control Act 1988</p> <p><b>Part 3 — Licences and permits</b></p> <p>This venue does not support for variety/bulk liquor sales.</p>	<p>This application was advertised to the relevant state agencies and immediate neighbours who may be impacted by the proposal, and it was also advertised on the Shire’s website to allow the community to provide comment. As objections have been received by neighbours and the community, the application has been presented to the February 2025 Ordinary Council Meeting to be determined.</p>
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\*Note: Comments are as per original submission received by the Shire.

## APPENDIX 1 OF SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

## Petition to the Shire of Chittering

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**1. Granting the Application Would Not Be in the Public Interest**

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	Full Name	Address	Signature	Date
1	Hanna Ete	81 Sandpipe News Bindoon		2/11/24
Do We Need Another Liquor Store Yes or No & Reason NO no need for another Liquor Store				
2	ALAN T. CHAMBERS	LOT 15 FUSLER DA. BINDOON		2/11/24
Do We Need Another Liquor Store Yes or No & Reason NO NOT REQUIRED.				
3	JULIE D BROAD	32 Oarband Road, Bindoon		2/11/24
Do We Need Another Liquor Store Yes or No & Reason NO The town is NOT Big enough for another.				
4	JAN BISHOP	234 RIDGETOP RAMBLE BINDOON		JMB 2-11-2024
Do We Need Another Liquor Store Yes or No & Reason NO There is enough Retail there (NO)				
5	LES MYERS	647 BLUE PLAINS RD CHITTERING		2/11
Do We Need Another Liquor Store Yes or No & Reason NO ENOUGH OUTLETS FOR TWO KEW PEOPLE				

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	Full Name	Address	Signature	Date
6	Paul Worrell	58 Bonza Place Bindoon	P Worrell	2/11
	Do We Need Another Liquor Store Yes or No & Reason NO Enough liquore stores in town.			
7	Steve Allie	337 Forrest Hills Pl	S	2/11
	Do We Need Another Liquor Store Yes or No & Reason NO Already established liquore store in town.			
8	Rose Kinc	8 Alderway Drive Bindoon	RKinc	2/11
	Do We Need Another Liquor Store Yes or No & Reason NO I THINK THIS LIQUOR STORE IS SUFFICE			
9	Mr David Stalker	60 TEATREE RD BINDOON	[Signature]	2/11
	Do We Need Another Liquor Store Yes or No & Reason NO Already enough in Chittering.			
10	GARY WILKINSON	337 Spillman Rd Bindoon	GW	2/11/2
	Do We Need Another Liquor Store Yes or No & Reason NO Try another type of Business			

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	Full Name	Address	Signature	Date
11	PETER ROBT	171 FOREST HILLS PARADE	<i>[Signature]</i>	2-11-24
Do We Need Another Liquor Store Yes or No & Reason				
No NEED FOR ANOTHER LIQUOR STORE				
12	Robyn Edwards	877 Wells Cloues Rd	<i>[Signature]</i>	2-11-24
Do We Need Another Liquor Store Yes or No & Reason				
No need for anymore liquor stores				
13	DINNNE NOOLSON	LOT 801 G.N. HWY BINDOON	<i>[Signature]</i>	2-11-24
Do We Need Another Liquor Store Yes or No & Reason				
NE ALREADY HAVE ONE, NO NEED FOR MORE				
14	DAVID JOHN	250 RINGROD LAMBUS BINDOON	<i>[Signature]</i>	2-11-24
Do We Need Another Liquor Store Yes or No & Reason				
WE ALREADY HAVE ONE, FOR THE POPULATION				
15	PETER PRICE	135 COLKATOO DR, BINDOON	<i>[Signature]</i>	2/11/24
Do We Need Another Liquor Store Yes or No & Reason				
No need. Have enough supply already.				



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	Full Name	Address	Signature	Date
16	FREDERICK JAMES DUNSTON	74 GRAY ROAD BINDOON		2/11/24
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason				
- SMALL TOWN ALREADY SERVICED BY LIQUOR STORE - ANOTHER NOT NEEDED				
17	Simon Read	43 Settlement Rd Bindoon		2/11/24
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason				
TOWN TOO SMALL				
18	FRANCIS WHITTON	31 HIPAWAY DR BINDOON		2/11/24
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason				
POPULATION IS ALREADY WELL SERVICED				
19	Fran Canning	60 GRAY RD BINDOON		2/11/24
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason				
ADEQUATE SERVICE ALREADY PROVIDED				
20	S. WILLS	1/8 EDMONDS PL BINDOON		2-11-24
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason				
ENOUGH OUTLETS ALREADY.				

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	Full Name	Address	Signature	Date
21	Wenda Martin	97 Gray Rd Bindoon	[Signature]	2/11/21
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason small town & no requirements			
22	Jean BRIDGATE	90 Gray Rd Bindoon	[Signature]	2/11/21
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Not necessary			
23	Bruce GARLAND	196 RIGBY RD Bindoon	[Signature]	2/11/21
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason TRY ANOTHER BUSINESS			
24	Jacinda KAY	53 Crest Hill Rd Bindoon	[Signature]	2/11/21
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Don't need another one.			
25	BRUCE WHITE	57 CAMMERAY CLOSE Bindoon	[Signature]	2/11/21
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Not necessary as the town is too small to support 2 liquor stores			



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	Full Name	Address	Signature	Date
26	ROSS Norman Weir	6060 Great NTH BINDOON		2-11-2
	Do We Need Another Liquor Store			
	Yes or <input checked="" type="radio"/> No & Reason			
	Enough liquor outlets in town			
27	CLINT PAULYN	5 BRIAR LANE BINDOON		2-11-2
	Do We Need Another Liquor Store			
	Yes or <input checked="" type="radio"/> No & Reason			
	NOT Required we have Local support.			
28	CHRYL MARTIN	6335 ST. ANNA'S BINDOON		2/11/2
	Do We Need Another Liquor Store			
	Yes or <input checked="" type="radio"/> No & Reason			
	we don't need another liquor store.			
29	LYNN LANGRISH	321 BLUE PUMPS RD BINDOON		2/11/2
	Do We Need Another Liquor Store			
	Yes or <input checked="" type="radio"/> No & Reason			
	WE HAVE SUFFICIENT ACCESS TO A LIQUOR OUTLET IN TOWN.			
30	SONJE CLARK	167 GRAY RD BINDOON		2/11/2
	Do We Need Another Liquor Store			
	Yes or <input checked="" type="radio"/> No & Reason			
	DONT NEED ANOTHER LIQUOR STORE.			

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	Full Name	Address	Signature	Date
31	Julie Henderson	2 CASUARINA PL. BINDOON	[Signature]	2/11/24
Do We Need Another Liquor Store Yes or <u>No</u> & Reason TOWN IS TOO SMALL				
32	KEITH ABBOTT	7 MYRTLE WAY BINDOON	[Signature]	2/11/24
Do We Need Another Liquor Store Yes or <u>No</u> & Reason KEEP OUR LOCAL GENERAL STORE				
33	SHANE PILLS	60 BONZA PLACE BINDOON	[Signature]	2/11/24
Do We Need Another Liquor Store Yes or <u>No</u> & Reason BINDOON DOESN'T NEED MORE LIQUOR OUTLETS				
34	Isaac Listerfield	18 Sunburst Ave Chittering	[Signature]	2/11/24
Do We Need Another Liquor Store Yes or <u>No</u> & Reason The				
35	Meep Langridge	7/11 Edmonds St Bindoon	[Signature]	2-11
Do We Need Another Liquor Store Yes or <u>No</u> & Reason too much Competition				

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	Full Name	Address	Signature	Date
36	RO. CHERRITON	138 GRAY BL BINDOON	<i>[Signature]</i>	2-11-24
	Do We Need Another Liquor Store Yes or No & Reason <i>To Much Competition</i>			
37	Julie DUZEVICH	116 Ridgeway Rumble, BINDOON	<i>[Signature]</i>	2-11-24
	Do We Need Another Liquor Store Yes or No & Reason <i>The General Store is a long standing business and we are happy with that - Will be too much competition!</i>			
38	DERIAN BRADB	TO HART DUE CHITTERING	<i>[Signature]</i>	3/11/24
	Do We Need Another Liquor Store Yes or No & Reason <i>HAVE ENOUGH</i>			
39	TILLY STEVENS	136 WIRE RD MUCKENBURRA	<i>[Signature]</i>	3/11/24
	Do We Need Another Liquor Store Yes or No & Reason <i>I ♥ STEVE</i>			
40	Georgia Rose	NWC Highway	<i>[Signature]</i>	3/11/24
	Do We Need Another Liquor Store Yes or No & Reason <i>Support this General Store as a bottleo .u.</i>			

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	Full Name	Address	Signature	Date
41	Chelsea Foote	39 Briar Lane Bindoon	<i>[Signature]</i>	2/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <b>NO</b> Move than enough liquor outlets & options.				
42	Tracy Shepherd	139 Ridge-top Rumble Bindoon	<i>[Signature]</i>	2/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <b>NO</b> Just do not need a new shop.				
43	Kylie Jones	222 Forrest Hills Rd Bindoon	<i>[Signature]</i>	2/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <b>NO</b> already have 2 outlets in town!				
44	COLIN STEVEN GLOVER	51 BRIDGES ROAD BINDOON	<i>[Signature]</i>	2/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <b>NO</b> WE ALREADY HAVE ENOUGH OUTLETS				
45	JOHN SHANDERS	22 PARKSIDE Garden BINDOON	<i>[Signature]</i>	2-11-24
Do We Need Another Liquor Store				
Yes or No & Reason <b>NO</b> No Need.				
absolutely NOT				

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46	Simon Wood	269 Cassin Rd, Bindoon	[Signature]	3/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <u>NO. NOT IN PUBLIC INTEREST</u>				
47	CHRIS HAYWOOD	89 GRAY ROAD BINDOON 6502	C.H. Haywood	3/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <u>WE DONT NEED MORE LIQUOR STORE</u>				
48	1 DAM ZEMUNIK	7 CASUARINA CIRCLE BINDOON	D. Zemanek	3/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <u>For the size of Bindoon we don't need 2 winners everyone intends to be an alcoholic</u>				
49	CHARLIE GAGE	8631 GRT NTH HWY	[Signature]	3/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <u>NOT IN THE PUBLIC INTEREST</u>				
50	John C Woolgane	LOT 881 Bindoon	J.C. Woolgane	3-11-24
Do We Need Another Liquor Store				
Yes or No & Reason <u>NO. already got one</u>				

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We the undersigned, do formally request Councils consideration:

**Subject: Opposition to the Proposed Liquor Outlet in Bindoon on Public Interest Grounds**

We, the undersigned residents, businesses, and supporters of Bindoon, respectfully petition the Shire of Chittering to reject the proposed new liquor outlet in Binda place on the following grounds, in accordance with section 74 of the Racing, Gaming and Liquor Act.

**1. Granting the Application Would Not Be in the Public Interest**

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	Full Name	Address	Signature	Date
51	NELL KAY	111 CRESTVIEW ROAD BINDOON	<i>[Signature]</i>	3/11/24
	Do We Need Another Liquor Store Yes or <u>No</u> & Reason POPULATION NOT BIG ENOUGH			
52	KIM HART	6155 GT NORTHERN HWAY	<i>[Signature]</i>	3/11/24
	Do We Need Another Liquor Store Yes or <u>No</u> & Reason NOT IN TOWNS BEST INTEREST			
53	Peter Goodhill	6591 GREAT NORTHERN HWY	<i>[Signature]</i>	3/11/24
	Do We Need Another Liquor Store Yes or <u>No</u> & Reason DONT NEED ANY MORE			
54	RE KENNEDY	830 FLAT ROCKS RD. BINDOON	<i>[Signature]</i>	3/11/24
	Do We Need Another Liquor Store <del>Yes</del> or No & Reason NOT GOOD FOR COMMUNITY WELL BEING. EXTRA RESTRAINTS NEEDED FIRST.			
55	Daniel Bradley	16 Lakeside drive Bindoon	<i>[Signature]</i>	3/11/24
	Do We Need Another Liquor Store Yes or <u>No</u> & Reason not in public interest			



## APPENDIX 1 OF SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

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	Full Name	Address	Signature	Date
56	ANN ACKERMAN	171 FORREST HILLS POE BINDOON	<i>[Signature]</i>	3/11/21
Do We Need Another Liquor Store				
Yes or No & Reason We all ready have a General store & a pub to buy Alcohol				
57	NICK ACKERMAN	171 FORREST HILLS POE BINDOON	<i>[Signature]</i>	3/11/21
Do We Need Another Liquor Store				
Yes or No & Reason AS 56				
58	<i>[Signature]</i>	6062 Great Northern Hwy, Bindoon	<i>[Signature]</i>	3/11/21
Do We Need Another Liquor Store				
Yes or No & Reason Already have one present. Social issues.				
59	Sandy Edwards	14 Forrest Hills - Pole	<i>[Signature]</i>	3/11/21
Do We Need Another Liquor Store				
Yes or No & Reason No we need a Take Away / cafe.				
60	Wayne Knight	42 Ridgeway Bendale Bindoon	<i>[Signature]</i>	3/11/21
Do We Need Another Liquor Store				
Yes or No & Reason 2 is enough.				

