PO Box 21 2 Truscott Crescent Exmouth Western Australia 6707

Phone: (08) 9949 3000 (08) 9949 3050

Email: records@exmouth.wa.gov.au Web: www.exmouth.wa.gov.au ABN: 32 865 822 043



Our Ref: A1176; OPA31122

09/02/2022

PEBBLE BEACH CONSTRUCTIONS **PO BOX 379** EXMOUTH WA 6707 **AUSTRALIA**

Email: pebblebeachconstructions@bigpond.com

Dear Phillip,

APPLICATION FOR DEVELOPMENT APPROVAL (DA113/21) - LOT 323 MINILYA-EXMOUTH RD **EXMOUTH WA 6707**

I refer to and acknowledge your application for Development Approval for a Single Dwelling & Outbuilding, located upon the above lot, and advise that the application was considered under delegation and approved subject to certain conditions. The Development Approval, related conditions and approved plans are attached.

The development approval is not to be construed as approval for any other approval required to be sought and obtained under any other Federal, State or Local laws in connection with the carrying out of the approved use.

Should you have any questions regarding this matter then please don't hesitate to contact the Shire on 9949 3000 or via e-mail: info@exmouth.wa.gov.au.

Yours faithfully

Taylor Gunn

Senior Planning Officer



Planning and Development Act 2005

SHIRE OF EXMOUTH

Notice of Determination on application for development approval

Location:LOT 323 MINILYA-EXMOUTH RDApplication:DA113/21Lot:323Plan/Diagram:DP33791Vol. No:2532Folio No:910

Application Date: **05/10/2021** Received on: **21/10/2021**

Description of proposed development:

Single Dwelling & Outbuilding

The application for development approval is:

☑ Approved subject to the following conditions

Condition/s:

- The development being carried out in accordance with the stamped approved plans (DA 113/21), and the Shire of Exmouth Local Planning Scheme Number 4, including any annotations detailed thereon by the Shire.
- 2. External colours shall be generally in accordance with the Shire of Exmouth's Local Planning Policy No. 6.2 Colour Palette for Developments. In this regard, prior to the commencement of development a schedule of materials and colours to be used on the outbuilding hereby approved shall be submitted for approval and implemented to the satisfaction of the Shire of Exmouth.
- 3. An appropriate effluent disposal system that is designed for long term usage shall be installed for the development hereby approved within the building envelope, to the satisfaction of the Shire of Exmouth.

Advice Condition 3:

A distance of 1.5m from wastewater discharge point and highest groundwater level to be maintained.

Wastewater system installed is to be an approved Department of Health system.

Wastewater system to be installed in accordance to the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.

4. Prior to occupancy of use, satisfactory arrangements being made for the full cost of constructing/sealing the existing shared driveway access for lots 323, 322 and 321 from Minilya-Exmouth to the specification of Main Roads Western Australia, to the satisfaction of the Shire of Exmouth.

Advice Condition 4:

The shared driveway to lots 323, 322 & 321 shall be sealed to an arrangement in accordance with the Main Roads Driveway Policy. The length of seal from the road edge shall be a minimum of 6m (25m from edge of road to the property boundary). The applicant is advised to contact Main Roads early in order to finalise the arrangement of the driveway seal. For the type of seal and construction method please refer to the local government crossover specifications. Contact details mwreg@mainroads.wa.gov.au.

Maintenance of the existing driveway within the road reserve at SLK 202.43 remains the joint responsibility of the owners of Lots 323, 322 and 321. Should it become apparent that damage is being done to Minilya-Exmouth Road as a result of the vehicle turning movements, Main Roads reserves the right to discuss potential treatment options e.g. Sealing of the driveway & crossover with the landowner in accordance with Main Roads Driveway Policy (Section 4.1.10).

The applicant is required to apply form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.

Please contact Main Roads Western Australia on 138 138 to discuss this matter further.

5. The Single House hereby approved shall be constructed in accordance with Australian Standard 3959 'Construction of Buildings in Bushfire – Prone Areas'.

Advice Condition 5:

To ensure compliance with condition 4, the Single House hereby approved shall be constructed in accordance with the construction requirements for BAL-19, as per the recommendation of the "Conditional BAL Assessment Report" dated 6 September 2021 by Bushfire Prone Planning.

- 6. The fuel load management proposed to achieve a construction level of BAL-19 shall be implemented and maintained to the satisfaction of the Shire of Exmouth, requiring compliance with the following:
 - Fuel management shall only occur to a parkland cleared/low fuel state.
 - A BAL assessment certifying the reduce BAL level is required prior to the issue of a Building Permit.
- 7. Vehicular access on site shall be designed and constructed in accordance with State Planning Policy 3.7: Planning in Bushfire Prone Areas and to the specifications and satisfaction of the Shire of Exmouth.

Advice Condition 7:

The driveway is to be maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m and vertical clearance of 4m.

Turn-around areas to allow type 3.4 fire appliances within 50m of the dwelling. Passing bays should be provided at 200 metre intervals along private driveways to allow two-way traffic.

Please refer to the attached extracts from the Guidelines for Planning in Bushfire Prone Areas for further information.

- 8. Access to the lot shall be via the existing right of carriageway easement over lot 322.
- 9. No clearing or covering by overburden of any native vegetation is permitted without the prior approval from the Department of Water and Environmental Regulation.

Advice Condition 9:

Please refer to the attached information for further advice. Please contact DWER's Native Vegetation Regulation section by email <u>admin.nvp@dwer.wa.gov.au</u> or by telephone 6364 7098 for further information.

