

Brian LaFontaine

From: Brian LaFontaine
Sent: Wednesday, 16 August 2017 5:35 PM
To: 'Kellie Bauer-Simpson'; 'Rajkumar, Vincent'; 'Maria Daniel'
Subject: RE: CPS 7727/1 - Vincent Rajkumar Lourduswamy - Clearing clear 0.286 hectares at Lot 213 on Deposited Plan 30747, Wattle Grove, for a place of worship and a car park

Hi Kellie,
Please find our confirmation in red below

Kind Regards,

Brian La Fontaine

peter hunt architect

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From: Kellie Bauer-Simpson [mailto:kellie@focusedvision.com.au]
Sent: Wednesday, 16 August 2017 4:01 PM
To: Brian LaFontaine; 'Rajkumar, Vincent'; 'Maria Daniel'
Subject: FW: CPS 7727/1 - Vincent Rajkumar Lourduswamy - Clearing clear 0.286 hectares at Lot 213 on Deposited Plan 30747, Wattle Grove, for a place of worship and a car park

Good afternoon Maria, Vincent and Brian,

We have very good news – the proposed clearing for all of the site has been confirmed to be exempt from the need for a clearing permit.

Previous advice that a carpark is not a structure was over-cautious, however the officer assigned to this application has confirmed that as long as the carpark will be sealed and kerbed, it is a formal structure, so exempt. Can you please confirm that the carpark will in fact be formal, sealed and kerbed? - PHA confirmed

Similarly, the office, peter, has also acknowledged issues with the department issued spatial data layers which show your site as being within an Environmentally Sensitive Area (which caught us off guard!). He confirms that this data is misleading and basically incorrect. Your site is not within as ESA, so exempt as per my original advice.

Peter mentioned to me on the phone that both of the above matters arise time and time again for the department with clearing permit applicants, and therefore, they are looking to clarify the guidelines to make the carpark exemptions (as a structure) and ESA buffers (as not being considered part of ESAs).

At this stage, it is my recommendation that we withdraw the NVCP (clearing permit) application and continue to pursue the development application with City of Kalamunda. Can you please confirm that you would like me to withdraw the application? PHA confirmed - PLEASE WITHDRAW APPLICATION

Thanks and regards,
Kellie.

Kellie Bauer-Simpson

Director & Principal



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Please consider the environment before printing this email

From: Peter Kiss [<mailto:peter.kiss@dwer.wa.gov.au>]

Sent: Wednesday, 16 August 2017 3:01 PM

To: kellie@focusedvision.com.au

Subject: CPS 7727/1 - Vincent Rajkumar Lourduswamy - Clearing clear 0.286 hectares at Lot 213 on Deposited Plan 30747, Wattle Grove, for a place of worship and a car park

Hi Kellie

As discussed over the phone yesterday, Vincent Rajkumar Lourduswamy's application to clear 0.286 hectares at Lot 213 on Deposited Plan 30747, Wattle Grove, for a place of worship and a car park appears to be exempt from requiring a clearing permit.

The appropriate building approvals are required from your local government prior to undertaking the clearing.

Please advise, **by return email**, your intention to withdraw the application.

Information on the exemptions for buildings and structures can be found in Fact sheet 9 at https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Fact_sheets/Native_Vegetation_Conservation_Fact_Sheet_9.pdf. As outlined in fact sheet 9, the exemption does not apply in an environmentally sensitive area (ESA) or riparian vegetation. I have determined that the area applied to be cleared is not in an ESA or concern riparian vegetation. It should be noted that our ESA layer indicates that this land is within an ESA. This is because the area is within a threatened ecological community (TEC) buffer area. The TEC is ~160 metres south east of the application area. The TEC is covered by the ESA notice, but the TEC buffer is not.

As discussed yesterday, a car park that has been compacted, sealed and has kerbing is considered a structure. A car park that consists of cleared area of bush where no other work has taken place, and where there is the potential for regrowth is not considered a structure.

I understand that you may need to remove a few trees within three metres of the building footprint for hazard reduction. Information on clearing for fire protection can be found at https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Fact_sheets/fs20-Clearing_for_fire_protection_Building_Protection_Zones.pdf

Please contact me on 6467 5044 if you would like to discuss any of the above.

Regards,

Peter Kiss

Licensing and Approvals

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