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	Full Name	Address	Signature	Date
61	Cassidy Ricketts	42 Windemere way Bindoon WA	[Signature]	3/11/24
	Do We Need Another Liquor Store Yes or <b>No</b> & Reason			
62	Nikole Tasovac	PO Box 5 Bindoon	[Signature]	4/11/24
	Do We Need Another Liquor Store Yes or <b>No</b> & Reason NOT REQUIRED			
63	Malcolm McQuaid	PO Box 5 Bindoon	[Signature]	4-11-24
	Do We Need Another Liquor Store Yes or <b>No</b> & Reason BAD FOR LOCALS			
64	STAN PIETRASZEK	PO Box 61 BINDOON	[Signature]	4/11/24
	Do We Need Another Liquor Store Yes or <b>No</b> & Reason LO TO REQUIREMENTS			
65	GEOFF REYNOLD	68 BARN RD Bindoon	[Signature]	4/11/24
	Do We Need Another Liquor Store Yes or <b>No</b> & Reason Don't need, will ruin town			



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	Full Name	Address	Signature	Date
66	Nicky Harvey	Lot 82 Flame N-Harvey St Bindoon	N-Harvey	4-11-20
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason <input checked="" type="radio"/> Bad for store's business				
67	Christine McWilliam	25 Bittern Pl Chittering	Ch	4-11-20
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason <input checked="" type="radio"/> Very happy with existing service				
68	JIM MCWILLIAMS	25 BITTERN PLACE CH 6054	Jim Williams	4-11-20
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason <input checked="" type="radio"/> ENOUGH				
69	JOHN MEDDITCH	COCKATOO 8/E	John Medditch	4-11-20
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason <input checked="" type="radio"/> ENOUGH				
70	SIBERN LLOYD	34 WOODLAND LANE	SL	4-11
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason <input checked="" type="radio"/> TO MANY				

## APPENDIX 1 OF SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

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	Full Name	Address	Signature	Date
71	Chapman	2 Teal Plce	[Signature]	4.11.2
	Do We Need Another Liquor Store Yes or No & Reason <input checked="" type="radio"/> No we don't need another liquor store			
72	EC Humphreys	lot 21 Cameray Rd Bindoon	[Signature]	2024/
	Do We Need Another Liquor Store Yes or No & Reason <input checked="" type="radio"/> No Two liquor outlets are not required.			
73	Brian Hayward	89 Gray Rd.	B J Hayward	5-11-24
	Do We Need Another Liquor Store Yes or No & Reason <input checked="" type="radio"/> No We don't need another liquor store			
74	Susan Rantledge	24 Orchard Rd Bindoon	[Signature]	5/11/24
	Do We Need Another Liquor Store Yes or No & Reason <input checked="" type="radio"/> No Dont need another one.			
75	Patricia McAniff	14 Whistler Close Bindoon	PMcAniff	5/11/24
	Do We Need Another Liquor Store Yes or No & Reason <input checked="" type="radio"/> No We don't need another liquor store			

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	Full Name	Address	Signature	Date
76	D. Fenton	153 Patersonia Rd Chittering	[Signature]	5/10/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Loose lotto agency				
77	Janet Barlow	84 TERTREE RD	[Signature]	5.11.24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Loose lotto agency				
78	Katrina Johnson Stewart	418 Edmonds Place	[Signature]	5.11.24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Loose lotto store				
79	GREG MACFARLANE	6491 GREAT NORTHERN HWY	[Signature]	5/11/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Loose Newsagency & Local History				
80	PEARLDINE MACFARLANE	6491 G.F. NORTHERN HWY. BINDOON	[Signature]	5/11/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason LOCAL HISTORY & LOOSE NEWSAGENCY (GREAT STORE.)				

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	Full Name	Address	Signature	Date
81	Shaun O'Donnell	93 Pioneer dr		5/Nov
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason Coz Steve is goated				
82	BRIAN COLLIER	24 PARKVIEW Rise		5 NOV
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason Don't need another one.				
83	LISA GILIE	23 Sandpiper PLANS	Le	5/11/25
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason Already a perfectly good liquor store in town. The town is crying out for a gym instead				
84	Deacon Hodgson	24 BOTTLEBRUSH PLACE	Hodgson	5/11
Do We Need Another Liquor Store				
Yes or <input checked="" type="radio"/> No & Reason Steve is the only bloke who's gonna be there 141 boy maybe				
85	John Trevor Williams	150 Bindoon-Moora Rd Bindoon	Williams	5/11/25
Do We Need Another Liquor Store				
Yes or No & Reason NO (5 other outlets)				



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	Full Name	Address	Signature	Date
86	Wade Hele	208 FOREST HILLS RD Bindoon	Wade Hele	6 Nov 24
Do We Need Another Liquor Store				
Yes or No & Reason NO				
87	DEIDRE MARCHESE	3252 CHITTERING RD CHITTERING	D	6/11/24
Do We Need Another Liquor Store				
Yes or No & Reason No Great Service + Products. Don't want to lose news Agent				
88	R. BREW	116 Ridgeway Ramble Bindoon	R. Brew	7/11/24
Do We Need Another Liquor Store				
Yes or No & Reason we have one				
89	SUE CARTER	3 Casuarina Rd BINDOON	Sue Carter	7/11/24
Do We Need Another Liquor Store				
Yes or No & Reason				
90	WALTER HOGE	196 RIDGETOP RAMBLE BINDOON	Walter Hoge	7/11/24
Do We Need Another Liquor Store				
Yes or No & Reason DEFINITELY NOT REQUIRED! DEFINITELY				

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	Full Name	Address	Signature	Date
91	Dylan Fraser	32 Fore Stay Turn		7/11/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason This Community has a general store for that reason & could have something more valuable to the community built there!				
92	ROBERT TAYLOR	903 WELLS GLOVER RD	BINDOON	6502
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason  7/11/2024				
93	S. ONTO TAYLOR	903 WELLS GLOVER RD	BINDOON	6502
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason ALREADY SEVERAL LIQUOR OUTLETS, UNFAIR COMPETITION. LOSS LIVELIHOOD! 7.11.24				
94	Mrs HG Bennison	27 Kingfisher CRT BINDOON	042781420	8/11/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason It will impact Community, Newsagent, implications of young people access to cheap alcohol & relevant accidents.				
95	STUART FRASER	24 EVERGREEN RISE, BINDOON		8-11-24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason NO NEED, AS ALREADY HAVE IN THE GENERAL STORE. NOT A RESISTIVE WAY FORWARD FOR THE COMMUNITY.				

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	Full Name	Address	Signature	Date
96	DEBRA	SVILICHT 105	Pinoepeer	9-11-24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason WE HAVE 3 VENUES ALREADY THAT SELL ALCOHOL DR Bindoon				
97	MARK GANNON	15 FLAME ST BINDOON		9/11/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason The townships will survive at the street.				
98	LILIAN MCDONALD	3 WENTWORTH ST YANCHEP	L O MCDONALD	10/11/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason We have already got one.				
99	JOHN MCDONALD	SWETWORTH Bindoon	9/11/24	10-11-24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason NO ENOUGH LIQUOR ALL READY				
100	Mel Willard	223 Ridgetop Rumble	Myth	10/11/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason NO. We already have a great bottle shop.				



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	Full Name	Address	Signature	Date
101	Stella Macintyre	81 Wells Glover Bindoon	[Signature]	11/11/24
Do We Need Another Liquor Store Yes or No & Reason Don't want News Agent to close				
102	BOR PARSONS	81 Wells Glover Rd Bindoon	[Signature]	11/11/24
Do We Need Another Liquor Store Yes or No & Reason				
103	Anthony Lange	6549 Great Northern Hwy	[Signature]	11/11/24
Do We Need Another Liquor Store Yes or No & Reason NEED A Liquor outlet. STOP LARGE CORPORATIONS				
104	CLIVE CRIFKITS	13 WOODLAND KANE BINDOON	[Signature]	11/11/2024
Do We Need Another Liquor Store Yes or No & Reason NO NEED FOR ANOTHER OUTLET				
105	PETER FLORIAN	45 OVERMAN BINDOON	[Signature]	12-11-24
Do We Need Another Liquor Store Yes or No & Reason Because we want to keep existing business and news agent.				



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	Full Name	Address	Signature	Date
106	CARLA WOODS	734 BINDOON MOORA KA MOOLABEENEE	CMW	12-11-24
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason DIMISE OF SMALL BUSINESS			
107	PAUL PAGE	246 FORREST HILLS PDE BINDOON	Paul	13-11-24
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Don't need more. We already have a liquor store and Hotel.			
108	Jaclyn Faulkner	28 Reserve Rd Muchea	Jaclyn	15/11/24
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Already enough in town, kill small business			
109	John Suthall	28 Reserve Rd Muchea	JS	15/11/24
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason Not needed			
110	P Humphrey	450 Hart Ave Chittering	P Humphrey	14-11-24
	Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason what we have is sufficient. he. does service well			

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	Full Name	Address	Signature	Date
111	MAL JOHNSON	74 HART DRIVE CHITTERING		14/11/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason TOO IMPERSONAL WITH TWO WE ARE COUNTRY.				
112	MEGAN SMITH	30 COTTLEBUSH PL BINDOON		14/11/24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason I already have multiple liquor venues licences in close proximity. Application is ridiculous.				
113	Diane Fraser	24 Evergreen Rise Bindoon		15-11-24
Do We Need Another Liquor Store <input checked="" type="radio"/> Yes or <input checked="" type="radio"/> No & Reason Definitely Not.				
114	LINDSAY MACFARLANE	6491 GENORTHEN HWY BINDOON		15-11-24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason ALLREADY ENOUGH OUTLETS				
115	MARGARET de Josselin	LOT 82 FLAME ST Bindoon		16-11-24
Do We Need Another Liquor Store Yes or <input checked="" type="radio"/> No & Reason <input checked="" type="radio"/> NO RESTERANT FOR ALL COMMUNITY CAN USE.				



## APPENDIX 1 OF SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

## Petition to the Shire of Chittering

To the Shire President

We the undersigned, do formally request Councils consideration:

**Subject: Opposition to the Proposed Liquor Outlet in Bindoon on Public Interest Grounds**

We, the undersigned residents, businesses, and supporters of Bindoon, respectfully petition the Shire of Chittering to reject the proposed new liquor outlet in Binda place on the following grounds, in accordance with section 74 of the Racing, Gaming and Liquor Act.

**1. Granting the Application Would Not Be in the Public Interest**

The Bindoon General Store has been a longstanding and valued contributor to the wellbeing and vitality of Bindoon, providing local employment, supporting local sports clubs and charities, and strengthening community ties. The store already offers a good range of alcohol, including local wines, meeting the community's needs and promoting local producers. Introducing another liquor outlet would threaten the viability of this established business, placing at risk essential services such as our newsagency, Lotterywest services, and ongoing community initiatives. Approving a new liquor license would therefore not be in the public interest, as it would compromise the store's ability to continue supporting Bindoon's community needs and economic resilience.

Name, address and contact details to which correspondence in respect of this petition should be addressed. Stephen Scott: PO Box 195, 6159 Great Northern Hwy, Bindoon WA 6502.

	Full Name	Address	Signature	Date
116	John Minkler	NO 3 BUTLERST MOULDER	[Signature]	16/11/21
Do We Need Another Liquor Store Yes or <u>No</u> & Reason				
ALREADY OUTLET AT GLENVIEW + 13 miles				
117	Grace Fletcher	Owen Road, Bindoon	[Signature]	16/11/21
Do We Need Another Liquor Store Yes or <u>No</u> & Reason				
Already have a suitable business.				
118	KERRY GRANT	20 SANDPIPER MEWS BINDOON	K. Grant	16/11/21
Do We Need Another Liquor Store Yes or <u>No</u> & Reason				
119	IAN PENFOLD	356 HART DRIVE BINDOON	[Signature]	18.11.21
Do We Need Another Liquor Store Yes or <u>No</u> & Reason				
ONE IS ENOUGH				
120	IRAM BERRIMAN SEKH	250 MURRAY GREEN CIRCLE WARRAGONG	[Signature]	19.11.21
Do We Need Another Liquor Store Yes or <u>No</u> & Reason				

## APPENDIX 1 OF SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

## Petition to the Shire of Chittering

To the Shire President

We the undersigned, do formally request Councils consideration:

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**1. Granting the Application Would Not Be in the Public Interest**

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Name, address and contact details to which correspondence in respect of this petition should be addressed. Stephen Scott: PO Box 195, 6159 Great Northern Hwy, Bindoon WA 6502.