- 10. The clearing of vegetation is only permitted within the approved building envelope for the construction of a dwelling and associated outbuildings, clearing for yard areas and the immediate curtilage of buildings, installation of effluent disposal systems, fire protection zone or the establishment of other uses as approved by the Shire.
- 11. Clearing of vegetation outside of the building envelope for any purpose is prohibited, except in the following circumstances:
 - A driveway to the building envelope. Any driveway shall be constructed of local materials which are complementary in colour to the natural landscape. Driveways should follow the natural contour of the land and should avoid significant vegetation to minimise visual impact;
 - Strategic firebreaks or other fire management requirements as approved under this decision notice; and
 - Provision of underground services.
- 12. All landscaped areas shall be implemented within six (6) months of completion or occupancy of use or within the next available planting season, and maintained as per the approved landscaping plan/s to the satisfaction of the Shire of Exmouth.
- 13. Prior to occupancy of use, a notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to state as follows:

"The lot is situated in the vicinity of a transport corridor and is currently affected, or may in

future be affected by transport noise."

- 14. The outbuilding hereby approved shall not be used for any commercial or industrial use, or for human habitation, unless otherwise agreed in writing by the Shire of Exmouth.
- 15. The lot shall not be used for the parking of commercial vehicles without prior approval being granted by the Shire of Exmouth.
- 16. Firebreaks of not less than 3 metres in width are to be constructed around and within 20 metres of the perimeter of each building, and on such lands so to completely enclose the building envelope with such a firebreak.
- 17. Strategic firebreaks remain the responsibility of the owner, on whose lot the firebreak is situated.
- 18. Stormwater from the lot shall be managed to the satisfaction of the Shire of Exmouth.
- 19. Fencing of and within the building envelope is only permitted where the fencing is of a form and type approved by the Shire. No solid fencing is permitted.
- 20. The keeping of stock, including horses, is prohibited.
- 21. Power supply to the dwelling shall be underground.
- 22. The proposal is to comply with any details and/or amendments marked in red on the stamped, approved plans.
- 23. No earthworks, fencing or private works associated with the proposal shall be located within the Minilya-Exmouth Road reserve.
- 24. No stormwater is to be discharged onto the Minilya -Exmouth Road reserve.

Date of determination: 09/02/2022

- Note 1: If the development the subject of this approval in not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.
- Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.
- Note 4: The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval. Prior to

any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth.

Note 5:

This approval is not an authority to ignore any constraint to development on the land, which may exist through any contract or on the Certificate of Title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Shire to investigate any such constraints prior to commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been brought to the Shire's attention.

Note 6:

It is recommended that the fuel loading throughout the property be reduced or removed completely so that a building protection zone is installed to provide a 'circle of safety' around your building, by pruning trees overhanging your building, removing leaf litter and, cutting long grass and dense scrub/bush.

