



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

### 1.0 BACKGROUND

The Shire of Jerramungup commissioned Bio Diverse Solutions (Bushfire Practitioners) to prepare Bushfire Attack Level (BAL) Contour Plans over two (2) townsites – Bremer Bay and Jerramungup. The townsites within the Shires of Jerramungup are reasonably small in scale and have a number of undeveloped or 'under-developed' sites.

The townsites are well established with the majority of remnant vegetation being located within reserve systems. The recent release of the Bushfire Prone Mapping and the WAPC Bushfire Planning framework has increased the level of complexity when lodging development applications. The majority of landowners and developers are 'owner builders' or reasonably unfamiliar with the development process and requirements. All townsites are located in the State Bushfire Prone Area Mapping (SLIP, 2015 & 2016)

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.

SPP3.7 allows for the preparation of BAL Contour Maps where land has a Bushfire Hazard Level above Low. Clause 6.5 lists the information required to be lodged with a development proposal, part a (ii) includes *a BAL Contour Map that has been prepared for an approved subdivision clearly showing the indicative acceptable BAL rating across the subject site.*

This project seeks to treat the existing townsites as a 'subdivision' with the intention of allowing applications for development and Building Permits to use the BAL Contour Map in lieu of providing a separate BAL Assessment.

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 STATUTORY BASIS

Part 2 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions) provides for the preparation of Local Planning Policies. This Policy has been prepared in accordance with the Scheme and Deemed Provisions.

The Policy does not bind the local government in respect of any application for development approval but the local government is to have due regard to the provisions of this Policy and the objectives which the Policy is designed to achieve before making its determination.

### **3.0. PURPOSE OF POLICY**

To adopt BAL Contour Plans for the townsites of Jerramungup and Bremer Bay in order to inform the development requirements for construction in bushfire prone areas.

To ensure residential development does not exceed BAL29 wherever possible.

### **4.0 POLICY STATEMENT**

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

### **5.0 OBJECTIVES**

The objectives of this Policy are:

- To provide a BAL rating to residential properties in the Shire's townsites of Jerramungup and Bremer Bay and achieve a consistent application of AS3959.
- To provide guidance on the appropriate construction standard for new development in bushfire prone areas in Jerramungup & Bremer Bay, enabling a maximum of BAL 29 to apply throughout the Shire's townsites.

### **6.0 REQUIREMENTS**

#### **6.1 Definitions**

*These definitions are from the Guidelines for Planning in Bushfire Prone land 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. It is strongly recommended that BAL Contour Maps are prepared by an accredited Bushfire Planning Practitioner.

## **6.2 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) The BAL Contour Plan applies BAL ratings to those areas designated bushfire prone. The highest BAL rating within the footprint of the proposed building(s) applies to the entire building(s); in a manner consistent with AS3959.
- c) 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.
- d) All development should aim to achieve a construction standard of BAL29 or less. Where this is not possible due to existing vegetation beyond the boundaries of the property, the applicant should:
- i) Negotiate with neighbouring landowners and reach an arrangement where the bushfire prone vegetation is permanently reduced to a standard that may be considered to be "low threat vegetation" when assessed against AS3959 (*refer clause 2.2.3.2*);
  - ii) Where the neighbouring land is reserve land managed by the Shire of Jerramungup, the Shire may (where there is no practical alternative and it is deemed environmentally appropriate) agree to enter into a licence agreement with the landowner to ensure that the vegetation is reduced to 'low threat vegetation'.
  - iii) The licence agreement will:
    - Require the landowner or owner of the property in question to maintain a proportion of the neighbouring reserve as 'low threat vegetation' in perpetuity;
    - Stipulate the standard and size of the low fuel area; and
    - The low fuel area will reduce the BAL rating that applies to the new residential development to BAL29.
- e) The BAL Contour Plans will be reviewed annually in order to respond to any townsite mitigation actions completed in the previous year.