	Full Name	Address	Signature	Date
121	KEN DOSTLE	23 SANDPIPER MEWS	[Signature]	19/11/24
Do We Need Another Liquor Store Yes or No & Reason <i>This is enough opportunity to purchase</i>				
122	JANE ANDERSON	33 Church Rd, Bindoon	[Signature]	19/11/24
Do We Need Another Liquor Store Yes or No & Reason <i>We are already well served for Alcohol in Bindoon store.</i>				
123	BLAIN'S HARRIS	109 COCKATOO DR BINDOON	EH	20/11/24
Do We Need Another Liquor Store Yes or No & Reason <i>Not needed</i>				
124	Storotherson	27 Bryn St Coombetdale	[Signature]	19/11/24
Do We Need Another Liquor Store Yes or No & Reason <i>The current liquor suppliers meet population needs</i>				
125	RODNEY LESTER	109 COCKATOO DR BINDOON	EH	20/11/24
Do We Need Another Liquor Store Yes or No & Reason <i>ISNT REQUIRED</i>				



## APPENDIX 1 OF SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

## Petition to the Shire of Chittering

To the Shire President

We the undersigned, do formally request Councils consideration:

**Subject: Opposition to the Proposed Liquor Outlet in Bindoon on Public Interest Grounds**

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Name, address and contact details to which correspondence in respect of this petition should be addressed. Stephen Scott: PO Box 195, 6159 Great Northern Hwy, Bindoon WA 6502.

	Full Name	Address	Signature	Date
126	Heben Finn	854 Forest Hills Parade, Bindoon	[Signature]	20/11/24
Do We Need Another Liquor Store Yes or No & Reason We should be supporting local and long term business owners.				
127	Afon Edwards	877 Wilms Grouse, Bindoon	[Signature]	21/11/24
Do We Need Another Liquor Store Yes or No & Reason 3 in town now - To many.				
128	J. BEMELL	72 GRAY RD BINDOON	[Signature]	21/11/24
Do We Need Another Liquor Store Yes or No & Reason NO * We already have a liquor store (Coles & Woolworth) Delivery Service to the AREA.				
129	Marayla evenis	6155 Great Northern Highway Bindoon	ME	21/11/24
Do We Need Another Liquor Store Yes or No & Reason WE need a GYM				
130	Chris Smart	37 BRAR LANE BINDOON	[Signature]	21/11/24
Do We Need Another Liquor Store Yes or No & Reason The general store has been operating in Bindoon for over 20 years. There is no requirement for another liquor outlet as there are sufficient suppliers available.				

## APPENDIX 1 OF SCHEDULE OF SUBMISSIONS – LIQUOR STORE; 17 BINDA PLACE, BINDOON

## Petition to the Shire of Chittering

To the Shire President

We the undersigned, do formally request Councils consideration:

**Subject: Opposition to the Proposed Liquor Outlet in Bindoon on Public Interest Grounds**

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Name, address and contact details to which correspondence in respect of this petition should be addressed. Stephen Scott: PO Box 195, 6159 Great Northern Hwy, Bindoon WA 6502.

	Full Name	Address	Signature	Date
131	PETER HAYWARD	165 Forrest Hill Parade Bindoon	[Signature]	20/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <b>FRIENDLY LOCAL SERVICE + LOTTO</b>				
132	DEAN SCOTT	37 FUSCHIA PL. BINDOON	[Signature]	22/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <b>CURRENTLY OVERSUPPLIED.</b>				
133	RHONDA WALSH	21 FORREST HILLS PDE BINDOON		
Do We Need Another Liquor Store				
Yes or No & Reason <b>No NOT NEEDED</b>				
134	JAN NIVEN	30 ROBIN GROVE, BINDOON	[Signature]	23/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <b>NOT NEEDED - ALREADY GOT A LOCAL FRIENDLY STORE</b>				
135	MARK PAGE	246 FORREST HILLS PDE BINDOON	[Signature]	23/11/24
Do We Need Another Liquor Store				
Yes or No & Reason <b>WE ALREADY HAVE OUTLET. SUPPORT LOCAL.</b>				





# Bushfire Attack Level & Planning Report



31°22'59", 116°5'40", 107.8m, 253°

Produced Applying AS 3959:2018 Bushfire Attack Level Determination Methodology

**Lot 12 (17) Binda Place, Bindoon**



**Shire of Chittering**

**Report Date: 21 August 2024**

**Job Reference No: 240626**

## COMPANY AND BUSHFIRE CONSULTANT DETAILS

BPP GROUP PTY LTD  
 T/A BUSHFIRE PRONE PLANNING  
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 SUITE 11, 36 JOHNSON STREET  
 GUILDFORD WA 6055  
 PO BOX 388  
 GUILDFORD WA 6935  
 08 6477 1144 | admin@bushfireprone.com.au

I hereby declare that I am a BPAD accredited bushfire practitioner.		
Accreditation No.	BPAD 27794	
Signature		
Date	21 August 2024	

Authorised Practitioner Stamp

Author: Selina Hutcheon  
 Reviewed: Kathy Nastov (BPAD Level 3 No. 27794)

## ASSESSMENT AND REPORT DETAILS

Version	Details	Site Assessment Date	Report Date
1.0	Original	15 August 2024	21 August 2024
-	-		

**Report Preparation:** This report has been prepared by an accredited BPAD practitioner using the simplified BAL determination procedure (Method 1) as detailed in section 2 of AS 3959:2018.

**Warranty of the Accrediting Body:** FPA Australia makes no warranties as to the accuracy of the information provided in the report. All enquiries related to the information and conclusions presented in this report must be made to the BPAD Accredited Practitioner.

**Period of Validity:** Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the accredited practitioner and where required an updated report and/or BAL certificate issued.

**Limitations:** The protection measures that will be implemented based on information presented in this report are minimum requirements and they do not guarantee that buildings or infrastructure will not be damaged in a bushfire, persons injured, or fatalities occur either on the subject site or off the site while evacuating.

This is substantially due to the unpredictable nature and behaviour of fire and fire weather conditions. Additionally, the correct implementation of the required protection measures (including bushfire resistant construction) and any other required or recommended measures, will depend upon, among other things, the ongoing actions of the landowners and/or operators over which Bushfire Prone Planning has no control.

All surveys, forecasts, projections and recommendations made in this report associated with the proposed development or use are made in good faith based on information available to Bushfire Prone Planning at the time. All maps included herein are indicative in nature and are not to be used for accurate calculations.

Notwithstanding anything contained therein, Bushfire Prone Planning will not, except as the law may require, be liable for any loss or other consequences whether or not due to the negligence of their consultants, their servants or agents, arising out of the services provided by their consultants.

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## 1 PROPOSED BUILDING WORKS OR USE

Planning Stage	Development Application
Subject Lot/Site Total Area	600 m <sup>2</sup>
Primary Building Work and/or Use	Construction of a habitable building other than a single house or ancillary dwelling
Associated Building	N/A
Main Class of Building - Building Code of Australia (NCC)	Class 7b
Description of Proposed Development/Use	
<p>Construction of a new commercial workshop building with office/retail space and staff rooms.</p> <p>The proposed building is a class 7b building which is considered a habitable building but will not be used for overnight stays. The building is located in BAL-FZ, which is unavoidable due to the offsite vegetation. This is a legacy issue which cannot be remediated by the property owner.</p>	

Issue	Date	Amendment
DS02 - 02/25	JUN24	ISSUED FOR PRELIM DA

By

sgb

162 Smith Road  
Bullbrook WA 6084  
P 08 9571 1847  
e sgbdrafting@sgbgroup.com  
m 0400 508 585

Project

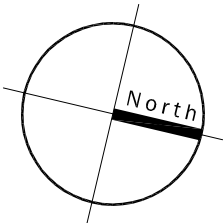
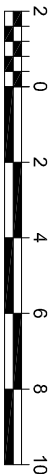
Lot 12 BINDA PLACE  
BINDOON

Title
SITE PLAN

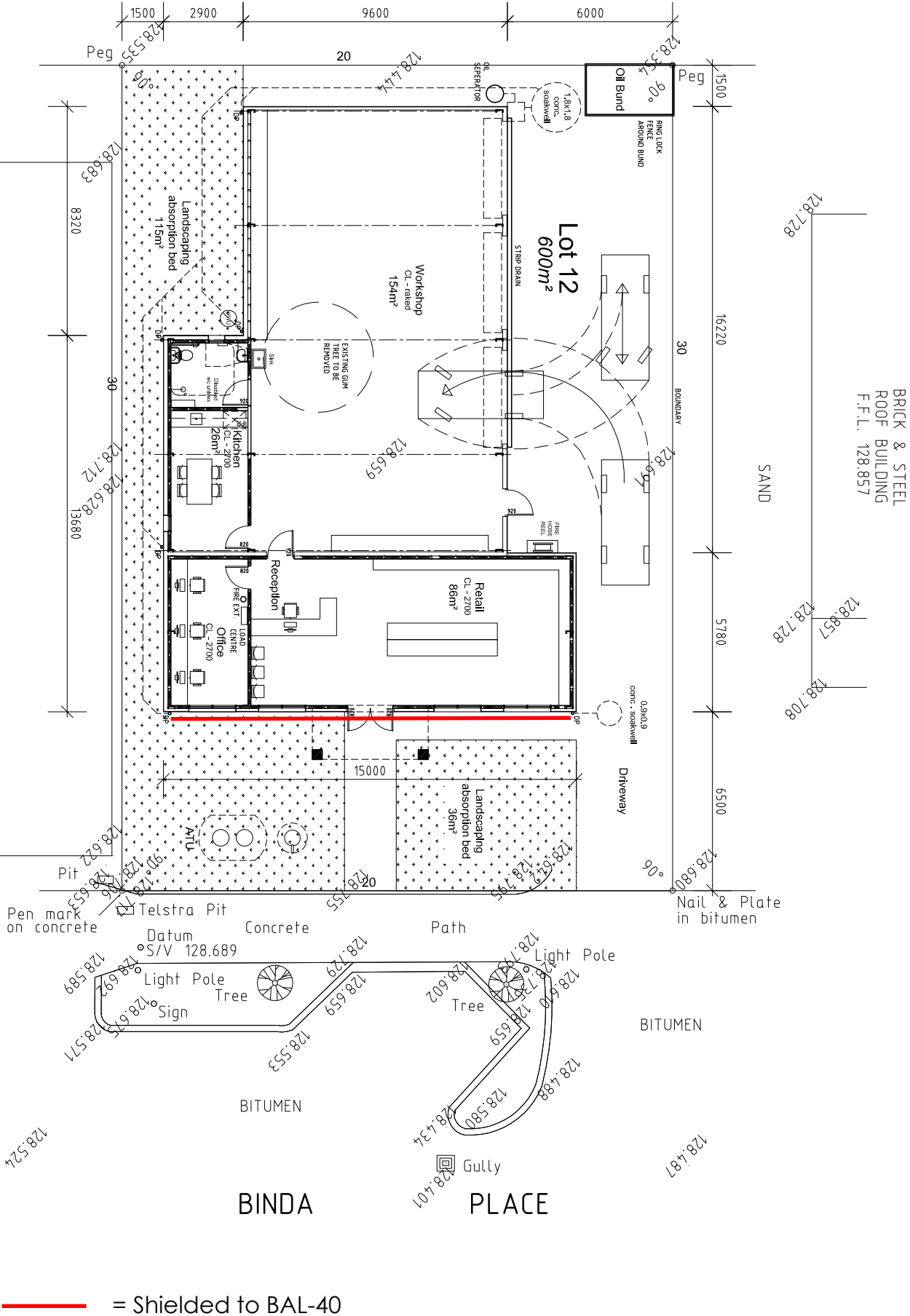
SITE PLAN

1:200

Lot 12 Areas  
Site 600m<sup>2</sup>  
Building 260m<sup>2</sup>



Job No.	Date	Scale
DA01	APR24	(@ A3)
Drawn	Drawing No.	Issue



— = Shielded to BAL-40

## 2 INFORMATION FOR LOCAL GOVERNMENT BUILDING SERVICES (& THE LANDOWNER)

### BUSHFIRE ATTACK LEVELS (BAL) - UNDERSTANDING THE RESULTS

The potential transfer (flux/flow) of radiant heat from the bushfire to a receiving object is measured in kW/m<sup>2</sup>. The AS 3959:2018 BAL determination methodology establishes the ranges of radiant heat flux that correspond to each bushfire attack level. These are identified as BAL-LOW, BAL-12.5, BAL-19, BAL-29, BAL-40 and BAL-FZ.

