



**Barunga West
Council**

Fisherman Bay Freehold Update FAQ – Council

Coastal Protection Measures

Q. Why are we implementing coastal protection measures such as the seawall?

A. To protect against current and future predicted seaside inundation. Studies were conducted in 2017 examining the effect of sea level rises on Fisherman Bay. This showed significant inundation in Fisherman Bay during a storm event. Coastal protection measures will contribute to reducing the possible risk to the Fisherman Bay community in the event of a significant storm event and sea level rise.

Q. What type of rocks will be used (size and colour) for the rock revetment seawall?

A. Council will be encouraging the use of locally sourced rocks. It is intended they are uniform in colour and limit the negative impact to the amenity in the area. The structure typically includes rocks of between 250mm – 500mm depending on the design and purpose, with a 750mm 'toe stone' at the end.

Q. How will the seawall impact my views?

A. This will depend on the location and the site height of your existing shack. For some shacks, there will be minimal to no significant impact, for others there may be more of an impact. Please refer to the map accompanying this document for further details.

Q. Where will the access points to the beach be when the sea coastal protection measures are built?

A. Access points are currently being reviewed and are subject to final design.

Miscellaneous Concerns

Q. Will the playgrounds and shelters be upgraded as part of the development?

A. Playgrounds have recently been upgraded and will be maintained in line with Council Asset Management.

Q. What landscaping will be put in place?

A. Council is working with Fisherman Bay Management to incorporate landscaping in the final design.

Q. What is happening to the Community Centre?

A. Council intends to acquire the community centre as part of the freehold process. Investigation will be conducted how best to upgrade the centre for the ongoing benefit of the community.

Q. What will the speed limit be?

A. The speed limit is to remain at 30km/hr.

Q. Will there be speed humps?

A. There are currently no plans to introduce speed humps.

Q. I want to demolish or make renovations to my shack, but I think there is asbestos. What should I do?

A. Many of the Fisherman Bay shacks may have been constructed with materials that include asbestos. Asbestos removalists must be appropriately licensed and comply with all the relevant duties under the Work Health and Safety Act 2012 (SA) and Work Health and Safety Regulations 2012 (SA). Asbestos removalist know how to manage this work safely without risk to you, your family or your neighbours. For further information, you can go to <https://www.asbestos.sa.gov.au/>.



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Fire Safety Non-Compliance Issues

Fisherman Bay Management Pty Ltd (FBM) has identified 110 sites with fire safety issues. If you are looking to freehold one of these sites and retain the existing structure you will need to remedy the fire safety issue (e.g. install a firewall or undertake cladding remediation works).

As part of the land division approval issued by the State Commission Assessment Panel (SCAP), you cannot be issued your title until fire safety compliance issues are dealt with.

Q. Why was this condition attached?

A. The intent of the condition is to ensure all buildings in Fisherman Bay comply with the relevant fire safety provisions of the building code. This is to minimise the risk of fire spreading from one site to another.

Q. I have a fire separation non-compliance associated with my building. What are my options for remedying this non-compliance?

A. In 2018, letters were sent by Professional Building Services (PBS Australia) identifying areas of non-compliance relating to your property. In these letters, either 'option 1' or 'option 2' were given as possible remedies depending on your individual circumstances.

These remedies involved:

- Install a fire rated wall along the length of the external wall adjacent to boundary; and or
- Install crimesafe and a wall drenching sprinkler over the a window opening; and or
- Remove or close off the offending window

The options were suggestions only. You are advised to check your individual circumstances and choose the appropriate action for your shack; or engage a licenced private building certifier.

Q. What council approvals do you need to build a fire wall?

A. You will need building approval only which is obtained through the development assessment process. We advise engaging a private building certifier as they will be able to advise on what you are required to complete.

Q. Can two dwellings deal with a fire non-compliance issue by building just one fire wall?

A. No. The non-compliance in part results from the structure's position in relation to the site boundary. There may be scope to have a boundary adjustment to deal with this. You will need to consult with FBM to see if this is an option for you.

Q. What evidence do you need to provide council to prove that your fire safety issue has been dealt with?

A. Upon completion of works, you will be required to provide Council with a Certificate of Compliance. You will need to engage a Private Building Certifier who will advise if the works undertaken means that your building now complies with Regulation 77 of the *Planning, Development and Infrastructure (General) Regulations 2017* (formally Regulation 5a of the *Development Regulations 2008*) and if it does they will issue you a Certificate of Compliance.

Q. What happens if you want to deal with the fire safety issue by demolishing the building?

A. Council and FBM are currently examining the possibility of this option being used to satisfying the condition imposed by SCAP. You would be required to have obtained development approval for demolition prior to freehold title being granted.



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Developing Your Property – Post Freeholding

Q. I want to develop my property. Is there someone at Council I can speak to?

A. Yes. You are welcome to contact one of our Development Services Team in person at our office in 11 Bay St, Port Broughton, via phone on 86352107, or via email at barunga@barungawest.sa.gov.au

Q. What approvals do you need in place to demolish the building?

A. Those wishing to demolish a building on their land must require development approval prior to demolishing. This will require building consent only.

