

Briefing Paper

Prepared for: Stirling City Council

Re: Proposed works for road reserve at 171 West Coast Hwy Scarborough

Date: 5 September 2019

Background

Norup + Wilson have purchased the site at 171 West Coast Hwy for the redevelopment of a 99-apartment development known as "The Beach Shack". Development Approval was received from the Metropolitan Redevelopment Authority (MRA) in February 2018 and construction works is now underway with the Building Permit having been issued.

Located at the front of the development site is a 'Bush Forever 308' Class A Reserve. Regardless of the classification of the land, the legislated Bush Fire guidelines needs to be addressed when redeveloping a site. Furthermore, the custodian of the land (now City of Stirling) is required to manage the bush fire risk in terms of their prescribed policies and practices.

This Briefing Paper provides a brief overview of the situation with a more detailed report being made available upon request.

Q&A

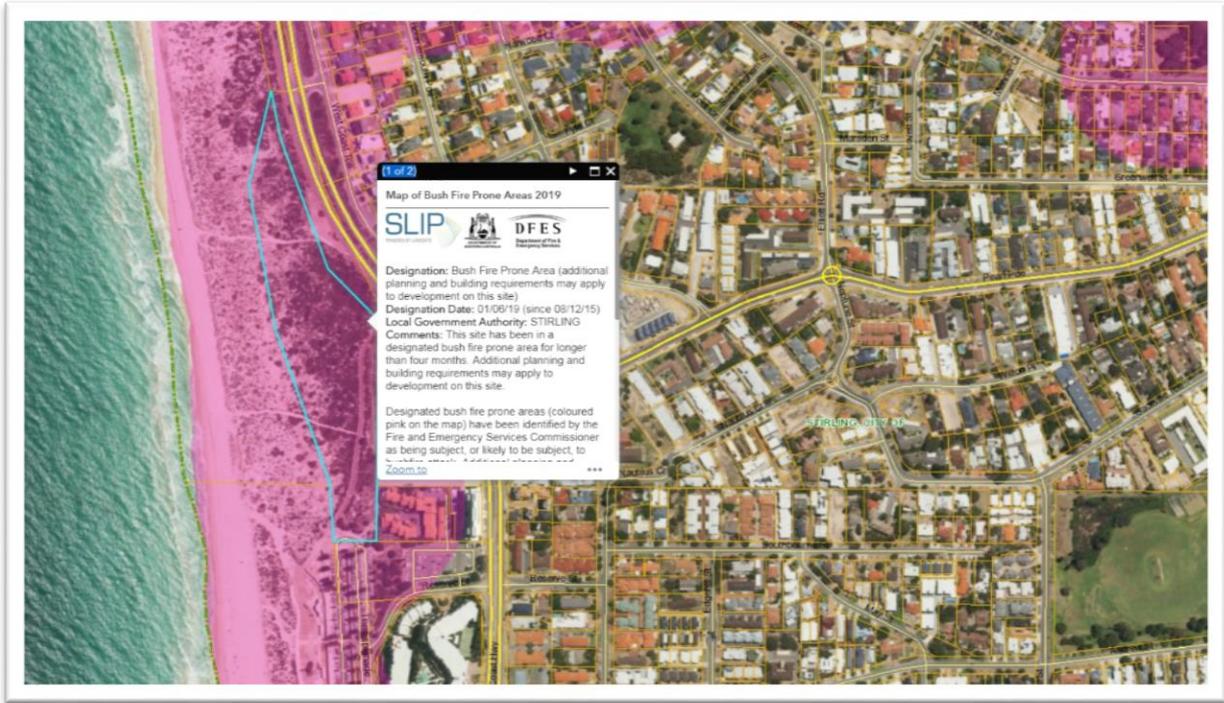
Q: Why is any action required?

A: The Department of Fire and Emergency Services (DFES) have generated a 'Map of Bush Fire Prone Areas' within Western Australia.

A bush fire prone area is identified by the presence of and proximity to bush fire prone vegetation. The affected area includes both the area containing the bush fire prone vegetation and a 100-metre buffer zone immediately surrounding it.