The bushfire performance requirements for certain classes of buildings are established by the Building Code of Australia (Vol. 1 & 2 of the NCC). The BAL will establish the bushfire resistant construction requirements that are to apply in accordance with AS 3959:2018 - *Construction of buildings in bushfire prone areas* and the NASH Standard – *Steel framed construction in bushfire areas (NS 300 2021)*, whose solutions are deemed to satisfy the NCC bushfire performance requirements.

#### DETERMINED BAL RATINGS

A BAL Certificate can be issued for a determined BAL. A BAL can only be classed as 'determined' for an existing or future building/structure when:

1. It's final design and position on the lot are known and the stated separation distance from classified bushfire prone vegetation exists and can justifiably be expected to remain in perpetuity; or
2. It will always remain subject to the same BAL regardless of its design or position on the lot after accounting for any regulatory or enforceable building setbacks from lot boundaries as relevant and necessary (e.g., R-codes, restrictive covenants, defined building envelopes) or the retention of any existing classified vegetation either onsite or offsite.

#### INDICATIVE BAL RATINGS

A BAL Certificate cannot be issued for an indicative BAL. A BAL will be classed as 'indicative' for an existing or future building/structure when the required conditions to derive a determined BAL are not met.

This class of BAL rating indicates what BAL(s) could be achieved and the conditions that need to be met are stated.

Converting the indicative BAL into a determined BAL is conditional upon the currently unconfirmed variable(s) being confirmed by a subsequent assessment and evidential documentation. These variables will include the future building(s) location(s) being established (or changed) and/or classified vegetation being modified or removed to establish the necessary vegetation separation distance. This may also be dependent on receiving approval from the relevant authority for that modification/removal.

### 2.1 BAL Assessment Summary (Table Format)

#### 2.1.1 BAL Determination Method(s) Applied and the Location of Data and Results

Procedure Method (AS 3959:2018)	Applied to the BAL Assessment	Location of the Site Assessment Data			Location of the Results
		Site Assessment Map	Calculation Input Variables		Assessed Bushfire Attack Levels and/or Radiant Heat Levels
			Summary Data	Detailed Data with Explanatory and Supporting Information	
Method 1 (Simplified)	Yes	Figure 2	Table 1	Appendix A1	Table 1
Method 2 (Detailed)	No	N/A	N/A	N/A	N/A

### 2.1.2 BAL Results

ASSESSMENT RESULT - THE BUSHFIRE ATTACK LEVEL (BAL)			
<p>The Bushfire Attack Level (the highest assessed BAL) for the site (being the part of the allotment of land on which a building stands or is to be erected) / proposed development, has been determined in accordance with AS 3959:2018 clause 2.2.6 for the Method 1 procedure and/or AS 3959:2018 Appendix B for the Method 2 procedure (as relevant). The applicable site data applied to calculations is presented in the next section of this report.</p>			
Proposed Building Works	Proposed Building	<b>DETERMINED BUSHFIRE ATTACK LEVEL</b>	<b>BAL-FZ</b>

Note: It is not possible to site a building within BAL-29 or below on the lot due to offsite vegetation. This is a legacy issue.

### 2.1.3 Identification of Shielded Elevations

IDENTIFICATION OF SHIELDED ELEVATION(S) – REDUCTION IN CONSTRUCTION REQUIREMENTS		
<p>In accordance with AS 3959:2018 Clause 3.5, where an elevation is not exposed to the source of bushfire attack, the construction requirements for that elevation can reduce to the next lower BAL, but not below BAL-12.5. This shall apply to all elements of the wall, including openings, but shall not apply to subfloors or roofs.</p> <p>When applicable, the shielded elevation(s) are identified on the site plan when practical, otherwise a separate diagram is provided as an addendum.</p>		
Proposed Building Works	Proposed Building	The shielding provisions can be applied, and the shielded elevation(s) are identified on the site plan.



Figure 2

# BAL Assessment Map

Lot 12 on Diagram 082385 , Area : 600 sq m  
17 Binda Place  
BINDOON  
SHIRE OF CHITTERING

## ----- LEGEND -----

- Subject Site
- Cadastral
- Elevation (m)
- H Hydrants
- ↔ Vegetation Distance (m)
- 100m Assessment Area
- 150m Assessment Area

## Proposal

- Office
- Workshop
- Verandah
- Absorption Bed (landscaped)
- Hard Landscaping

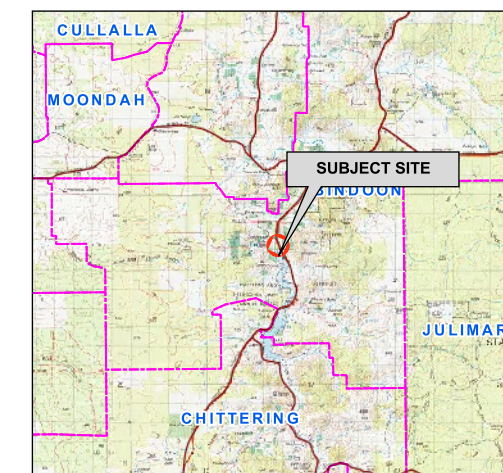
## Classified Vegetation

- Class A - Forest
- Class G - Grassland
- Exclusion 2.2.3.2

0 20 40 60 80

Metres

## ----- LOCALITY -----



AERIAL IMAGERY: Landgate/SLIP



Coordinate System: GDA 1994 MGA Zone 50  
Projection: Universal Transverse Mercator Units: Metre  
Map by: Selina Hutcheon 21-08-2024  
SCALE (A3): 1 : 1250



### 2.1.5 Site Assessment Data

Table 1: Summary of calculation input variables applied to deriving the BAL rating for the relevant element at risk.

DATA APPLIED TO THE CALCULATION OF THE BUSHFIRE ATTACK LEVELS (BAL) <sup>1</sup>							
BAL Determination Method	METHOD 1 - AS 3959:2018 CLAUSE 2.2 - SIMPLIFIED PROCEDURE				Applied Fire Danger Index		FDI 80
The Element at Risk Relevant Building/Structure	Vegetation Classification		Effective Slope		Separation Distance		Bushfire Attack Level (BAL)
			Measured	Applied Range	Total	Included Building Setback <sup>2</sup>	
	Area	Class	degrees		metres		
Proposed Building	1	(A) Forest	flat 0	Upslope or flat 0	5.6	N/A	BAL-FZ
	2	(G) Grassland	flat 0	Upslope or flat 0	132	N/A	BAL-LOW
	3	Excluded cl 2.2.3.2(e & f)	N/A	N/A	N/A	N/A	BAL-LOW
	Determined Bushfire Attack Level						BAL-FZ
<b>Note 1:</b> All data and information supporting the determination of the classifications and values stated in this table is presented in Appendix A.							
<b>Note 2:</b> This minimum distance (that establishes the closest distance to the lot boundary that a building/structure can legally exist) will only be identified as a component of the total vegetation separation distance if a BAL rating exceeding BAL-29 would apply if the building works was to be positioned closer to the lot boundary than the required statutory setback. The statutory setback is established by either the applicable R-code setback or another mechanism such as a restricted covenant. For all other scenarios, the building setback is not applicable and only the total separation distance will be stated.							

### 3 INFORMATION FOR LOCAL GOVERNMENT PLANNING & DEVELOPMENT (& THE LANDOWNER)

#### 3.1 The Property Bushfire Management Statement (PBMS)

##### THE PURPOSE OF THE PROPERTY BUSHFIRE MANAGEMENT STATEMENT (PBMS)

The PBMS is a concise presentation (on one A3 page), of site specific actions to be referenced by certain persons. The PBMS is not an assessment component of the BAL Assessment & Planning Report or a Bushfire Management Plan (BMP).

**Primary purpose:** To inform the landowner/occupier (diagrams and written information) of the site specific bushfire protection measures that are to be implemented and maintained within their lot.

Bushfire protection measures that involve factors outside the lot and therefore outside of landowner/occupier control, are generally excluded.

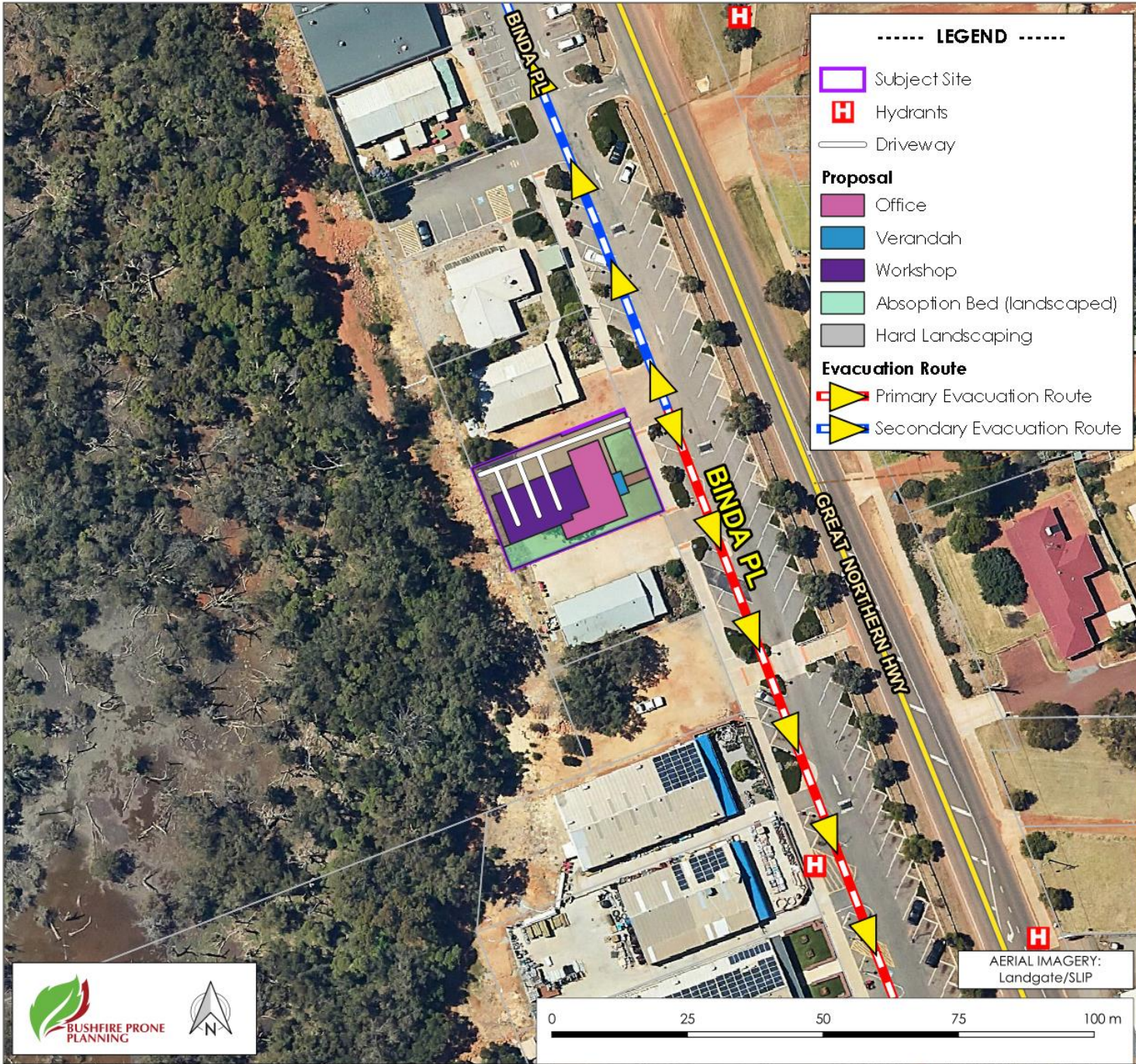

Importantly, the PBMS is not intended to be a short form or summary BMP. The BMP is primarily a document required for planning assessment purposes. The BMP is not a concise source of information specifically targeted at those who will physically implement and maintain bushfire protection measures on a specific lot.

**Secondary purpose:** To provide a one page reference for use by relevant local government persons to support the checking of landowner compliance with the implementation and maintenance of the required bushfire protection measures for their property.