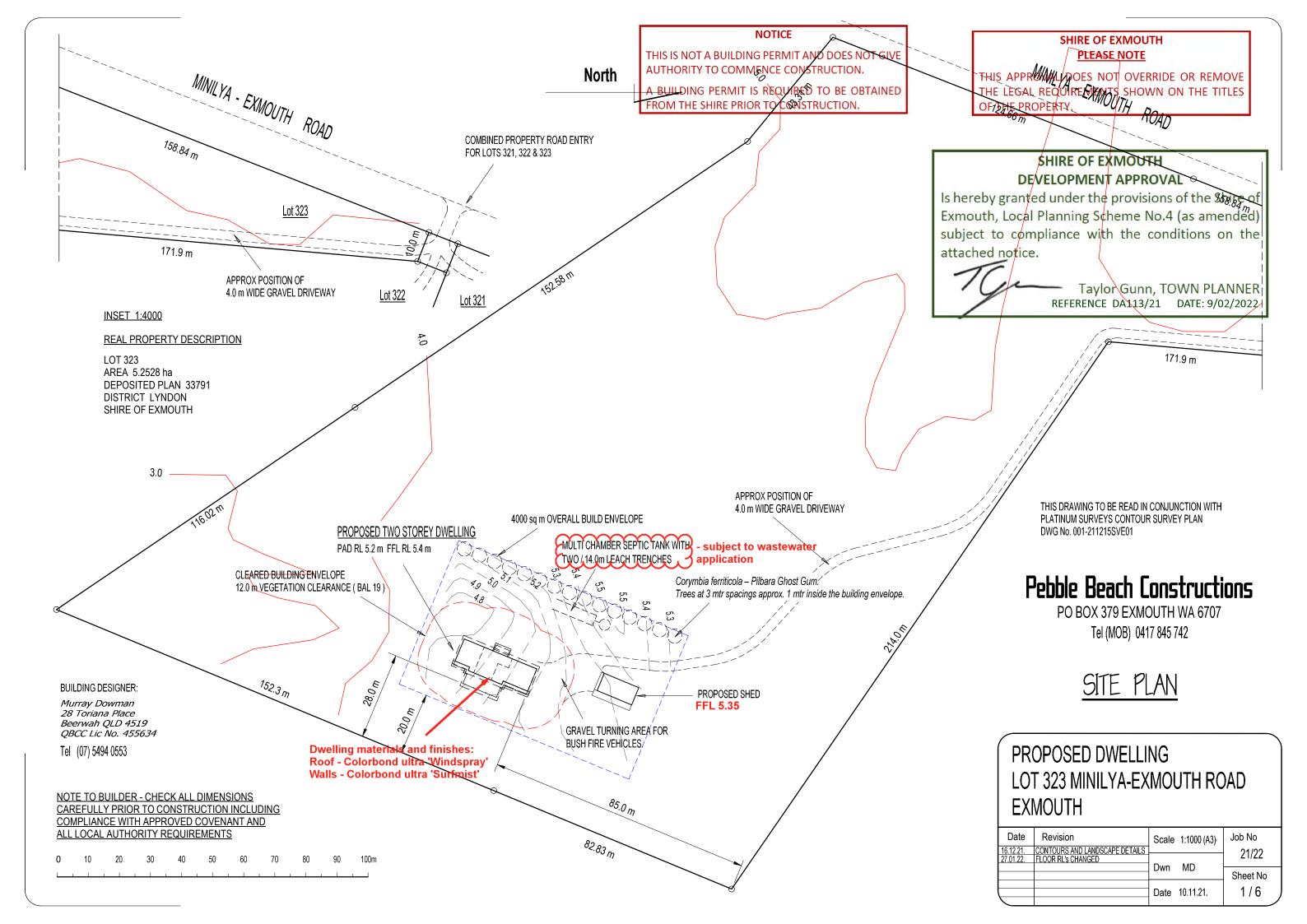
SENIOR PLANNING OFFICER

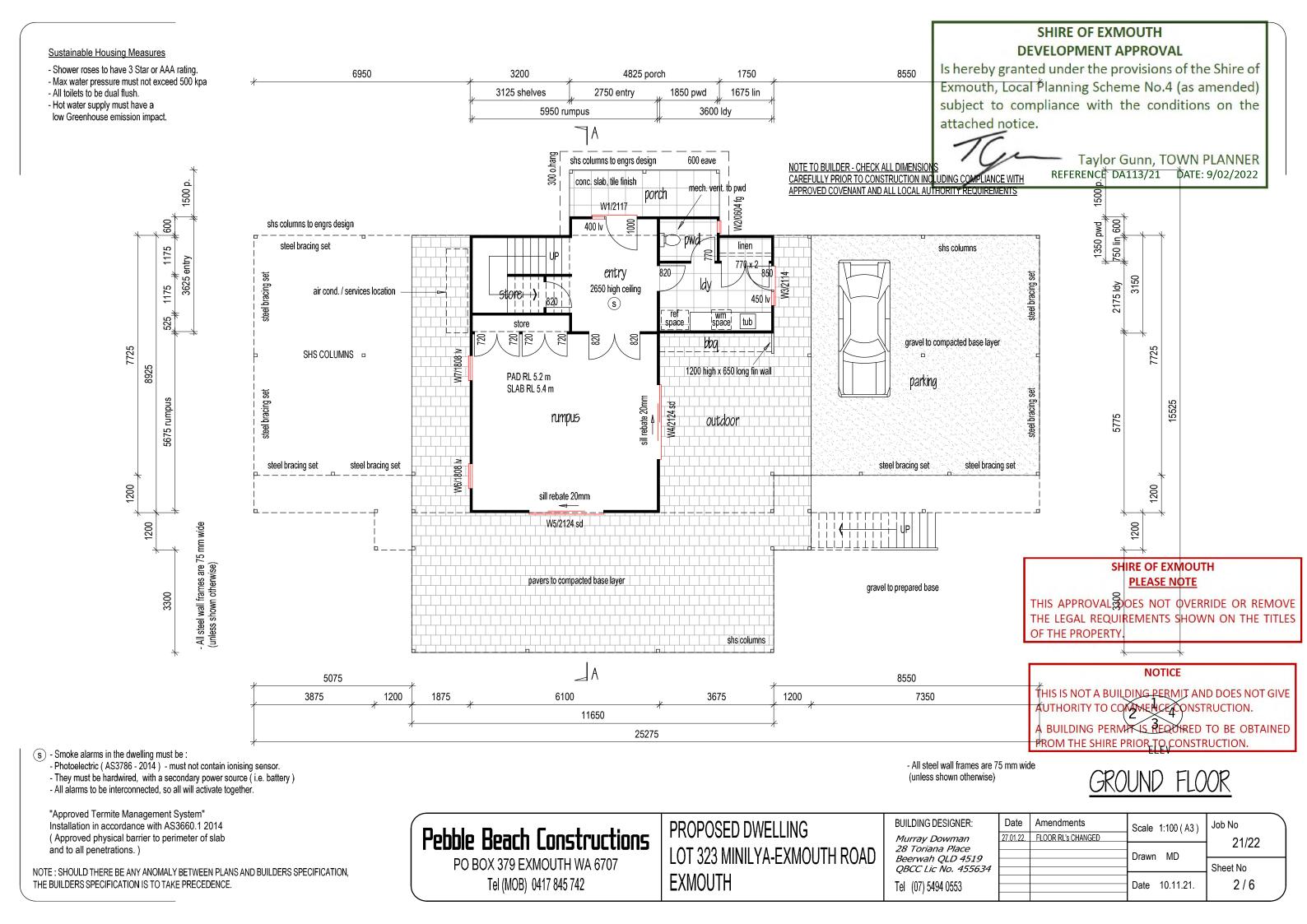