Additional planning and building requirements apply to developments within designated bush fire prone areas which State planners, City Councils, and developers need to consider. These include Schedule 2 Part 10A of the Planning and Development Regulations 2015 (Local Planning Schemes), State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7), the supporting Guidelines for Planning in Bushfire Prone Areas, the Building Code of Australia (BCA) and any other requirement from the Metropolitan Redevelopment Authority (MRA).

In December 2015 DFES identified the land adjacent to 171 West Coast Highway as a 'designated bush fire prone area.'



As a result, Norup + Wilson had to undertake a Bushfire Attack Level (BAL) assessment to ascertain the level of risk, and what mitigation measures were required to reduce the risk to a suitable level.

This is a legislated requirement for developers and planners to follow.

Q: What is the action that Norup Wilson are undertaking?

A: It has been agreed and approved between DFES, MRA, City of Stirling and Norup + Wilson to undertake the following works at the cost of the developer:

- Install a 1.8m high fire proof rated glass screen to cover the entire width of the development site within the western site boundary;
- Conduct earthworks and recountouring of the Crown land to create a 3m wide crushed limestone firebreak / access track and associated Conservation Works; &
- Remove all identified weeds (per the City's Weed Map), replant over 1300 indigenous plants to mirror the existing dune vegetation and ongoing maintenance as required by the City of Stirling.

The City of Stirling considers the proposed works to be the best outcome for the site.

Q: What did the original BAL Assessment state?

A: Based on the level of the legislated fuel load for the (i) type of vegetation and (ii) slope of the ground, the BAL rating was 'Flame Zone' which means that effectively no development could occur for over 80% of the site. As a result, it was agreed that some mitigation measures would be undertaken to reduce and manage (if required) the fuel load in such a manner to lower the rating to BAL 19.

At the time of this decision by the MRA the land was under the design control of Main Roads Western Australia (Main Roads WA) being a road reserve, so it was reasonable to assume that mitigation measures would be supported by the custodian of the land (Main Roads WA) as a road would have served as a suitable fire break.

Q: Why can't the developer just setback their development?

A: The DFES Bush Fire Map affected the majority of the site, therefore simply setting back the building would not have resulted in any substantial benefit.

Q: Why can't the developer just build a wall?

A: The Scarborough Design Guidelines require development to provide a positive interface with the public realm and promote passive surveillance of adjacent public spaces. Therefore, building a masonry wall facing the bush forever reserve adjacent to the site was not supported by the MRA. Instead, a visually permeable fireproof glass barrier was agreed to be installed along the western boundary.

Q: Why has Norup + Wilson not been required to comply with State Planning Policy 3.7?

A: Prior to commencement of building works Norup + Wilson was required to demonstrate compliance with State Planning Policy 3.7 (SPP3.7) through a balance of on-site and off-site fire protection measures intended to minimise the impact on the natural environment as outlined above.