**Note:** In meeting its stated purpose, the PBMS does not include an assessment against the Bushfire Protection Criteria (BPC). When this assessment is required by a Local Government, it is provided as a separate section within the BAL Assessment & Planning Report.

However, some components of the BPC are protection measures that are the responsibility of the landowner/occupier to implement and/or maintain, and these are included in the information panel of the PBMS.



PROPERTY BUSHFIRE MANAGEMENT STATEMENT - THE BUSHFIRE PROTECTION MEASURES THE LANDOWNER AND/OR OCCUPIER MUST IMPLEMENT AND MAINTAIN WITHIN THE SUBJECT PROPERTY																				
Location		Lot 12 (17) Binda Place, Bindoon		Shire of Chittering	Associated BAL Assessment & Planning Report	21/08/2024 / Ver. 1.0	Job Ref. No.	240626												
<div><div><p>Map Compiled by BPP 21-08-2024</p><p>240626_BMS - Lot 12 (17) Binda Place Bindoon.qgz</p></div><div><div><h3>THE ASSET PROTECTION ZONE (APZ) AND FIREBREAKS</h3><p><b>The 'Required APZ' Dimensions:</b> These are the minimum separation distances (unless identified as maximum), from the building(s) to surrounding bushfire prone vegetation, to be implemented prior to occupancy and/or use, and maintained by the landowner/occupier. How these are established is stated below.</p><p>[For additional information refer to Appendix B of the associated BAL Assessment &amp; Planning Report].</p><table><tr><th rowspan="2">Relevant Building(s)</th><th rowspan="2">APZ Location Relative to Building</th><th colspan="2">Distance</th><th rowspan="2">Applied Radiant Heat Impact</th></tr><tr><th>metres</th><th>Established By</th></tr><tr><td>Proposed Dwelling</td><td>All directions</td><td>To lot bound ary</td><td>Forest Vegetation/ flat/ upslope/ BAL-FZ</td><td>BAL-FZ</td></tr></table><p><b>The 'Required APZ' Standard:</b> Requirements detail (relevant factors and specifications) to be applied when implementing and maintaining the APZ are contained in the Shire of Chittering Firebreak and Bushfire Hazard Reduction Notice issued annually under s33 of the Bush Fires Act 1954. This detailed information is to be accessed from their website and/or when issued with their annual rates notice.</p><p>Additional detailed information can be sourced from the <i>Guidelines for Planning in Bushfire Prone Areas – 'Schedule 1 Standards for APZ'</i> (WAPC as amended). Search the WA Department of Planning, Lands and Heritage website – bushfire publications. To assist, the current 'Standards' are presented in Appendix B2 of the associated BAL Assessment &amp; Planning Report.</p><p>[Note: The requirements established by the Shire of Chittering Firebreak and Bushfire Hazard Reduction Notice, or the 'Guidelines', can be revised at any time. Consequently, to retain the ongoing validity of this PBMS, the details they contain are not stated here but the relevant sources are identified.</p><h3>PRIVATE DRIVEWAY</h3><p>No bushfire specific technical requirements need to be met.</p><p>[For additional information refer to the 'Guidelines' (refer above) or Appendix C of the associated BAL Assessment &amp; Planning Report]</p><h3>FIREFIGHTING WATER SUPPLY</h3><p>A reticulated water supply is available from the hydrant located approximately 87m from the private driveway on Binda Place.</p><p>[For additional information refer to the 'Guidelines' (see above) or Appendix D of the associated BAL Assessment &amp; Planning Report].</p><h3>CONSTRUCTION OF BUILDINGS AND OTHER STRUCTURES</h3><p>Any future habitable buildings and adjoining or adjacent structures (within six metres) are to be constructed to the bushfire resistant requirements that correspond to the determined BAL rating stated on the BAL Certificate issued for any relevant building works. These requirements are established by AS 3959:2018 or the NASH Standard (NS 300 / 2021 for Class 1 buildings). In general consideration should always be given to improving the bushfire resilience of buildings (including existing buildings) to the direct (flame, radiant heat, embers, surface fire) and indirect (debris accumulation, consequential fire, fire-driven wind, tree strike) bushfire attack mechanisms. Sheds (which should be located at least six metres from habitable buildings), fences and other structures within the Asset Protection Zone (APZ) should be constructed using non-combustible materials.</p></div></div></div>									Relevant Building(s)	APZ Location Relative to Building	Distance		Applied Radiant Heat Impact	metres	Established By	Proposed Dwelling	All directions	To lot bound ary	Forest Vegetation/ flat/ upslope/ BAL-FZ	BAL-FZ
Relevant Building(s)	APZ Location Relative to Building	Distance		Applied Radiant Heat Impact																
		metres	Established By																	
Proposed Dwelling	All directions	To lot bound ary	Forest Vegetation/ flat/ upslope/ BAL-FZ	BAL-FZ																
For Local Government Use		Bushfire Consultant																		
		Selina Hutcheon																		
		Company																		
		BPP Group Pty Ltd t/a Bushfire Prone Planning																		



## APPENDIX A: BAL ASSESSMENT DATA (DETAILED) AND SUPPORTING INFORMATION

### A1: Assessed Site Inputs Common to the Method 1 and Method 2 Procedures

#### A1.1: FIRE DANGER INDICES (FDI/ FDI/GFDI)

When using Method 1 the relevant FDI value required to be applied for each state and region is established by AS 3959:2018, Table 2.1. Each FDI value applied in Tables 2.4 – 2.7 represents both the Forest Fire Danger Index (FFDI) and a deemed equivalent for the Grassland Fire Danger Index (GFDI), as per Table B2 in Appendix B. When using Method 2, the relevant FFDI and GFDI are applied.

The values may be able to be refined within a jurisdiction, where sufficient climatological data is available and in consultation with the relevant authority.

Relevant Jurisdiction:	WA	Region:	Whole State	Method 1	Applied FDI:	80
				Method 2	Applied FFDI:	N/A
					Applied GFDI:	N/A

#### A1.2: VEGETATION ASSESSMENT AND CLASSIFICATION

##### Vegetation Types and Classification

In accordance with AS 3959:2018 clauses 2.2.3 and C2.2.3.1, all vegetation types within 100 metres of the 'site' (defined as "the part of the allotment of land on which a building stands or is to be erected"), are identified and classified. Any vegetation more than 100 metres from the site that has influenced the classification of vegetation within 100 metres of the site, is identified and noted. The maximum excess distance is established by AS 3959: 2018 cl 2.2.3.2 and is an additional 100 metres.

Classification is also guided by the Visual Guide for Bushfire Risk Assessment in WA (WA Department of Planning February 2016) and any relevant FPA Australia practice notes.

##### Modified Vegetation

The vegetation types have been assessed as they will be in their natural mature states, rather than what might be observed on the day. Vegetation destroyed or damaged by a bushfire or other natural disaster has been assessed on its expected re-generated mature state. Modified areas of vegetation can be excluded from classification if they consist of low threat vegetation (refer to Appendix B) and that any required active management can be expected to continue in perpetuity, and this can be adequately justified.

##### The Influence of Ground Slope

Where significant variation in effective slope exists under a consistent vegetation type, these will be delineated as separate vegetation areas to account for the difference in potential bushfire behaviour, in accordance with AS 3959:2018 clauses 2.2.5 and C2.2.5.

#### THE INFLUENCE OF VEGETATION GREATER THAN 100 METRES FROM THE SUBJECT SITE

Vegetation area(s) within 100m of the site whose classification has been influenced by the existence of bushfire prone vegetation from 100m – 200m from the site:

None

Assessment Statement:

No vegetation types exist close enough, or to a sufficient extent, within the relevant area to influence classification of vegetation within 100 metres of the subject site.




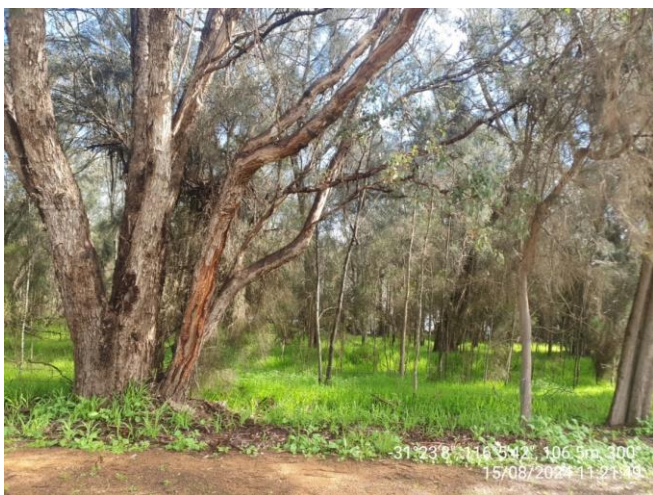

VEGETATION AREA 1								
Classification	A. FOREST							
Types Identified	Open forest A-03							
Exclusion Clause	N/A							
Effective Slope	Measured	flat 0 degrees		Applied Range (Method 1)		Upslope or flat 0 degrees		
Foliage Cover (all layers)	30-70%		Shrub/Heath Height		N/A		Tree Height	Up to 30m
Dominant & Sub-Dominant Layers	Eucalypts, Casuarina and Melaleuca trees.							
Understorey	Unmanaged shrubs, reeds, grasses and surface fuels.							
Justification Comments:	Some juvenile trees which are classified based on mature height.							
Post Development Assumptions:	Wetland area expected to be retained in perpetuity. Likely to be drier during the bushfire season.							
<div><div><p>31°23'4", 116°5'43", 119.9m, 321° 15/08/2024 11:15:04</p></div><div><p>31°23'8", 116°5'42", 106.9m, 300° 15/08/2024 11:21:49</p></div></div>								
PHOTO ID: 1				PHOTO ID: 2				
<div><div><p>31°23'4", 116°5'42", 104.8m, 254° 15/08/2024 11:24:04</p></div><div><p>31°22'57", 116°5'30", 141° 15/08/2024 11:24:31</p></div></div>								
PHOTO ID: 3				PHOTO ID: 4				





PHOTO ID: 5





PHOTO ID: 6



PHOTO ID: 7



PHOTO ID: 8

VEGETATION AREA 2						
Classification	G. GRASSLAND					
Types Identified	Dense sown pasture G-25					
Exclusion Clause	2.2.3.2 (a) >100m from site					
Effective Slope	Measured	u/slope		Applied Range (Method 1)		Upslope or flat 0 degrees
Foliage Cover (all layers)	<10%	Shrub/Heath Height		N/A		Tree Height
						N/A
Dominant & Sub-Dominant Layers	Grassland/ pasture area which is unlikely to be managed in perpetuity due to the size of the lot.					
Justification Comments:	Grassland is not accessible due to neighbouring lots. Visible in the background of the below photos.					
Post Development Assumptions:	Unlikely to be managed in perpetuity.					
<div><div></div><div></div></div>						
PHOTO ID: 9				PHOTO ID: 10		



VEGETATION AREA 3	
Classification	N/A
Exclusion Clause	2.2.3.2 (e) Non-vegetated areas and (f) Low threat vegetation - minimal fuel condition.
Justification Comments:	Non-vegetated areas including roads, driveways, buildings, footpaths and bare mineral earth; and low-threat vegetated areas including managed gardens, verges and lawns which were observed to be managed to <10cm in height and are in close proximity to dwellings.
Post Development Assumptions:	Can reasonably be expected to be maintained to low-threat in perpetuity.
 <p>-31°23'4", 116°5'43", 90.2m, 291° 15/08/2024 11:15:45</p>	
PHOTO ID: 11	
 <p>-31°23'5", 116°5'44", 109.1m, 191° 15/08/2024 11:18:28</p>	
PHOTO ID: 12	
 <p>-31°23'6", 116°5'44", 117.5m, 167° 15/08/2024 11:18:50</p>	
PHOTO ID: 13	
 <p>-31°23'6", 116°5'44", 122.4m, 225° 15/08/2024 11:20:56</p>	
PHOTO ID: 14	





PHOTO ID: 15



PHOTO ID: 16



PHOTO ID: 17



PHOTO ID: 18



PHOTO ID: 19



PHOTO ID: 20





PHOTO ID: 21



PHOTO ID: 22

### A1.3: EFFECTIVE SLOPE

#### EXPLAINING THE ASSESSMENT METHODOLOGY APPLIED BY BUSHFIRE PRONE PLANNING

**DEFINITION:** Effective slope is “the slope under that classified vegetation which most influences the bushfire attack” (AS 3959:2018, Clause 1.5.11).

“The effective slope under the classified vegetation is not the same as the average slope for the land surrounding the site of the proposed building. The effective slope is that slope which most significantly influences bushfire behaviour” (AS 3959:2018, Clause CB4).