Taylor Gunn

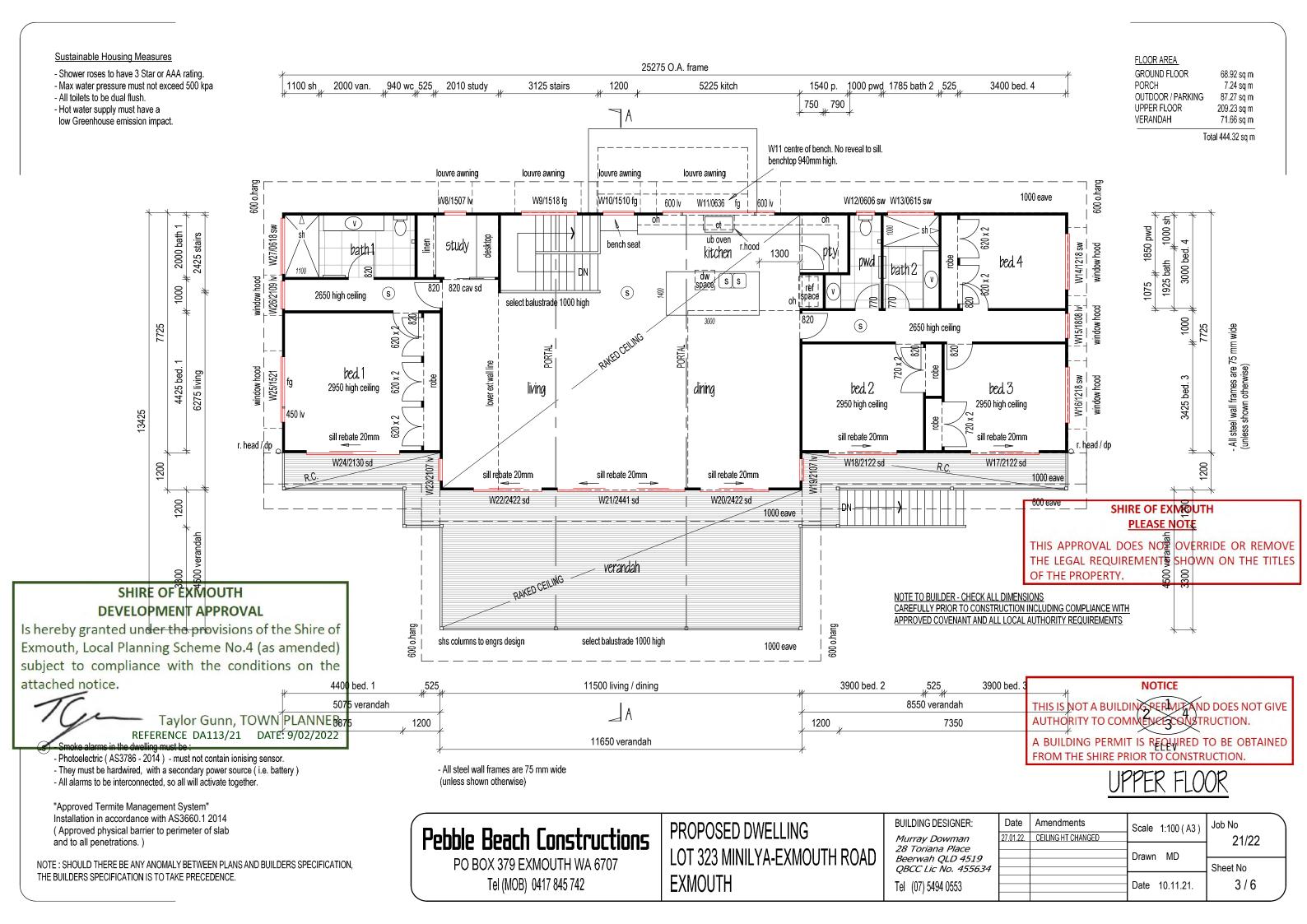
for and on behalf of the Shire of Exmouth

