SUMMARY OF SUBMISSIONS
PA22/248 – Lot 29 Paterson Street, Byford - Mundijong - Childcare Premises

Submitter	No	Submitter Comments	Officer Recommendation
Department of Education		The Department of Education (the Department) has reviewed the above proposal and does not consider that the Child Care Premises would have any adverse impact to the Mundijong Primary School which is in close proximity to the subject site.	Noted
Department of Fire and Emergency Services (DFES)		I refer to your email dated 18 August 2022 regarding the submission of Bushfire Management Plan (BMP) (Version 1.2), prepared by Bushfire Prone Planning and dated 1 March 2022, for the above development application. It is noted that no modifications have been made to the BMP since our previous correspondence dated 29 April 2022. The BMP has been submitted together with a report from the proponent, authored by Harley Dykstra, titled 'Proposed Child Minding Centre' (Version C) dated 26 July 2022 for the above Development Application (DA).	An updated Bushfire Management Plan has been recommended as a Condition of approval.

It is noted the BMP has been prepared in accordance with version 1.3 of the Guidelines, which has now been rescinded. DFES have assessed the BMP against version 1.4 of the Guidelines.

This advice relates only to *State Planning Policy 3.7: Planning in Bushfire Prone Areas* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines). It is the responsibility of the proponent to ensure the proposal complies with relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining approvals that apply to the proposal including planning, building, health or any other approvals required by a relevant authority under written laws.

Assessment

Further clarification is required within the BMP of the requirements of SPP 3.7, and the supporting Guidelines as outlined in our assessment below.

1. Policy Measure 6.5 a) (ii) Preparation of a BAL contour map

Issue	Assessment	Action
Vegetation classification	Vegetation Plot 4 cannot be substantiated as Class B Woodland with the limited information and photographic evidence available. The foliage cover appears to exceed	Modification to the BMP is required.

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PA22/248 – Lot 29 Paterson Street, Byford - Mundijong - Childcare Premises

Submitter	No	Submitter Comments	Officer Recommendation
		30%, contiguous with Plot 1 – Class A Forest and the potential for revegetation has not been considered. The BMP should detail specifically how the Class B Woodland classification was derived as opposed to Class A Forest. If unsubstantiated, the vegetation classification should be revised to consider the vegetation at maturity as per AS3959:2018, or the resultant BAL ratings may be inaccurate.	

2. Policy Measure 6.5 c) Compliance with the Bushfire Protection Criteria

Element	Assessment	Action
Location, and Siting & Design	**A1.1 & A2.1 – not demonstrated** BAL ratings are a measure of the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact. It is noted that building layout in version 1.2 of the BMP is not consistent with building layout in the current DA report and that the building shown in the BMP is set back further from classifiable vegetation than the building in the DA report. It is critical that the BMP accurately represents the proposed development in order to validate the BAL ratings shown in the BMP. In addition, the BAL ratings cannot be validated for the reasons outlined in the above table.	Modification to the BMP required.

SUMMARY OF SUBMISSIONS

PA22/248 – Lot 29 Paterson Street, Byford - Mundijong - Childcare Premises

Submitter	No	Submitter Comments	Officer Recommendation

3. Policy Measure 6.6.1 Vulnerable land uses

Issue	Assessment	Action
Bushfire Emergency Evacuation Plan (BEEP)	The referral has included a 'Bushfire Emergency Evacuation Plan' for the purposes of addressing the policy requirements. Consideration should be given to the Guidelines Section 5.5.4 'Developing a Bushfire Emergency Evacuation Plan'. This contains detail regarding what should be included in a BEEP and will ensure the appropriate content is detailed when finalising the BEEP to the satisfaction of the Shire.	Comment only.
Building Construction Standards	Class 9 buildings should be afforded significant protection from the impacts of a bushfire due to being occupied by people who may need assistance, or be unable, to evacuate the building in the event of a bushfire. In response, revised provisions in the National Construction Code are proposed for implementation in 2022.

The proposed changes include but are not limited to; minimum separation between buildings, and separation from allotment boundaries, carparking areas and hazards. It is suggested the decision maker consider applying the proposed higher construction and design standards to the proposed development.

Further information regarding the proposed changes can be found here: https://consultation.abcb.gov.au/engagement/ncc-2022-public-comment-draft/supporting_documents/NCC2022VolumeOnePCD.pdf | Comment only. |
| Building Regulations 2012 | As the proposal includes a Class 9 building, plans are required to be submitted to DFES Built Environment Branch for assessment in | Comment only. |

SUMMARY OF SUBMISSIONS

PA22/248 – Lot 29 Paterson Street, Byford - Mundijong - Childcare Premises

Submitter	No	Submitter Comments	Officer Recommendation
		accordance with regulation 18(B) of the Building Regulations 2012 (as amended). **Recommendation – not supported modifications required** It is critical the bushfire management measures within the BMP are refined to ensure they are accurate and can be implemented to reduce the vulnerability of the development to bushfire. The proposed development is not supported for the following reasons: 1. The development design has not demonstrated compliance to – Element 1: Location, and Element 2: Siting and Design.	