The slope is described as upslope, flat or downslope when viewed from an exposed element (e.g., building) and looking towards the vegetation. It is measured in degrees.

[Note: Additional relevant guidance provided by AS 3959:2018 and NSW RFS, Planning for Bushfire Protection (2019) is incorporated into the applied assessment methodology and is presented at the end of this explanation.]

#### COMPOUND SLOPES UNDER VEGETATION AND DETERMINING SLOPE SIGNIFICANCE

**Non-Linear Slopes:** When the slope of ground under the vegetation out to the distance to be assessed (100 m or further if necessary), is not a straight line or nearly straight line slope, then it is made up of several different slopes i.e., it is a compound slope. The different slope angles and lengths must be factored into the determination of the effective slope value to be applied. Different slopes will potentially influence the bushfire rate of spread and intensity, both increasing and decreasing it.

**Significant Slope:** The AS 3959:2018 bushfire attack level determination methodology, with default inputs, models a fully developed bushfire. Therefore, a ‘significant’ slope is one that will significantly influence bushfire behaviour. To be ‘significant’ the length of the slope must be ‘sufficient’ to support a fully developed fire on that slope. The angle of a significant slope could be the determined effective slope for the area of classified vegetation if it is the one that ‘most influences the bushfire attack’.

**Sufficient Slope Length:** Is a slope that will, as a minimum, allow the entire flame depth (flaming zone) of a fully developed fire (100m flame width) to exist on that slope.

The expected flame depth of a fully developed bushfire is a function of the length of time the flaming phase will exist on a section of the fuel bed (the ‘residence time’) and the bushfire’s ‘rate of spread’. For a given rate of spread, longer residence times result in greater flame depths. Greater flame depths are correlated with greater flame temperatures and greater flows of radiant heat.

The primary factors that will increase the residence time are:

- Heavier fine fuel loads of grass, leaf litter, twigs, bark etc less than 6mm in width and existing within the surface and near surface layers (and elevated fuel layers when contiguous with the base layers); and
- A greater percentage of larger fine fuels within the fuel load.

The primary factors that increase the rate of spread (apart from fire weather factors), include finer fuels, drier fuels, horizontal continuity of fuel and steeper upward ground slope in the direction of fire travel.

Example values:

- Residence Time: Grassfire 5 – 15 seconds, Forest fire 25 -50 seconds.
- Rate of Spread: Grassfires of a few km/hr are considered fast moving, 5-10 km/hr is common and fastest in the order of 25km/hr. Forest fire typically recorded in metres/hour with 1-1.5 km/hr being considered fast moving and fastest in the order of 3–4 km/hr.
- Flame Depth: More typically, a few metres for grasses to tens of metres for forest fires.

**An Isolated Slope:** For scenarios where there is a single significant slope (based on the above criteria) additional consideration would need to be given to the time and distance consumed by a bushfire still in its ‘developing’ phase. This will require due consideration be given to how it is potentially ignited i.e., from a single or multiple points, as this will influence the time and distance required to fully develop. For such scenarios, a normally significant slope may not be sufficiently long. It may be necessary to determine the potential bushfire impact more accurately by

justifying the application of a lesser effective slope, or a lower threat vegetation classification, or calculating a reduced head fire width (using short fire run modelling).

**Determined Effective Slope:** Only a 'significant' slope can potentially be the effective slope by itself. In which case, for a defined area of classified vegetation area, the worst significant slope under that vegetation is to apply.

The table below presents Bushfire Prone Planning's considerations applied to assessing short and/or compound slopes in determining the effective slope.

Slope Length (m)	Considered a Significant Slope	Considerations in Determining the Effective Slope
< 5	No	Where these short slopes exist as part of a compound slope under an area of classified vegetation, they can be ignored as they will not influence the fire behaviour in that vegetation.
5-20	No	These slopes will have a range of influence on fire behaviour from very little to a degree of influence that must be accounted for to some extent by the determined effective slope that is applied (i.e., with a greater length apply to a greater extent). But the actual slope of these shorter slopes is likely not to be applied as it is not a 'significant' length.
20-30	Maybe	<p>The same considerations applied to the 5-20m slope lengths should be applied here. However, more justification would need to be presented to support their assessment as not being 'significant' slopes.</p> <p>For these slope lengths, consideration must be given more broadly to the potential level of risks associated with a bushfire event in this location. The risk level will be a function of the bushfire hazard threat levels (direct attack mechanisms) within the immediate and broader assessment area as influenced by local topography, vegetation extents and types and the exposure and vulnerability of persons and/or buildings/structures to these threats. Higher risk levels require greater precaution meaning these slopes should be considered 'significant', and vice versa.</p> <p>Consider the potential for a bushfire on adjoining or nearby land be a source of ignition and/or pre-heating to vegetation on the subject slope.</p> <p>Consider if vegetation on the slope is likely be ignited by a single ignition point or is multipoint ignition possible from bushfire on adjoining slopes or the surrounding area. Single point ignition will require a fire to travel further before being fully developed (DFES considers less than 100m fire runs may be considered a short fire run for forest, woodland and scrub vegetation classifications, RFS NSW applies 150m).</p> <p>Isolated slopes of this length are less likely to be considered significant as compared to when part of a compound slope.</p>
>30	Yes	Likely to always be a significant slope unless isolated (i.e., exists alone) – in which case, justifying the application of a lesser effective slope, or a lower threat vegetation classification, or calculating a reduced head fire width, are approaches that may need to be applied.

#### BPP Approach - Slope Variation Within Areas of Vegetation

When multiple 'significant' slope lengths with large differences in degrees of effective slope (or different applicable slope ranges when AS 3959:2018 Method 1 is applied), exists under a single vegetation classification, these will be delineated as separate vegetation areas of classified vegetation to account for the difference in potential bushfire behaviour and impact, in accordance with AS 3959:2018 clauses 2.2.5 and C2.2.5.

#### Effective Slope Variation Due to Multiple Development Sites

When the effective slope, under a single area of bushfire prone vegetation, will vary significantly relative to multiple proposed development sites (exposed elements), then the effective slopes corresponding to each of the different

locations, are separately identified. The relevant (worst case) effective slope is determined in the direction corresponding to the potential directions of fire spread towards the subject building(s).

#### **AS 3959:2018 EFFECTIVE SLOPE DETERMINATION - GUIDANCE**

The Standard presents a broad set of guidance statements that indicate the intent of deriving an effective slope value for use in calculations, rather than detailing the 'in the field' determination process. These include:

- Highlighting the importance of the value by stating "The slope of the land under the classified vegetation has a direct influence on the rate of fire spread, the severity of the fire and the ultimate level of radiant heat flux" (Clause C2.2.5). [Note: A common rule of thumb is that for every 10 degrees of upslope, a fire will double its rate of spread if moving in the direction of the prevailing wind].
- It may be necessary to consider the slope under the classified vegetation for distances greater than 100 m in order to determine the effective slope for that vegetation classification.
- "Where there is more than one slope within the classified vegetation, each slope shall be individually assessed, and the worst case Bushfire Attack Level shall apply" (Clause 2.2.5).

#### **NSW RFS 2019, PLANNING FOR BUSHFIRE PROTECTION - APPENDIX A1.5 - ADDITIONAL DETERMINATION GUIDANCE**

- "In identifying the effective slope - it may be found that there are a variety of slopes covering different distances within the vegetation. The effective slope is considered to be the slope under the vegetation which will most significantly influence the bushfire behaviour for each aspect. This is usually the steepest slope. In situations where this is not the case, the proposed approach must be justified".
- "Vegetation located closest to an asset may not necessarily be located on the effective slope".

#### **SITE ASSESSMENT DETAILS - EXPLANATION & JUSTIFICATION**

The effective slopes determined from the site assessment are recorded in Table 1 of this Bushfire Attack Level Report.

When their derivation requires additional explanation and justification, this is provided below.

For the subject site additional information is not required.

#### A1.4: SEPARATION DISTANCE

##### Measuring

The separation distance is the distance in the horizontal plane between the receiver (building/structure or area of land being considered) and the edge of the classified vegetation (AS 3959:2018, clause 2.2.4)

The relevant parts of a building/structure from which the measurement is taken is the nearest part of an external wall or where a wall does not exist, the supporting posts or columns. Certain parts of buildings are excluded including eaves and roof overhangs.

The edge of the vegetation, for forests and woodlands, will be determined by the unmanaged understorey rather than either the canopy (drip line) or the trunk (AS 3959:2018, clause C2.2.5).

##### Measured Separation Distance as a Calculation Input

If a separation distance can be measured because the location of the building/structure relative to the edge of the relevant classified vegetation is known, this figure can be entered into the BAL calculation. The result is a determined BAL rating.

##### Assumed Separation Distance as a Calculation Input

When the building/structure location within the lot is not known, an assumed building location may be applied that would establish the closest positioning of the building/structure relative to the relevant area of vegetation.

The assumed location would be based on a factor that puts a restriction on a building location such as:

- An established setback from the boundary of a lot, such as a residential design code setback or a restrictive covenant; or
- Within an established building envelope.

The resultant BAL rating would be indicative and require later confirmation (via a Compliance Report) of the building/structure actual location relative to the vegetation to establish the determined BAL rating.

#### SITE ASSESSMENT DETAILS - EXPLANATION & JUSTIFICATION

Measured and assumed separation distances determined from the site assessment are recorded in Table 1 (Section 2) of this report and illustrated in Figure 2 (Section 2).

When their derivation requires additional explanation and justification, including when the relevant R-Code or other regulated building setbacks are being applied, this is provided below.

For the subject site additional information is not required.



## APPENDIX B: ADVICE - ONSITE VEGETATION MANAGEMENT - THE APZ

### THE ASSET PROTECTION ZONE (APZ) – EXPLANATORY INFORMATION

The APZ is an area surrounding a building/structure in which fire fuels are intensively managed (reducing sources and quantities) to provide localised protection. Any retained or planted vegetation must be able to be considered low threat (due to a range of characteristics) or as being continuously maintained in a minimal fuel condition. The primary objectives of establishing an APZ are:

- Ensure a reduction in the exposure of the building/structure to bushfire direct attack mechanisms (threats) of flame contact, radiant heat transfer and ember attack, by establishing appropriate separation from the bushfire prone vegetation. The required APZ dimensions will be dependent on site specific conditions and the use of the site;
- Ensure a reduction in the exposure of the building/structure to bushfire indirect attack mechanisms (threats) by:
  - Preventing surface fire spreading to the building/structure;
  - Minimising the potential for tree strike; and
  - Limiting the potential for consequential fire to impact the building/structure by eliminating, reducing and/or shielding consequential fire fuels. These fuels include accumulated debris, stored combustible/flammable items and constructed combustible items. Consequential fire, typically ignited by embers, is the primary cause of building loss in a bushfire event; and
- To provide a defensible space for firefighting activities.

The *Guidelines for planning in bushfire prone areas* (WAPC 2021 v1.4) Appendix 4, Element 2 Explanatory Notes and Schedule 1: Standards for APZ, provide an example of how the objectives might be met.

### B1: The Asset Protection Zone (APZ) - Dimension and Location Requirements

#### PLANNING APPLICATION REQUIREMENTS VERSUS LANDOWNER IMPLEMENTATION REQUIREMENTS

**ONE IDENTIFIES THE ABILITY OF DEVELOPMENT TO ACHIEVE A MAXIMUM LEVEL OF EXPOSURE TO CERTAIN BUSHFIRE THREATS AND THE OTHER ESTABLISHES WHAT IS TO BE PHYSICALLY IMPLEMENTED SURROUNDING BUILDINGS/STRUCTURES**

#### THE 'PLANNING BAL-29 APZ'

For planning approval purposes, an assessment against the Bushfire Protection Criteria in the *Guidelines for planning in bushfire prone areas* (WAPC 2021, v1.4), is conducted. Element 2 of the criteria (Siting and Design) establishes the acceptable solution (A2.1: APZ) requiring proposed development to depict on submitted plans that every habitable building can be surrounded by an APZ that can be reasonably expected to comply with the maintenance requirements (APZ standards) in perpetuity, and meets the following dimension and location requirements:

**Dimensions:** The minimum dimensions of the 'Planning BAL-29 APZ' are those that will ensure the potential radiant heat impact on the relevant buildings does not exceed 29 kW/m<sup>2</sup>. These dimensions will vary dependent on the site specific conditions.