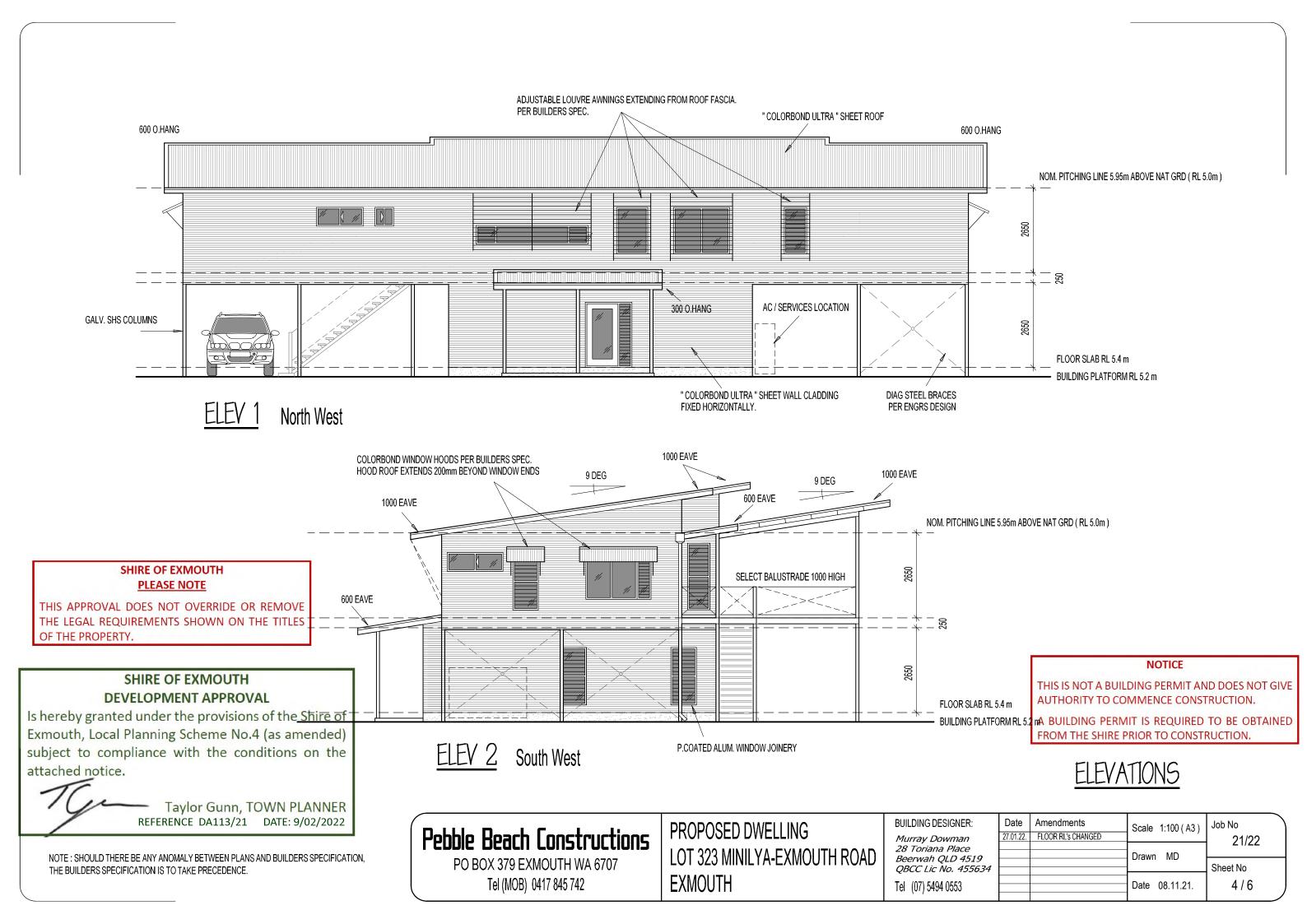
Dated: 09/02/2022

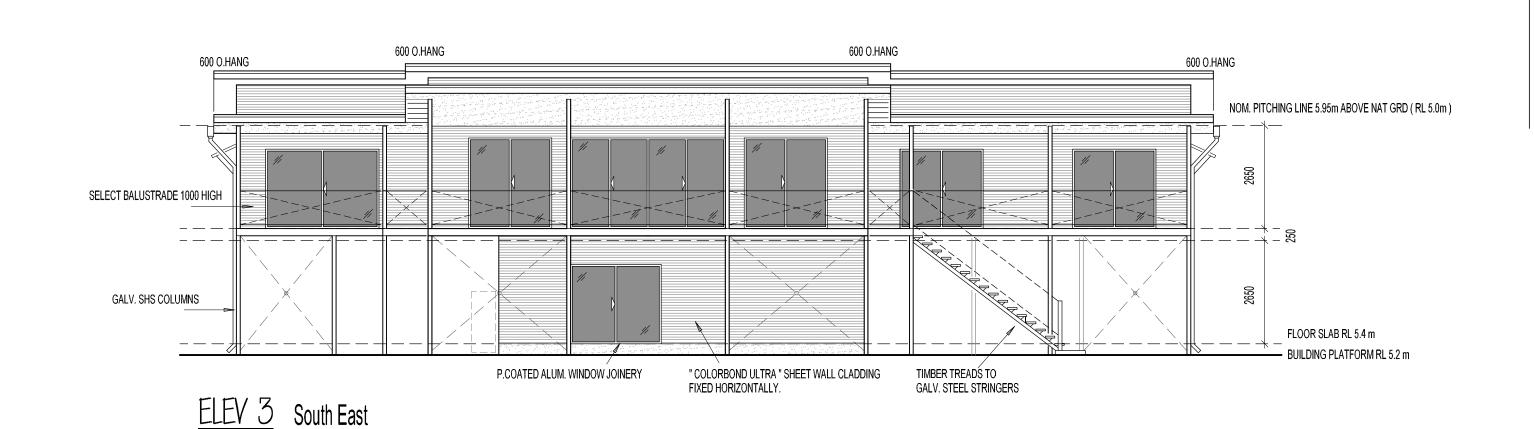
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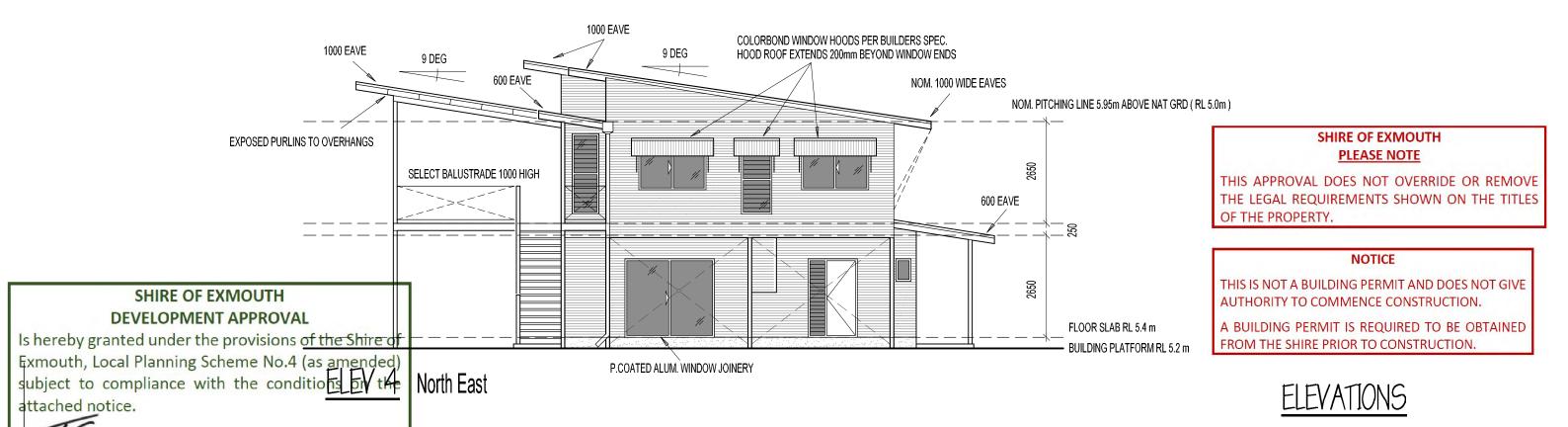












Pebble Beach Constructions

PO BOX 379 EXMOUTH WA 6707

Tel (MOB) 0417 845 742

PROPOSED DWELLING

EXMOUTH

LOT 323 MINILYA-EXMOUTH ROAD

BUILDING DESIGNER:

Tel (07) 5494 0553

Murray Dowman 28 Toriana Place Beerwah QLD 4519

QBCC Lic No. 455634

Amendments

FLOOR RL's CHANGED

Job No

Sheet No

21/22

5/6

Scale 1:100 (A3)

Drawn MD

Date 08.11.21.

Taylor Gunn, TOWN PLANNER

REFERENCE DA113/21 DATE: 9/02/2022

NOTE: SHOULD THERE BE ANY ANOMALY BETWEEN PLANS AND BUILDERS SPECIFICATION,

THE BUILDERS SPECIFICATION IS TO TAKE PRECEDENCE.

WINDOW SCHEDULE - GROUND FLOOR

W No.	HEIGHT	WIDTH	DESCRIPT	NOTES
1	2100	1700	COMBO	2100 x 1000 WIDE DOOR / 2100 x 400 L\
2	600	400	FG	FIXED GLASS
3	2100	1400	COMBO	2100 x 450 LV / 2100 x 850 WIDE DOOR
4	2100	2400	XO	SL DOOR
5	2100	2400	OX	SL DOOR
6	1851	820	LV	GLASS LOUVRES
7	1851	820	LV	GLASS LOUVRES

CONFIRM ALL WINDOW SIZES BEFORE CONSTRUCTING WALL FRAMES

NOTE X = OPENING SASH O = FIXED GLASS VIEWED FROM OUTSIDE OF DWELLING.