Q. What can I build on my property?

A. A limited range of residential development such as houses or shacks with associated sheds and carports.

Q. Am I able to demolish and rebuild my house / shack?

A. In most cases, yes. You will need to lodge a development application with Council and provide the required information. We advise speaking to Council's Development Services Team or a private planning consultant prior to lodging.

Q. How long is the development application process?

A. It is difficult to give an exact timeframe for development applications. Every application is different and may require a different level of assessment. Legislation permits Council to take up to 65 days to assess the kind of development we would expect in the Fisherman Bay area. This assumes all necessary documentation and information is provided. We do endeavour to shorten all these approval timeframes wherever possible.

Q. What is the development application process?

A. Once you know what you want to do with your property and have the designs, the general process is:

- A development application will need to be submitted with documents and information via the PlanSA portal (plan.sa.gov.au)
- This will be verified by Council's Planning Officer
- Fees will be generated
- Once fees are paid, planning consent will be assessed by the Council's Planning Officer (or a private certifier if you engaged one).
- If planning consent is granted, building consent will be assessed by the Council's Building Officer (or a private certifier if you engaged one).
- If building consent is granted, full development approval will be granted and you will receive a Decision Notification Notice (DNF) at which point you can proceed with your development.

Q. What are the documents and information I need to supply?

A. Below is a list of the documents that you will generally will require for a development application. Depending on what and where your development is, you may require more or less than this. Don't panic, your builder will be able to supply many of these documents.

- Certificate or Title
- Site plan - drawn to scale, including appropriate bar and ratio scales
- Floor plan – drawn to scale
- Elevations - drawn to scale (including appropriate bar and ratio scales)
- Roof, wall and floor layouts of any buildings, including dimensions and calculations
- Details of construction materials and design
- Engineering details, for example, service or infrastructure lines

More information is available at plan.sa.gov.au.

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Freeholding

Q. Who is managing the freehold process?

A. Fisherman Bay Management Pty Ltd (FBM) is responsible for freehold process.

Q. When do I have to settle on my existing contract to purchase my title?

A. It is anticipated settlement of existing contracts and the transfer of titles will be scheduled to take place from mid-2021 onwards, subject to conditions of the Development Approval, Infrastructure Deed and Sales Contracts being able to be satisfied.

Q. How long will it take to receive my title after settlement?

A. FBM have advised settlement will be conducted in stages and your title will be transferred to you at settlement. Any queries in relation to title issue should be directed to your Conveyancer / Solicitor.

Q. When do I pay the balance of the freehold price and to whom?

A. You will be paying FBM at the time of settlement.

Q. Who should my conveyancer talk to?

A. Fisherman Bay Management's conveyancer is Four Points Conveyancing. You will need your own conveyancer who will communicate with them.

Wastewater

Q. Will I still need my septic after I connect to the CWMS sewer system?

A. No, a septic will not be required after you have connected to the CWMS sewer system.

Q. When can I connect to the CWMS sewer?

A. It is estimated construction will be completed in 18 months – 2 years from mid-2021, however the CWMS sewer infrastructure will be completed as a priority within the next 12 months. Connections can occur once this element of the project is built.

Q. Am I legally required to connect to the waste water system or can I continue to use my septic tank?

A. A large proportion of the existing wastewater systems in Fisherman Bay do not comply with onsite wastewater disposal standards. If your system does not comply with these standards, it is intended that you connect to the CWMS sewer as soon as a practically possible.

If, as a condition of a previous development or wastewater approval, it was stipulated that connection to CWMS sewer must be completed once available, you are legally required to connect to the CWMS sewer system.

Q. Will there be a cost to connect to the wastewater system?

A. Yes. There will be an initial one off connection fee to be paid separately along with ongoing annual fee to be incorporated into your council rates. These costs are still being determined by Council.



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Infrastructure and Construction

Q. What do the infrastructure works include?

A. The infrastructure includes wastewater management, coastal protection, road upgrades and stormwater management.

Q. Is Council managing the construction of the projects?

A. No. Council will only be responsible for the design and construction works associated with upgrading the Port Broughton Community Wastewater Management System. The design and construction of the coastal protection measures, roads and stormwater network is the responsibility of Fisherman Bay Management Pty Ltd.

Q. When will construction start?

A. It is anticipated work will commence in the second half of this calendar year.

Q. When will the infrastructure be completed?

A. It is estimated total construction will be completed in 18 months – 2 years from mid-2021.

Q. Will there be any changes made to the boat ramp?

A. Subject to final design, there is a proposed alteration relocating the turnaround area to the eastern side of the boat ramp as part of the coastal protection measures.

Q. Will all roads be upgraded and resurfaced?

A. Subject to final design, all roads will see upgrades or re-surfacing. Currently, this will involve the spray seal of existing sealed roads and hot-mix asphalt of existing non-sealed roads.

Q. How will the stormwater infrastructure be designed?

A. While it is still subject to design, current proposals might result in an stormwater being directed to drainage in the centre of the roadway with newly surfaced roads, and externally for already sealed roads.

Q. Will there be any additional street lighting and where?

A. There is no additional street lighting in the current design. Any additional street lighting will be on public space.

Q. Will we get undergrounded power or will power poles be moved and reconfigured?

A. At this stage, Council are not aware of any intention by SA Power Networks to make changes to power supply infrastructure.