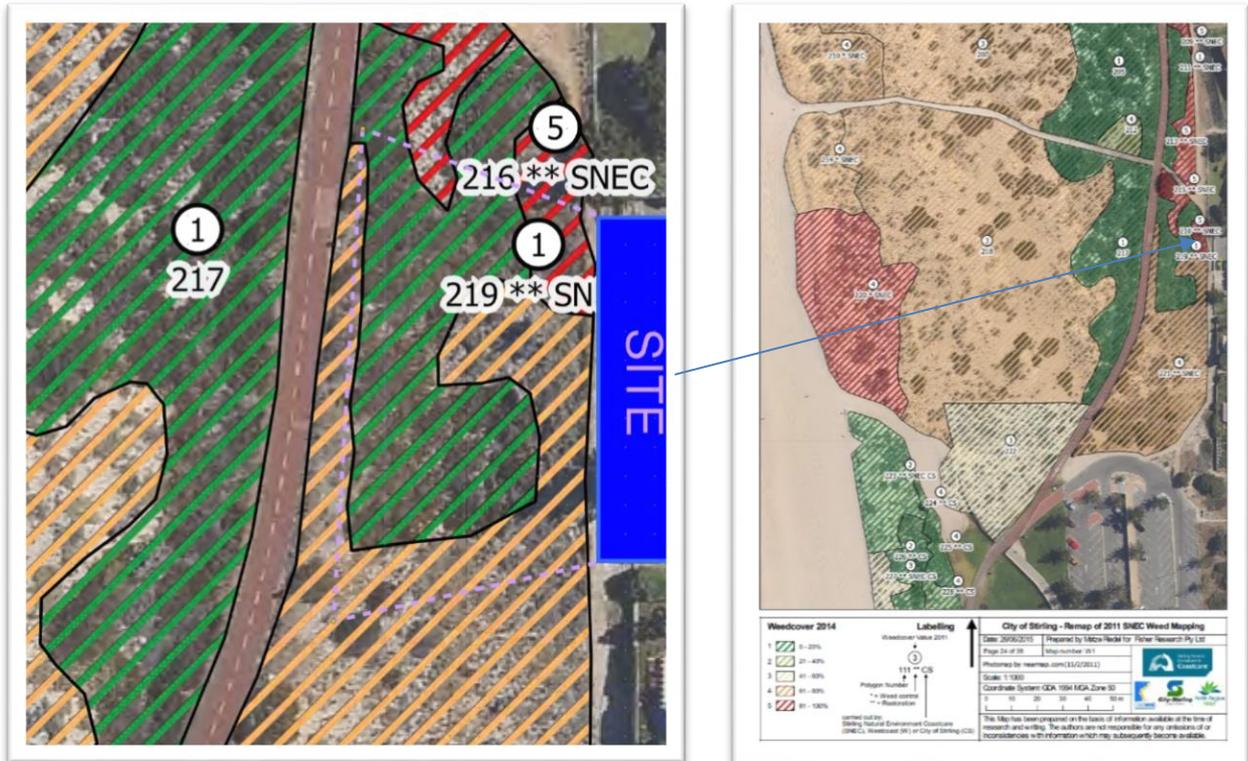
Q: Why does the path/firebreak need to be 3m wide?

A: While feedback from community groups has been that they would prefer a 1.2m wide path, the City is cognisant that a margin is needed for a fence to protect pedestrians accessing the path and as such the path needs to be a minimum of 2m wide. On the basis that the path to the North and South are 3m wide it was deemed appropriate that this section in between also be made 3m wide for consistency. It would also allow for Fire Brigade/Emergency Services access etc if required.

Q: Is the land within the reserve adjacent to the site (development) of 'state-wide significance'?

A: The land that was road reserve under the jurisdiction of Main Roads WA was already classed as part of Bush Forever site 308 long before the Beach Shack development was proposed. Jurisdiction for that land was recently transferred to the City of Stirling for conservation and on-going management purposes. Regardless of previous disturbances to the land historically in terms of artificial sand and rubble deposits and amendments to its topography, the City of Stirling considers the Bush Forever classification to still prevail.

In this regard, the conservation objective would be to remove, where practical, any disturbances that may have occurred and to restore lost natural values whilst at the same time ensuring compliance to legislative requirements to protect future built assets from bushfire risks. As part of this process, information from the City's previous weed mapping surveys of the land are being used to identify areas of weed infestation and to have these eradicated and replanted with local native coastal dune vegetation.



Q: What other mitigation measures were investigated?