FG = FIXED GLASS

LV = GLASS LOUVRES

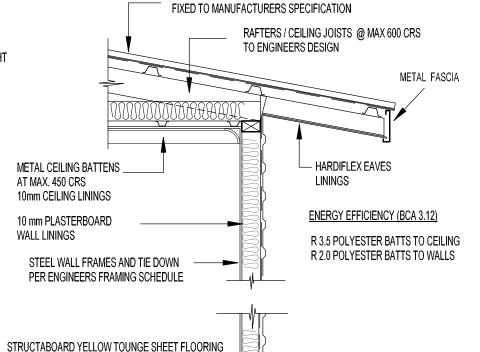
SW = SLIDING GLASS WINDOW

SD = SLIDING GLASS DOOR

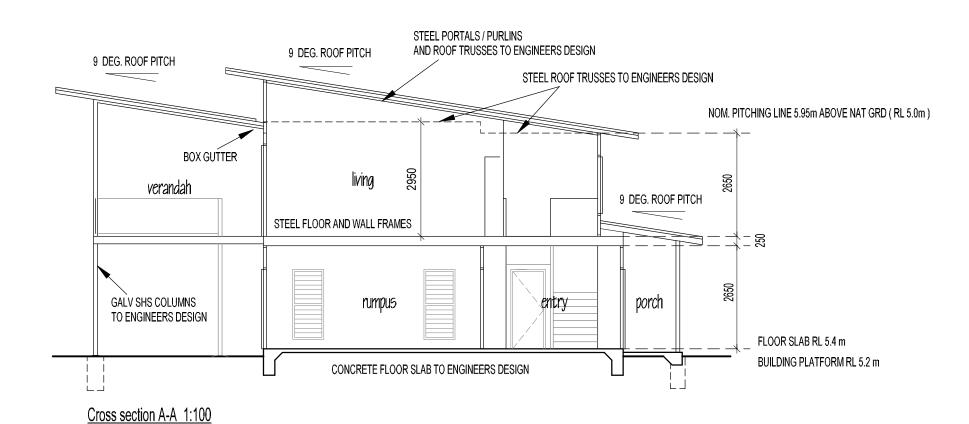
WINDOW SCHEDULE - UPPER FLOOR

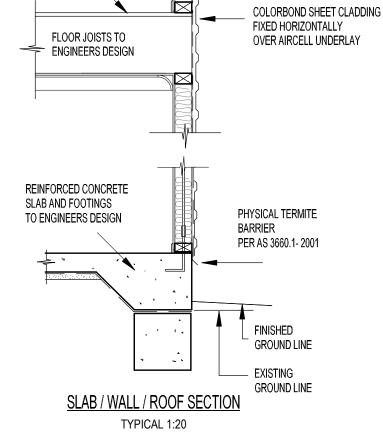
W No.	HEIGHT	WIDTH	DESCRIPT	NOTES
8	1500	720	LV	GLASS LOUVRES
* (9	1500	1800	FG	FIXED GLASS WITH MULLION
√ 10	1500	1000	FG	FIXED GLASS
11	650	3600	LV/FG/LV	LOUVRES / FIXED GLASS / LOUVRES
12	600	600	XO	SL WINDOW
13	600	1500	OX	SL WINDOW
14	1200	1800	OX	SL WINDOW
15	1851	820	LV	GLASS LOUVRES
16	1200	1800	XO	SL WINDOW
17	2100	2200	XO	SL DOOR
18	2100	2200	XO	SL DOOR
19	2140	720	LV	GLASS LOUVRES
20	2400	2200	ХО	SL DOOR
21	2400	4100	OXXO	SL DOOR
22	2400	2200	OX	SL DOOR
23	2140	720	LV	GLASS LOUVRES
24	2100	3000	OX	SL DOOR
25	1580	2100	LV / FG	LOUVRES / FIXED GLASS WITH MULLION
26	1851	820	LV	GLASS LOUVRES
27	600	1800	OX	SL WINDOW

* W9 AND W10 TO BE SAME HEIGHT AS W8 (LOUVRE WINDOW)



COLORBOND SHEET ROOF OVER AIRCELL UNDERLAY





CONSTRUCTION C2

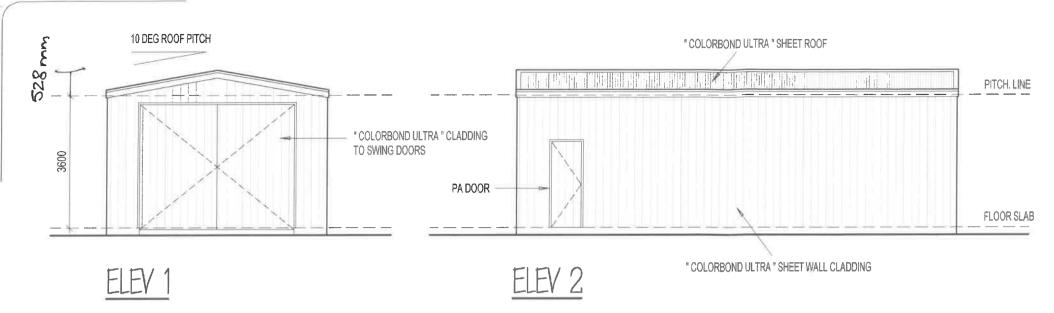
LIMIT STATE DESIGN

NOTE: SHOULD THERE BE ANY ANOMALY BETWEEN PLANS AND BUILDERS SPECIFICATION, THE BUILDERS SPECIFICATION IS TO TAKE PRECEDENCE.

