



## **SHIRE OF JERRAMUNGUP LOCAL PLANNING POLICY NO 22 BAL Contour Plan for Jerramungup & Bremer Bay**

### **1.0 BACKGROUND**

Large areas of the Shire of Jerramungup are prone to bushfires due to topography, vegetation and climate. In 2015 the state government released a suite of reforms in response to the Keelty Report 2011 that apply across the state and elevate bush fire issues to the highest level of planning policy.

The Department of Fire and Emergency Services (DFES), Building Commission and Western Australian Planning Commission (WAPC) collectively released a Bushfire Policy Framework which includes:

- State Planning Policy 3.7 'Planning in Bushfire Prone Areas';
- Amendments to Planning Regulations;
- Amendments to Building Regulations;
- An order by the Fire & Emergency Services Commissioner designating bushfire prone areas;
- Published the Map of Bushfire Prone areas; and
- Published the Guidelines for Planning in Bushfire Prone Areas

The intention of this policy framework is to *"implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure."*

The recent release of this policy framework has increased the level of complexity when lodging development applications. The majority of landowners and developers in the Shire of Jerramungup are 'owner builders' or reasonably unfamiliar with the development process and requirements.

Additionally, the townsites are remote to professional services; any service usually comes with considerable travel costs added. Large areas of the townsites are required to prepare a BAL Assessment being identified as 'bushfire prone' by the recently released State-wide Bushfire Prone mapping.

This policy seeks to aid applicants in preparing information for lodging development applications by providing a BAL Contour Plan over the Bremer Bay and Jerramungup Townsites

This policy is to be read in conjunction with the report "2 Townsites BAL Contour Plans" prepared by Bio Diverse Solutions Pty Ltd.

## 2.0 SCHEME REQUIREMENTS

Regulation 10A of the Planning Regulations 'Deemed Provisions' require planning approval for all development within a designated bushfire prone area; except lots less than 1100m<sup>2</sup>.

The Scheme then requires that Council have 'due regard' for State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Area when determining planning applications in bushfire prone areas.

Therefore, this policy is to be read in conjunction with:

- the Deemed Provisions contained in the Planning and Development (Local Planning Schemes) Amendment Regulations 2015, which form part of every local planning scheme;
- Where relevant, any supplementary provisions of a scheme;
- State Planning Policy 3.7 and the supporting Guidelines; and
- Australian Standard 3959: Construction of buildings in bushfire-prone areas.

***Importantly, this policy compliments the above requirements only and does not supersede any other requirement of this policy framework.*** It seeks to streamline, add clarity and consistency to the requirements of the abovementioned documents when applied in the Shire of Jerramungup.

## 3.0 PURPOSE OF THE POLICY

The purpose of this Policy is to:

- a) Adopt and apply BAL Contour Plans for the townsites Bremer Bay and Jerramungup in order to assign a Bushfire Attack Level (BAL) rating to the residential areas within these townsites.

## 4.0 POLICY STATEMENT

This Policy will apply to all residential development in the gazetted townsites of Jerramungup and Bremer Bay.

## 5.0 REQUIREMENTS

### 5.1 Definitions

***These definitions are from the Guidelines for Planning in Bushfire Prone Land and apply in the context of SPP 3.7 and these Guidelines.***

**AS 3959:** Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas.

**BAL:** Bushfire Attack Level (BAL) as set out in the Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas (AS 3959), as referenced in the Building Code of Australia (as amended).

**BAL assessment:** An assessment prepared in a manner and form set out in AS 3959 to determine a BAL. It is strongly recommended that BAL assessments are prepared by accredited Level 1 BAL Assessors.

**BAL Contour Map:** A BAL Contour Map is a scale map of the subject lot/s illustrating the potential radiant heat impacts and associated indicative BAL ratings in reference to any classified vegetation remaining within 100 metres of the assessment area after the development is complete. The intent of the BAL Contour Map is to identify land suitable for development based on the indicative BAL rating.

**Bushfire Policy Framework:** The collective term for the package of requirements released in December 2015 that guide development in bushfire prone areas. These documents include:

- State Planning Policy 3.7 'Planning in Bushfire Prone Areas';
- Amendments to Planning Regulations;
- Amendments to Building Regulations;
- An order by the Fire & Emergency Services Commissioner designating bushfire prone areas;
- Published the Map of Bushfire Prone areas; and
- Published the Guidelines for Planning in Bushfire Prone Areas

## **5.2 General Requirements**

- a) The Shire of Jerramungup has prepared a BAL Contour Plan for the townsites of Jerramungup and Bremer Bay (2 Townsites BAL Contour Plans). This Plan and report apply a BAL rating to all properties capable of residential development.

This Plan and accompanying report are to be applied as the 'BAL Contour Plan' for development in designated bushfire prone land within the Jerramungup and Bremer Bay townsites. It is to be applied in the context of the WAPC's 'Bushfire Policy Framework'.

- b) An applicant can choose to prepare their own BAL Assessment should they chose to not accept the BAL Contour Plan recommended BAL rating. This must be prepared by a suitably accredited fire consultant.
- c) The BAL Contour Plans are not applicable to strategic planning proposals and subdivisions.
- d) The BAL Contour Plans will be reviewed annually in order to respond to any townsite mitigation actions completed in the previous year.