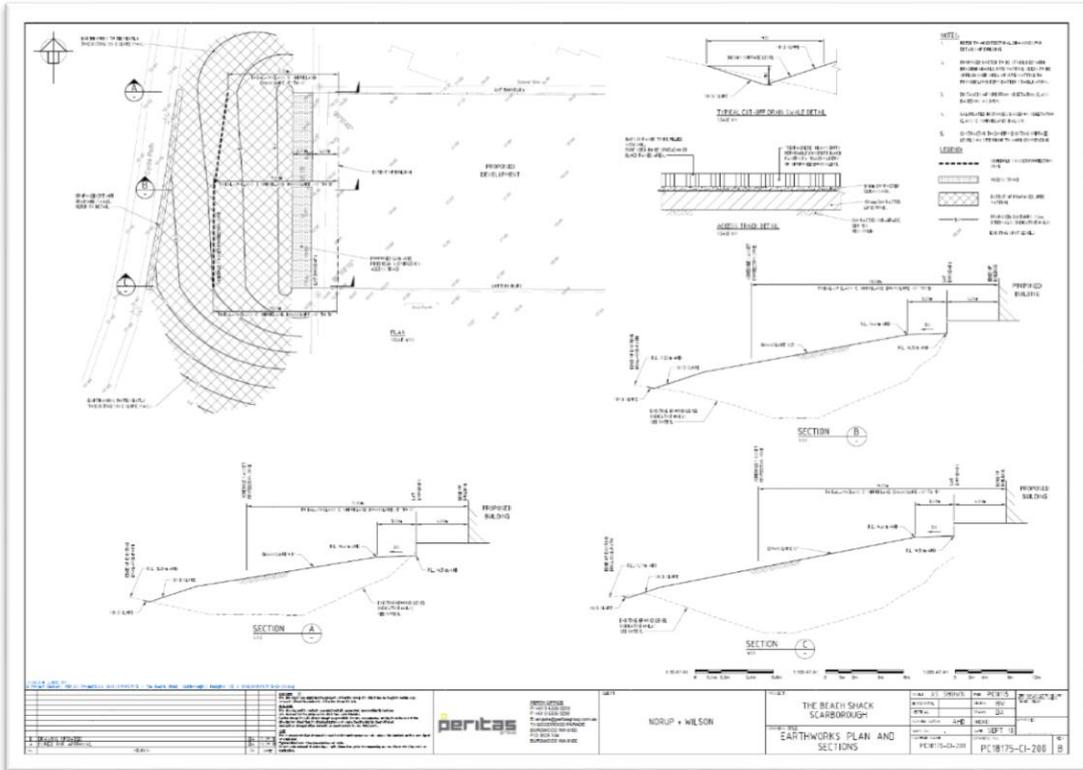
A: Several options were investigated and the process required the developer to consult with several departments, including the Department of Planning Lands and Heritage (DPLH), Department of Water and Environmental Regulation (DWER), City of Stirling (CoS), Department of Fire and Emergency Services (DFES) & Metropolitan Redevelopment Authority (MRA).

Following an on-site consultation process with CoS, several local action groups and other local residents, the scheme was further refined. The images below show the variances between the original proposal and the currently approved design.