Pebble Beach Constructions

PO BOX 379 EXMOUTH WA 6707 Tel (MOB) 0417 845 742 PROPOSED DWELLING LOT 323 MINILYA-EXMOUTH ROAD EXMOUTH BUILDING DESIGNER: Date Amend 27.01.22. FLOOR 28 Toriana Place Beerwah QLD 4519 QBCC Lic No. 455634
Tel (07) 5494 0553

Date	Amendments	Scale 1:100 (A3)	Job No 21/22	
7.01.22.	FLOOR RL's CHANGED			
			21/22	
		Drawn MD		
			Sheet No	
		Date 08.11.21.	6/6	
		Dαίο UU.11.21.	070	





THIS IS NOT A BUILDING PERMIT AND DOES NOT GIVE AUTHORITY TO COMMENCE CONSTRUCTION.

NOTICE

A BUILDING PERMIT IS REQUIRED TO BE OBTAINED FROM THE SHIRE PRIOR TO CONSTRUCTION.

SHIRE OF EXMOUTH PLEASE NOTE

THIS APPROVAL DOES NOT OVERRIDE OR REMOVE THE LEGAL REQUIREMENTS SHOWN ON THE TITLES OF THE PROPERTY.

SHIRE OF EXMOUTH DEVELOPMENT APPROVAL

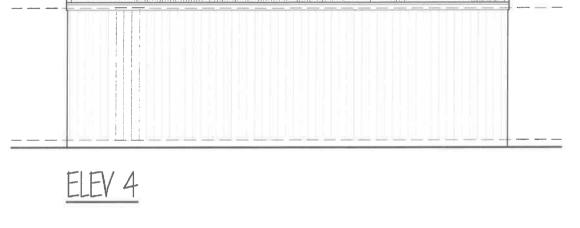
Is hereby granted under the provisions of the Shire of Exmouth, Local Planning Scheme No.4 (as amended) subject to compliance with the conditions on the attached notice.

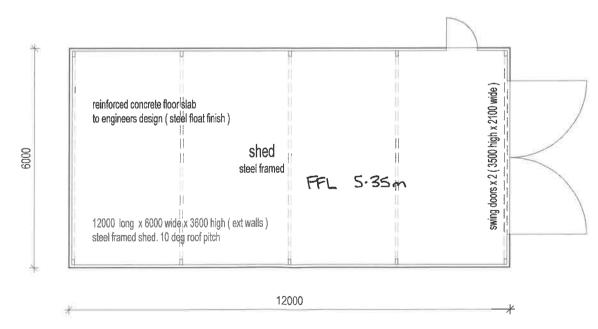
Taylor Gunn, TOWN PLANNER REFERENCE DA113/21 DATE: 9/02/2022

SHOULD BUILDERS SPECIFICATION

ANOMALY BETWEEN PRECEDENCE.

BUILDERS SPECIFICATION,





PETIM ONLY!!

ELEV 3



FLOOR PLAN

Total floor area 72.0 sq m

Pebble Beach Constructions

PO BOX 379 EXMOUTH WA 6707 Tel (MOB) 0417 845 742 PROPOSED SHED
LOT 323 MINILYA-EXMOUTH ROAD
EXMOUTH

BUILDING DESIGNER:	Date Amendments		Scale 1:100 (A3)	Job No
Murray Dowman 28 Toriana Place				21/22
			Drawn MD	
Beerwah QLD 4519 QBCC Lic No. 455634			Didini MD	Sheet No
Tel (07) 5494 0553			Date 14.04.21.	S1
(1)				

Department of Water and Environmental Regulation Response – Re Clearing of native vegetation

Advice: Based on the information provided, the proposed clearing is not exempt, as the area of proposed development occurs within a mapped ESA, and a clearing permit is required.

Discussion: Under section 51C of the Environmental Protection Act 1986 (EP Act), clearing of native vegetation is an offence unless undertaken under the authority of a clearing permit, or the clearing is subject to an exemption. Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Clearing Regulations).

Based on the information provided, the proposed clearing is not exempt, as the area of proposed development occurs within a mapped ESA, and a clearing permit is required.

The Department has not received a clearing permit application for this proposal. Application forms are available from https://www.der.wa.gov.au/our-work/clearing-permits/46-clearing-permit-application-forms.

Additional information on how to apply for a clearing permit is available from how to apply.pdf

Information regarding clearing permit fees can be found here: https://der.wa.gov.au/our-work/clearing-permits/fees/faqs.

Please note that a new referral system under the *Environmental Protection Amendment Act 2020* commenced on 22 October 2021.

Under the referral system, the Department will determine whether very minor clearing proposals require a clearing permit.

The decision on whether a clearing permit is required will be made against criteria specified in the EP Act and the *Guideline: Native vegetation referrals* available here: https://www.wa.gov.au/government/publications/guideline-native-vegetation-clearing-referrals

It is anticipated that native vegetation clearing of very low environmental risk that does not fit an exemption, will proceed through the referral process and not require a clearing permit.

It appears that the referrals process may be applicable to the clearing proposed.

If further clarification is required, please contact DWER's Native Vegetation Regulation section by email admin.nvp@dwer.wa.gov.au or by telephone 6364 7098.

ELEMENT 3: VEHICULAR ACCESS

PERFORMANCE PRINCIPLE

ACCEPTABLE SOLUTIONS

A3.5 Private driveway longer than 50 metres

A private driveway is to meet all of the following requirements:

- Requirements in Table 6, Column 3;
- Required where a house site is more than 50 metres from a public road;
- Passing bays: every 200 metres with a minimum length of 20 metres and a minimum width of two metres (i.e. the combined width of the passing bay and constructed private driveway to be a minimum six metres);
- Turn-around areas designed to accommodate type 3.4 fire appliances and to enable them to turn around safely every 500 metres (i.e. kerb to kerb 17.5 metres) and within 50 metres of a house; and
- Any bridges or culverts are able to support a minimum weight capacity of 15 tonnes.
- All-weather surface (i.e. compacted gravel, limestone or sealed).

A3.6 Emergency access way

An access way that does not provide through access to a public road is to be avoided in bushfire prone areas. Where no alternative exists (this will need to be demonstrated by the proponent), an emergency access way is to be provided as an alternative link to a public road during emergencies. An emergency access way is to meet all of the following requirements:

- Requirements in Table 6, Column 4;
- No further than 600 metres from a public road;
- Provided as right of way or public access easement in gross to ensure accessibility to the public and fire services during an emergency; and
- Must be signposted.