**Location:** The 'Planning BAL-29 APZ' dimensions must not extend past lot boundaries onto land the landowner has no responsibility for or control over. Limited exceptions include:

- When adjoining land is not vegetated (e.g., built out, roads, carparks, drainage systems, rock, water body etc.);
- When adjoining land does or will contain low threat vegetation (refer to Appendix B) and it can be justified that enforceable mechanisms are in place to ensure the APZ status of this land will exist in perpetuity. Such areas of land include:

- Publicly managed areas of vegetation (e.g., public open space, recreation grounds/areas and services installed in a common section of land). For certain situations, evidence of an entity's enforceable requirement to manage these areas to the required standard would be included in either the BAL Assessment Report or Bushfire Management Plan;
- Land on a neighbouring lot that is/will be part of the required APZ surrounding buildings/structures on that lot, and/or required firebreak, and for which the owner of that lot has a recognised responsibility to implement and maintain.
- Adjoining land for which a formalised and enforceable authority and responsibility is created for the owner of the lot on which development is proposed, or another third party, to manage vegetation in perpetuity, on land they do not own. This is not common, and the necessary evidence of the responsibility would be included in the BAL Assessment Report or Bushfire Management Plan.

If the proposed development can potentially satisfy these dimension and location requirements, then planning approval can be considered for this requirement, and then be subject to all other planning requirements being met.

#### KEY POINT

*The 'Planning BAL-29 APZ' dimensions are not necessarily those that must be physically implemented and maintained by a landowner. Implementation requirements may be different (see 'Determined BAL Rating APZ' below).*

*The purpose of identifying the ability of proposed development to apply the 'Planning BAL-29 APZ' dimensions is solely to inform decision makers as to the ability of the proposed building works to limit exposure to certain bushfire threats (flame contact, radiant heat transfer and ember attack), to the extent represented by a BAL-29 rating.*

*Note for certain vulnerable land uses, evidence of the ability to implement a larger APZ may be required to inform planning decisions. These include dimensions corresponding to radiant heat impact levels of 10 kW/m<sup>2</sup> and/or 2 kW/m<sup>2</sup> and calculated using a flame temperature of 1200 K – rather than 29kW/m<sup>2</sup> at 1090 K.*

#### THE 'DETERMINED BAL RATING APZ'

The dimensions associated with the 'Determined BAL Rating APZ' are derived for the specific site conditions and are to be physically implemented and maintained by the landowner. The rating also establishes the bushfire construction requirements for any new building works which results in the built resilience to bushfire threats corresponding to their distance from the bushfire hazard. Variations of these dimensions will only exist as the result of either:

- A requirement presented within an associated Bushfire Management Plan to increase the size of the APZ as part of an alternative solution, and which is subsequently approved by the decision maker; or
- A directive of the relevant Local Government through their annual Firebreak/Hazard Reduction Notice (see below) that results in a larger dimension.

The applicable 'determined' BAL rating is stated in the BAL Assessment Data section of the BAL Assessment Report or Bushfire Management Plan.

If an 'indicative' or 'conditional' rather than a 'determined' BAL rating is stated, the corresponding separation distances (dimensions) are just informative. Confirmation that the stated BAL rating (or a different rating) will apply, is still subject to either certain physical requirements being met or approval from relevant authorities for native vegetation removal is obtained (refer to explanatory information in Section 3).

**Dimensions:** The minimum dimensions of the 'BAL Rating APZ' will be those associated with the 'determined' BAL rating for the relevant buildings/structures and stated in the following Table B1.

*Note for certain vulnerable land uses and relevant buildings/areas, the 'BAL Rating APZ' dimensions may be replaced with dimensions corresponding to the specific radiant heat impact levels of 10 kW/m<sup>2</sup> and 2 kW/m<sup>2</sup> and calculated using a flame temperature of 1200K – rather than 29kW/m<sup>2</sup> at 1090 K.*

**Location:** As for the 'Planning BAL-29 APZ'.

### THE 'LOCAL GOVERNMENT APZ'

Certain Local Government's state the dimensions of the APZ that must be established surrounding buildings in their annual Firebreak/Hazard Reduction Notice. For certain vegetation/sites, based on environmental considerations, they may also establish a maximum allowable dimension, typically that corresponding to a BAL-29 rating.

### THE 'REQUIRED APZ'

The dimensions associated with the 'Required APZ' are to be established and maintained by the landowner within the subject lot and surrounding the subject buildings/structures. The 'Required APZ' will be appropriately depicted in Reports and Plans on the Property Bushfire Management Statement when it is required to be included.

**Dimensions:** The 'Required APZ' dimensions are the minimum distances away from the subject building/structure that the APZ must extend towards each relevant area of classified vegetation (note: a distance may also be a maximum distance when relevant as an environmental constraint). These distances are stated in the following Table B1.

The dimensions to implement are determined by:

- A. Those associated with the 'Determined BAL APZ' for the subject building(s) when distances are greater than 'B' below (except when 'B' has established a maximum distance); or
- B. The 'Local Government' APZ' derived from their Firebreak/Hazard Reduction Notice when distances are greater than 'A' above, other than when a maximum distance is established, in which case this will apply; or
- C. A combination of 'A' and 'B' as they may apply to different areas of classified vegetation.

**Location:** As for the 'Planning BAL-29 APZ'.



Table B1: The APZ dimensions required to be implemented and maintained by the landowner.

ESTABLISHING THE 'REQUIRED APZ' DIMENSIONS TO BE IMPLEMENTED AND MAINTAINED BY LANDOWNER WITHIN THEIR LOT										
Relevant Buildings(s)	Vegetation Classification		MINIMUM REQUIRED SEPARATION DISTANCES BETWEEN BUILDING/STRUCTURE AND BUSHFIRE PRONE VEGETATION <sup>1</sup>							
			Dimensions Associated with the 'BAL Rating APZ'			Dimensions Associated with the 'Local Government APZ'		The 'Required APZ' Dimensions <sup>3</sup>	Existing Separation Distances	
			Potential Bushfire Impact <sup>2</sup>			Separation Distance	Firebreak / Hazard Reduction Notice	Maximum Allowed		
	Area	Class	Stated As	Value	Status	metres	metres	N/A		
Proposed Building	1	(A) Forest	BAL Rating	BAL-FZ	Determined	21	20m	-	Entire Lot	5.6
	2	(G) Grassland				8	20m	-		132
	3	Excluded cl 2.2.3.2(e & f)	N/A	N/A	N/A	-	-	-	-	-
<b>Note 1:</b> Refer to all explanatory information on the preceding pages. <b>Note 2:</b> Considers only the bushfire direct attack mechanisms of flame contact, radiant heat transfer and, to some extent, ember attack. <b>Note 3:</b> These are minimum distances unless a maximum is being applied by a local government.										
<b>Comments:</b> The Shire of Chittering Firebreak and Bushfire Hazard Reduction Notice states that all properties of any size must maintain grassed areas to a height of no more than 50mm and install an Asset Protection Zone of 20m around all buildings/assets. Ensure the roofs, gutters and walls are free of flammable matter. A BAL-29 APZ is not able to be installed on the lot, therefore the building will be constructed to BAL-FZ and the entire lot will be maintained to APZ standards. The future landscaping is to comply with the APZ standards in Appendix B of this report.										

## B2: The Standards for the APZ as Established by the Guidelines (DPLH, v1.4)

Within the Guidelines (source: <https://www.wa.gov.au/government/document-collections/state-planning-policy-37-planning-bushfire-prone-areas>), the management Standards are established by:

- Schedule 1: Standards for Asset Protection Zones (see extract below) established by the Guidelines; and
- The associated explanatory notes (Guidelines E2) that address (a) managing an asset protection zone (APZ) to a low threat state (b) landscaping and design of an asset protection zone and (c) plant flammability.

Guidelines for  
Planning in  
Bushfire  
Prone Areas

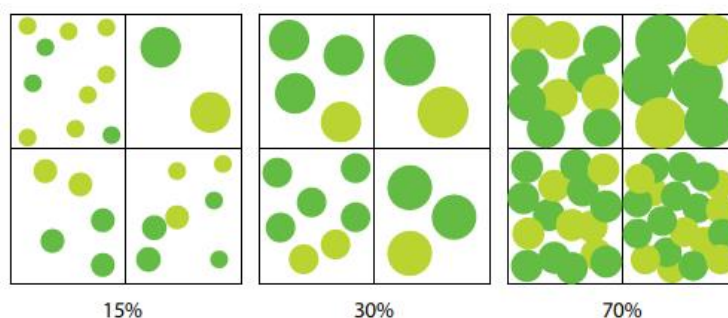
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### ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT

#### SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES

OBJECT	REQUIREMENT
Fences within the APZ	<ul style="list-style-type: none"> <li>• Should be constructed from non-combustible materials (for example, iron, brick, limestone, metal post and wire, or bushfire-resisting timber referenced in Appendix F of AS 3959).</li> </ul>
Fine fuel load (Combustible, dead vegetation matter <6 millimetres in thickness)	<ul style="list-style-type: none"> <li>• Should be managed and removed on a regular basis to maintain a low threat state.</li> <li>• Should be maintained at &lt;2 tonnes per hectare (on average).</li> <li>• Mulches should be non-combustible such as stone, gravel or crushed mineral earth or wood mulch &gt;6 millimetres in thickness.</li> </ul>
Trees* (>6 metres in height)	<ul style="list-style-type: none"> <li>• Trunks at maturity should be a minimum distance of six metres from all elevations of the building.</li> <li>• Branches at maturity should not touch or overhang a building or powerline.</li> <li>• Lower branches and loose bark should be removed to a height of two metres above the ground and/or surface vegetation.</li> <li>• Canopy cover within the APZ should be &lt;15 per cent of the total APZ area.</li> <li>• Tree canopies at maturity should be at least five metres apart to avoid forming a continuous canopy. Stands of existing mature trees with interlocking canopies may be treated as an individual canopy provided that the total canopy cover within the APZ will not exceed 15 per cent and are not connected to the tree canopy outside the APZ.</li> </ul>

**Figure 19:** Tree canopy cover – ranging from 15 to 70 per cent at maturity



Shrub* and scrub* (0.5 metres to six metres in height). Shrub and scrub >6 metres in height are to be treated as trees.	<ul style="list-style-type: none"> <li>• Should not be located under trees or within three metres of buildings.</li> <li>• Should not be planted in clumps &gt;5 square metres in area.</li> <li>• Clumps should be separated from each other and any exposed window or door by at least 10 metres.</li> </ul>
Ground covers* (<0.5 metres in height. Ground covers >0.5 metres in height are to be treated as shrubs)	<ul style="list-style-type: none"> <li>• Can be planted under trees but must be maintained to remove dead plant material, as prescribed in 'Fine fuel load' above.</li> <li>• Can be located within two metres of a structure, but three metres from windows or doors if &gt;100 millimetres in height.</li> </ul>
Grass	<ul style="list-style-type: none"> <li>• Grass should be maintained at a height of 100 millimetres or less, at all times.</li> <li>• Wherever possible, perennial grasses should be used and well-hydrated with regular application of wetting agents and efficient irrigation.</li> </ul>
Defendable space	<ul style="list-style-type: none"> <li>• Within three metres of each wall or supporting post of a habitable building, the area is kept free from vegetation, but can include ground covers, grass and non-combustible mulches as prescribed above.</li> </ul>
LP Gas Cylinders	<ul style="list-style-type: none"> <li>• Should be located on the side of a building furthest from the likely direction of a bushfire or on the side of a building where surrounding classified vegetation is upslope, at least one metre from vulnerable parts of a building.</li> <li>• The pressure relief valve should point away from the house.</li> <li>• No flammable material within six metres from the front of the valve.</li> <li>• Must sit on a firm, level and non-combustible base and be secured to a solid structure.</li> </ul>

\* Plant flammability, landscaping design and maintenance should be considered – refer to explanatory notes

### B3: The Standards for the APZ as Established by the Local Government

Refer to the firebreak / hazard reduction notice issued annually (under s33 of the Bushfires Act 1954) by the relevant local government. It may state Standards that vary from those established by the Guidelines and that have been endorsed by the WAPC and DFES as per Section 4.5.3 of the Guidelines.

A copy of the relevant annual notice is not included here as they are subject to being reviewed and modified prior to issuing each year. Refer to ratepayers' notices and/or the local government's website for the current version.



## B4: Vegetation Excluded from Classification - Ensure Continued Low Threat Status

### EXPLANATORY NOTES

When applying AS 3959:2018 BAL determination methodology, vegetation adjoining or adjacent to the subject site can be excluded from classification based on being 'low threat'. To maintain this status, certain requirements must continue to be met in accordance with the below extract from AS3959:2018. Refer to the 'Classified Vegetation and Topography Map' for the relevant areas associated with the subject site.