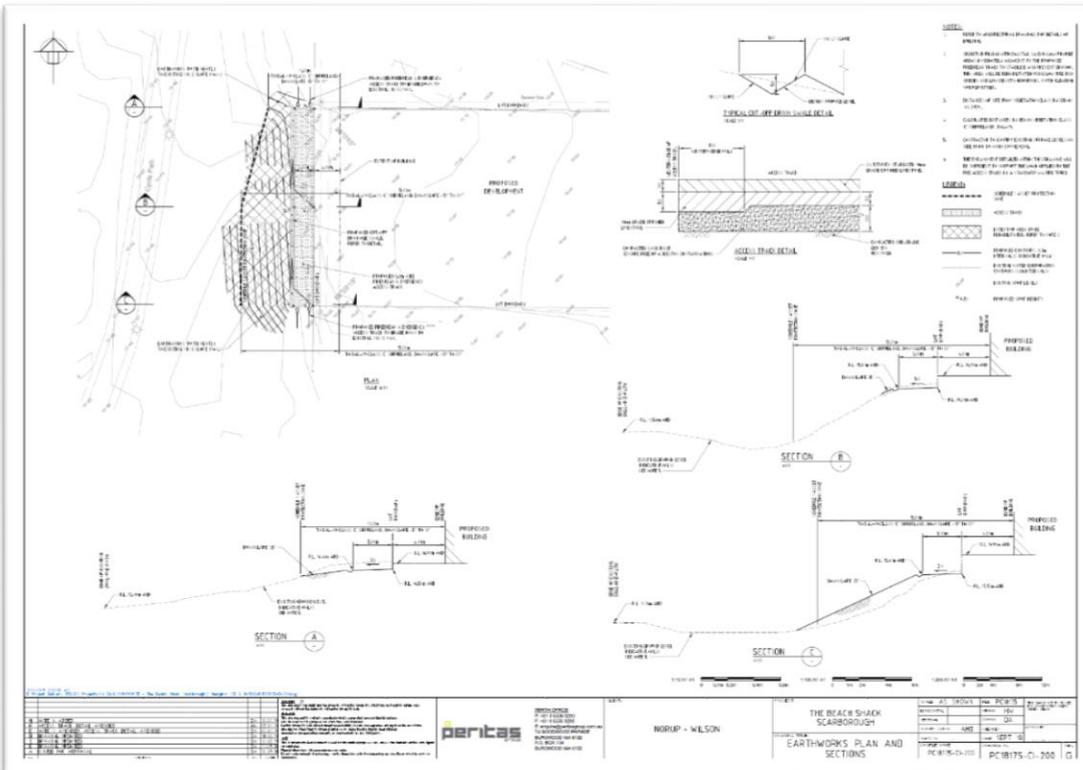
As a direct result of the consultation process, the overall area that will be impacted by the proposed works has been extensively reduced.

This extensive consultation over more than a year resulted in several options being investigated. The current proposal has, in the opinion of the various authorities, the least possible impact to the surrounding area.

Original proposal reviewed by authorities and local representatives:



Revised design post consultation process:



The goal was always to have the least possible amount of impact to the adjacent reserve, whilst still adhering to the legislated requirements.

Furthermore, the works will be carefully managed to determine whether the impact can be further reduced by lowering the height of the access track.

At the same time, the intersection between the stormwater swale and the adjacent vegetation will be reviewed and managed in accordance with the CoS's best practice requirements.

Q: Is there a chance to reduce the levels of the access track and therefore reduce the associated impact on the site?

A: Yes, once the works are under way and the exact levels of various retaining walls etc are established, the level of the fire break access track will be reviewed in an attempt to further reduce the impact on the surrounding area.

Q: Why is this the best option under the Bush Fire Prone regulations?

A: There were several other options investigated including:

- Filling in the swale, which would require additional removal of both indigenous and non-indigenous flora
- Reducing the amount of fauna and a maintenance plan to ensure fuel loads were maintained
- Placement of a fire rated screen within the reserve area
- Different elevation options for the track as this varies the 'up slope' rating for the bush fire assessment.

All of these options had an added impact on the environment and hence were not supported by the various Authorities.

Q: Can the 3m fire access track ever be converted to a road?

A: At no time has there been any discussion with any authority to change the limestone pathway into a road. Furthermore, the pathway is not built in a manner or the prescribed width to ever become a road.

The City of Stirling has reiterated on several occasions that no road can occur in a 'Bush Forever' zone.

Q: When are works on the Crown land expected to commence

A: Within the next three months, weather permitting.



Q: Who are the landscape agents been appointed to these works?

A: UDLA are the landscape architects appointed to undertake the works. UDLA conducted the landscaping for the Scarborough redevelopment site overall and we can therefore be reassured that the final product will be in keeping with the same high standard as the rest of the Scarborough area.

Q: Will the area be used for construction access?

A: No, the current intention is to create the limestone from within the site lot. Therefore, no construction machinery is currently intended to access the reserve.

Furthermore, a no time will the reserve area be used for the storage of any construction equipment or materials.

Q: Who is paying for the works?

A: Norup + Wilson on behalf of the developing entity.

Ends

For more information contact
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Annexure A - Beach Shack Landscape Concept Plan
Annexure B - Beach Shack Detailed Planting Plan
Annexure C - Civil Engineering Drawings