



PG – LPS – 003/114

5 September 2024

Tracey Cooney Walshe  
 City of Kalamunda  
 Tracey.CooneyWalshe@kalamunda.wa.gov.au

Dear Ms Cooney Walshe,

**RE: PROPOSED SCHEME AMENDMENT NO. 109 - LOT 4 (81) CANNING ROAD, KALAMUNDA**

I refer to the Department Fire and Emergency Services comments dated 29 August 2024, regarding the above development.

Assessment	Action
<p>Evidence to support the exclusion of Plot 1 as managed to low threat in accordance AS3959 is required. An enforceable mechanism is required to provide certainty that the proposed management measures can be achieved in perpetuity, and they are enforceable.</p> <p>Specifically, the decision maker should be satisfied that the vegetation in the garden east of the site (photos 1.1-1.2) can be managed to a low threat standard in perpetuity.</p>	<p>Photos 1.1 and 1.2 illustrate that the adjacent lot is a residential lot (house) with a garden that is not endemic vegetation.</p> <p>AS3959:2018 at 2.2.3.2.(f) cultivated gardens, expected of a developed residential lot, regardless of vigour and management standard, are excluded.</p>
<p>Additionally Figure 5 within the BMP shows that the isolated trees are being proposed as excluded under 2.2.3.2 c. This clause requires the vegetation to be a minimum of 20m from the lot boundary however the BMP has measured the distance as 32m from the building. The BMP should be modified to show the distance from the lot boundary. If the distance is less than 20m the area of trees should be classified.</p> <p>If unsubstantiated, the vegetation should be classified as per AS3959, or the resultant BAL rating may be inaccurate.</p>	<p>Please be aware of the wording from AS3959:</p> <p>“2.2.3.2 Exclusions—Low threat vegetation and non-vegetated areas</p> <p>(c) Multiple areas of vegetation less than 0.25 ha in area and not within 20 m of the site, or each other.</p> <p>The word ‘site’ is defined in section 1.5 AS3959) to be:</p> <p><b>“Site</b>                  The part of the allotment of land on which a building stands or is to be erected.”</p> <p>The measure of the site, as the portion that is to be developed, is not the lot boundary, this was clarified at WASAT<sup>1</sup>.</p> <p>No correction is needed because the correct measure is the building as used and not the lot boundary.</p>

<sup>1</sup> HARMANIS HOLDINGS NO. 2 PTY LTD and WESTERN AUSTRALIAN PLANNING COMMISSION [\[2019\] WASAT 43](#)



No amendments are required.

Should you have any queries, please contact me on 0428 066 147, or alternatively by email:  
[admin@envisionbp.com.au](mailto:admin@envisionbp.com.au)

A handwritten signature in black ink, appearing to read 'Anthony Rowe', written in a cursive style.

Yours sincerely  
**Anthony Rowe BPAD L3**