Determination of 'low threat' vegetation is based on factors such as:

- Proximity to the subject site
- Small areas of vegetation
- Low flammability
- High moisture content
- Low fuel load

Aside from a naturally occurring low fuel load, vegetation maintained in a minimal fuel condition through active management can be excluded. The associated key requisite is that the active management can be expected to continue in perpetuity, and this can be adequately justified.

Acceptable forms of justification typically involve supportable evidence or the existence of an enforceable mechanism. Examples of enforceable mechanisms include:

- Requirements established by a Section 33 (Bush Fires Act 1954) notice issued by a local government;
- An appropriate and enforceable agreement between relevant parties (which may involve additions to land titles); and
- For public open space, written evidence that the land manager e.g., local government or State Government Department, agrees to maintain the public open space in a low threat state in perpetuity.

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AS 3959:2018

#### **2.2.3.2 Exclusions—Low threat vegetation and non-vegetated areas**

The following vegetation shall be excluded from a BAL assessment:

- (a) Vegetation of any type that is more than 100 m from the site.
- (b) Single areas of vegetation less than 1 ha in area and not within 100 m of other areas of vegetation being classified vegetation.
- (c) Multiple areas of vegetation less than 0.25 ha in area and not within 20 m of the site, or each other or of other areas of vegetation being classified vegetation.
- (d) Strips of vegetation less than 20 m in width (measured perpendicular to the elevation exposed to the strip of vegetation) regardless of length and not within 20 m of the site or each other, or other areas of vegetation being classified vegetation.
- (e) Non-vegetated areas, that is, areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops.
- (f) Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition, mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks.

#### **NOTES:**

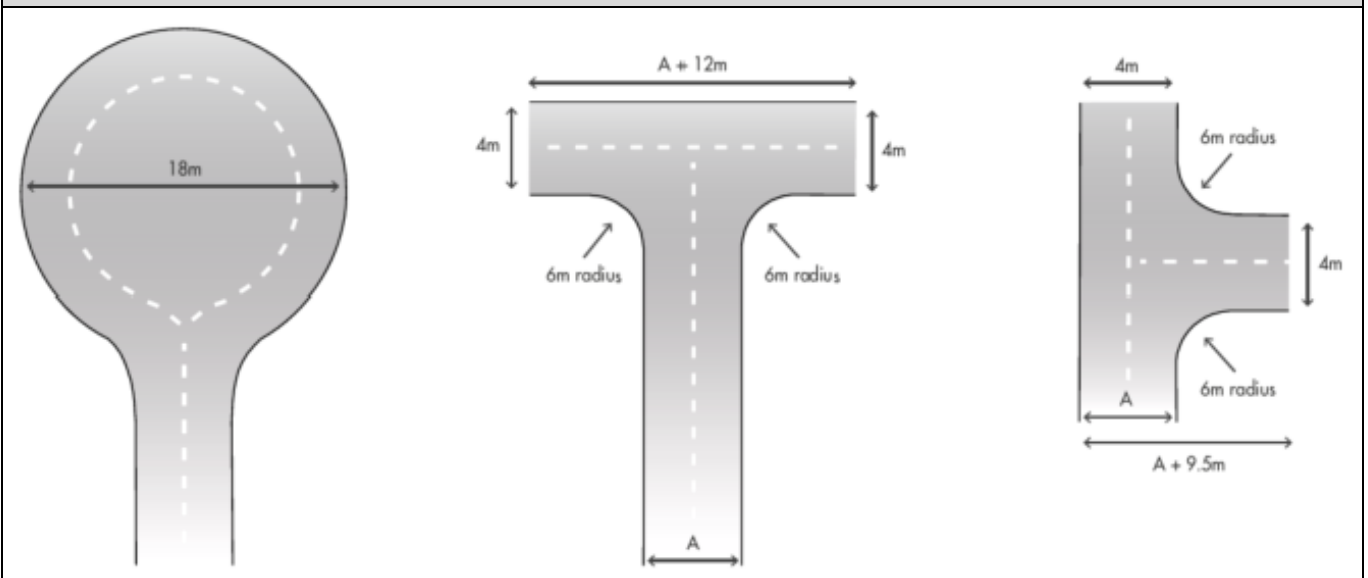
- 1 Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognizable as short-cropped grass for example, to a nominal height of 100 mm).
- 2 A windbreak is considered a single row of trees used as a screen or to reduce the effect of wind on the leeward side of the trees.

**APPENDIX C: ADVICE - TECHNICAL REQUIREMENTS FOR VEHICULAR ACCESS**

The design/layout requirements for access are established by the acceptable solutions of the Guidelines (DPLH, 2021 v1.4) Element 3 and vary dependent on the access component, the land use and the presence of 'vulnerable' persons. Consequently, the best reference source are the Guidelines. The technical requirements that are fixed for all components and uses are presented in this appendix.

**GUIDELINES TABLE 6, EXPLANATORY NOTES E3.3 & E3.6 AND RELEVANT ACCEPTABLE SOLUTIONS**

Technical Component	Vehicular Access Types / Components			
	Public Roads	Emergency Access Way <sup>1</sup>	Fire Service Access Route <sup>1</sup>	Battle-axe and Private Driveways <sup>2</sup>
Minimum trafficable surface (m)	In accordance with A3.1	6	6	4
Minimum Horizontal clearance (m)	N/A	6	6	6
Minimum Vertical clearance (m)	4.5			
Minimum weight capacity (t)	15			
Maximum Grade Unsealed Road <sup>3</sup>	As outlined in the IPWEA Subdivision Guidelines	1:10 (10%)		
Maximum Grade Sealed Road <sup>3</sup>		1:7 (14.3%)		
Maximum Average Grade Sealed Road		1:10 (10%)		
Minimum Inner Radius of Road Curves (m)		8.5		

**Turnaround Area Dimensions for No-through Road, Battle-axe Legs and Private Driveways <sup>4</sup>**

**Passing Bay Requirements for Battle-axe leg and Private Driveway**

When the access component length is greater than the stated maximum, passing bays are required every 200m with a minimum length of 20m and a minimum additional trafficable width of 2m (i.e., the combined trafficable width of the passing bay and constructed private driveway to be a minimum 6m).

**Emergency Access Way – Additional Requirements**

Provide a through connection to a public road, be no more than 500m in length, must be signposted and if gated, gates must be open the whole trafficable width and remain unlocked.

<sup>1</sup> To have crossfalls between 3 and 6%.

<sup>2</sup> Where driveways and battle-axe legs are not required to comply with the widths in A3.5 or A3.6, they are to comply with the Residential Design Codes and Development Control Policy 2.2 Residential Subdivision.

<sup>3</sup> Dips must have no more than a 1 in 8 (12.5% or 7.1 degree) entry and exit angle.

<sup>4</sup> The turnaround area should be within 30m of the main habitable building.

## APPENDIX D: ADVICE - TECHNICAL REQUIREMENTS FOR FIREFIGHTING WATER SUPPLY

### NON-RETICULATED AREAS – STATIC SUPPLY

For specified requirements, refer to the Guidelines Element 4: Water – Acceptable Solution A4.2, Explanatory Notes E4 (that provide water supply establishment detail under the headings of water supply; independent water and power supply; strategic water supplies, alternative water sources and location of water tanks) and the technical requirements established by Schedule 2 (reproduced below).

#### SCHEDULE 2: WATER SUPPLY DEDICATED FOR BUSHFIRE FIREFIGHTING PURPOSES

### 2.1 Water supply requirements

Water dedicated for firefighting should be provided in accordance with Table 7 below, and be in addition to water required for drinking purposes.

**Table 7:** Water supply dedicated for bushfire firefighting purposes

PLANNING APPLICATION	NON-RETICULATED AREAS
Development application	10,000L per habitable building
Structure Plan / Subdivision: Creation of 1 additional lot	10,000L per lot
Structure Plan / Subdivision: Creation of 3 to 24 lots	10,000L tank per lot <b>or</b> 50,000L strategic water tank
Structure Plan / Subdivision: Creation of 25 lots or more	50,000L per 25 lots or part thereof Provided as a strategic water tank(s) or 10,000L tank per lot

### 2.2 Technical requirements

#### 2.2.1 Construction and design

An above-ground tank and associated stand should be constructed of non-combustible material. The tank may need to comply with AS/NZS 3500.1:2018.

Below ground tanks should have a 200mm diameter access hole to allow tankers or emergency service vehicles to refill direct from the tank, with the outlet location clearly marked at the surface. The tank may need to comply with AS/NZS 3500.1:2018. An inspection opening may double as the access hole provided that the inspection opening meets the requirements of AS/NZS 3500.1:2018. If the tank is required under the BCA as part of fire hydrant installation, then the tank will also need to comply with AS 2419.

Where an outlet for an emergency service vehicle is provided, then an unobstructed, hardened ground surface is to be supplied within four metres of any water supply.

#### 2.2.2 Pipes and fittings

All above-ground, exposed water supply pipes and fittings should be metal. Fittings should be located away from the source of bushfire attack and be in accordance with the applicable section below, unless otherwise specified by the local government.

##### 2.2.2.1 Fittings for above-ground water tanks:

- Commercial land uses: 125mm Storz fitting; or
- Strategic water tanks: 50mm or 100mm (where applicable and adapters are available) male camlock coupling with full flow valve; or
- Standalone water tanks: 50mm male camlock coupling with full flow valve; or
- Combined water tanks: 50mm male camlock coupling with full flow valve or a domestic fitting, being a standard household tap that enables an occupant to access the water supply with domestic hoses or buckets for extinguishing minor fires.

##### 2.2.2.2 Remote outlets

In certain circumstances, it may be beneficial to have the outlet located away from the water supply. In such instances in which a remote outlet is to be used, the applicant should consult the local government and DFES on their proposal.



## APPENDIX E: ADVICE - BAL RATINGS – CORRESPONDING THREATS AND CONSTRUCTION REFERENCES

BAL <sup>1</sup>	DESCRIPTION OF PREDICTED BUSHFIRE DIRECT ATTACK MECHANISMS (THREATS) AND LEVELS OF EXPOSURE	REFERENCES FOR CONSTRUCTION REQUIREMENTS	
		AS 3959:2018 Construction of Buildings in Bushfire Prone Areas	The NASH Standard (2021) – Steel Framed Construction in Bushfire Areas
		Referenced by the Building Code of Australia for Building Classes 1, 2, 3 & 10a	Referenced by the Building Code of Australia for Building Classes 1 & 10a
<b>BAL – LOW</b>	There is insufficient risk to warrant specific construction requirements but there is still some risk. <i>(Note: DFES recommend that ember attack protection features be incorporated into the design where practicable).</i>	Section 4. No Requirements	No Requirements
<b>BAL – 12.5</b>	There is a risk of ember attack. Construction elements are expected to be exposed to heat flux not greater than 12.5 kW/m <sup>2</sup>	Sections 3 & 5.	All construction requirements for BAL-12.5 to BAL-40 are the same except for windows and external doors, which must comply with AS 3959.  The construction requirements are set out as essentially non-combustible construction systems for each of the following building elements:  Section 1.4: General Requirements Section 2: Roof and Ceiling System Section 3: External Wall System Section 4: Floor System Section 5: Carports Verandahs and Decks.
<b>BAL – 19</b>	There is a risk of ember attack and burning debris ignited by windborne embers and a likelihood of exposure to radiant heat. The construction elements are expected to be exposed to a heat flux not greater than 19 kW/m <sup>2</sup> .	Sections 3 & 6	
<b>BAL – 29</b>	There is an increased risk of ember attack and burning debris ignited by windborne embers and a likelihood of exposure to an increased level radiant heat. The construction elements are expected to be exposed to a heat flux not greater than 29 kW/m <sup>2</sup> .	Sections 3 & 7.	
<b>BAL – 40</b>	There is a much increased risk of ember attack and burning debris ignited by windborne embers, a likelihood of exposure to a high level of radiant heat and some likelihood of direct exposure to flames from the fire front. The construction elements are expected to be exposed to a heat flux not greater than 40kW/m <sup>2</sup> .	Sections 3 & 8.	The construction requirements are set out in Sections 1-5 and differ from the requirements for all other BAL ratings.
<b>BAL – FZ (Flame Zone)</b>	There is an extremely high risk of ember attack and burning debris ignited by windborne embers, and a likelihood of exposure to an extreme level of radiant heat and direct exposure to flames from the fire front. The construction elements are expected to be exposed to a heat flux greater than 40 kW/m <sup>2</sup> .	Sections 3 & 9.	

<sup>1</sup> AS 3959:2018 *Construction of buildings in bushfire prone areas*, defines a Bushfire Attack Level (BAL) as a “means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat flux expressed in kW/m<sup>2</sup>, and is the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire.”