A3.7 Fire service access routes (perimeter roads)

Fire service access routes are to be established to provide access within and around the edge of the subdivision and related development to provide direct access to bushfire prone areas for fire fighters and link between public road networks for fire-fighting purposes. Fire service access routes are to meet the following requirements:

- Requirements Table 6, Column 5;
- Provided as right of ways or public access easements in gross to ensure accessibility to the public and fire services during an emergency;
- Surface: all-weather (i.e. compacted gravel, limestone or sealed)
- Dead end roads are not permitted;
- Turn-around areas designed to accommodate type 3.4 appliances and to enable them to turn around safely every 500 metres (i.e. kerb to kerb 17.5 metres);
- No further than 600 metres from a public road;
- Allow for two-way traffic and;
- Must be signposted.

ELEMENT 3: VEHICULAR ACCESS

PERFORMANCE PRINCIPLE

ACCEPTABLE SOLUTIONS

A3.8 Firebreak width

Lots greater than 0.5 hectares must have an internal perimeter firebreak of a minimum width of three metres or to the level as prescribed in the local firebreak notice issued by the local government.

Table 6: Vehicular access technical requirements

TECHNICAL REQUIREMENTS	1 Public road	2 Cul-de-sac	3 Private driveway	4 Emergency access way	5 Fire service access routes	
Minimum trafficable surface (m)	6*	6	4	6*	6*	
Horizontal clearance (m)	6	6	6	6	6	
Vertical clearance (m)	4.5	N/A	4.5	4.5	4.5	
Maximum grade <50 metres	1 in 10	1 in 10	1 in 10	1 in 10	1 in 10	
Minimum weight capacity (t)	15	15	15	15	15	
Maximum crossfall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33	
Curves minimum inner radius (m)	8.5	8.5	8.5	8.5	8.5	
*Refer to E3.2 Public roads: Trafficable surface						

EXPLANATORY NOTES

E3.1 Two access routes

It is essential that residents and the community, as well as emergency services, have safe access and egress from both the subdivision and individual houses/development. It is the developer's responsibility, as part of the Bushfire Hazard Level assessment, to ensure that subdivision and development design allow for bushfire protection criteria to be met regarding driveways and turnaround areas at house sites.

It is also necessary that the public have two safe access options leading to two different destinations that can withstand all weather conditions. This applies to access routes leading into a subdivision, as well as those within a subdivision. This acceptable solution allows for the situation if a vehicular access/egress route to a subdivision or lot becomes blocked during a fire then there is an alternative vehicular access/egress route which provides access to a different destination. Accordingly, road widening in lieu of providing two different access routes should not be supported. All access should be suitable to accommodate type 3.4 fire appliances (i.e. fire trucks with a four-wheel-drive 7-tonne chassis).

Two-way access should be provided as a public road; however, where a public road cannot be provided, (this will need to be demonstrated by the proponent providing justification for why this cannot be achieved) an emergency access way may be considered.

ELEMENT 3: VEHICULAR ACCESS

EXPLANATORY NOTES

E3.4 Battle-axe

In bushfire prone areas, lots with battle-axe access legs should be avoided because they often do not provide two-way access and egress for residents and may be easily blocked by falling trees or debris. In some instances, however; it may be appropriate for battle-axe access to be used to overcome specific site constraints. Where used, they should comply with the minimum standards for private driveways.

Passing bays should be provided at 200 metre intervals along battle-axe access legs to allow two-way traffic. The passing bays should be a minimum length of 20 metres, with the combined width of the passing bay and the access being a minimum of six metres.

Turn-around areas should allow type 3.4 fire appliances to turn around safely (i.e. kerb to kerb 17.5 metres) and should be available at house sites and at 500 metre intervals along the access leg.

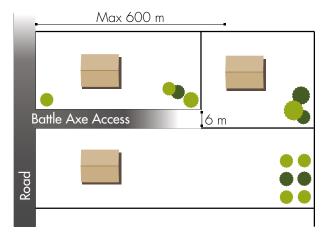


Figure 21: Minimum design requirements for a battle-axe

Unless no alternative exists, battle-axe access legs should be avoided in bushfire prone areas. Where deemed appropriate, the minimum design standards are shown.

E3.5 Private driveway longer than 50 metres

For a driveway shorter than 50 metres, fire appliances typically operate from the street frontage however where the distance exceeds 50 metres, then fire appliances will need to gain access along the driveway in order to defend the property during a bushfire. Where house sites are more than 50 metres from a public road, access to individual houses and turnaround areas should be available for both conventional two-wheel drive vehicles of residents and type 3.4 fire appliances.

Turn-around areas should be located within 50 metres of a house. Passing bays should be available where driveways are longer than 200 metres and turn-around areas in driveways that are longer than 500 metres. Circular and loop driveway designs may also be considered. These criteria should be addressed through subdivision design.

Passing bays should be provided at 200 metre intervals along private driveways to allow two-way traffic. The passing bays should be a minimum length of 20 metres, with the combined width of the passing bay and the access being a minimum of six metres.

Turn-around areas should allow type 3.4 fire appliances to turn around safely (i.e. kerb to kerb 17.5 metres) and should be available at the house sites and at 500 metre intervals along the driveway.

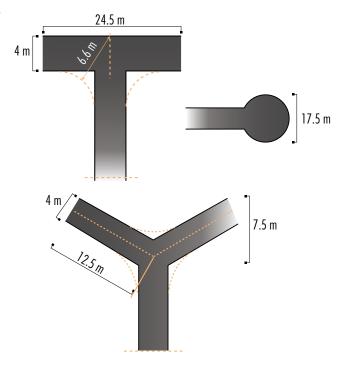


Figure 22: Design requirements for a private driveway longer than 50 metres

Turning areas should allow type 3.4 fire appliances to turn safely