

Bushfire Attack Level (BAL) Public Land Management Policy

Objective

The City of Albany (the City) has a major role in the management of public land ensuring the protection of native vegetation and habitat.

The purpose of this policy is to provide guidance when an adjacent or adjoining land owner requests the City to clear vegetation on public land, to reduce their private land Bushfire Attack Level (BAL) rating.

Scope

This policy only applies to future development and building applications.

This policy is to be given consideration where an applicant seeks to clear vegetation on public land, to reduce their property BAL rating.

Policy Statements

- A. The planning and development approval process is a considered process that must take into account environmental considerations.
- B. Landowners who wish to build in bush-fire prone areas must consider how the risk of bushfire will influence the construction requirements that are necessary to keep your home and family safe.
- C. The clearing of native vegetation within a City managed road verge or reserve to reduce the BAL rating for the adjoining property is not permissible.
- D. Potential landowners, with the support of real-estate agents, builders, designers and architects are encouraged to understand the BAL six level rating system, which will determine the construction and building requirements necessary to protect homes in bush fire prone areas and the potential financial consequence.
- E. Landowners are to conduct BAL vegetation clearing requirements on their private land in the first instance.
- F. The City cannot be bound to clear vegetation on public land to mitigate a private land owners BAL rating.
- G. Consideration will be given to the following strategies:

Developed Reserve (i.e. Recreational Park)	The City may consider adjusting maintenance regime to assist the land owner, where adjacent and adjoining public land is regularly maintained.
Verge Treatments	<p>The City may consider the development of a verge to reduce vegetation, if the property is adjacent to a verge within an urban area.</p> <p>A <u>Verge Development Application</u> will be required to be submitted for consideration.</p> <p>Noting:</p> <p>(a) If approved, the land owner will be responsible for the ongoing maintenance.</p> <p>(b) The clearing of native vegetation or street trees may not be supported.</p>
Natural Reserve (public land supporting natural vegetation and habitat).	<p>Where a property is adjacent to a Natural Reserve or road verge supporting native vegetation, the landowner can submit an Application to Clear Native Vegetation from a Fence Line for consideration.</p> <p>The Permit may allow the property owner to clear up to 1.5m on public land, depending on officer assessment, to facilitate the construction or maintenance of a fence.</p>
City emergency service access tracks.	Where a City access track is located on an adjoining or adjacent property, the City authorised persons can provide a letter indicating that the track will be maintained into the future.

Legislative and Strategic Context

Strategic context (Community Strategic Plan) and/or Federal or State legislation, directives, guidelines, Acts or Regulations that provide the broad framework within which the policy operates and/or with which it needs to comply:

- *Environmental Protection Act 1986*
- Natural Reserves Strategy and Action Plans
- Standard (AS) 3959 Construction of buildings in bushfire prone areas.
- State Planning Policy No. 3.7: Planning in Bushfire Prone Areas (SPP 3.7.)
- *Building Act 2011*

Community Strategic Plan:

- **Pillars:** Planet.
- **Outcomes:**
 - 4. Sustainable management of natural areas; balancing conservation with responsible access and enjoyment. .
 - 5. Shared responsibility for climate action.
- **Objectives:**
 - 4.1 Conserve and enhance the region's natural reserves.
 - 6.1 Increase community readiness and resilience to bushfires and floods.

Review Position and Date

This policy position is to be reviewed by the document owner every two years.

Associated Documents

Documents that have a bearing on this policy and that may be useful reference material for users of this policy, follow:

- Application to Clear Native Vegetation along a Fence Line
- Crossover Application Form
- Environmental Land Management Guidelines
- Verge Development Guidelines and Application Form
- Verge Vegetation Information Sheet

Definitions

Key terms and acronyms used in the policy, and their definitions:

- Bushfire Attack Level (BAL) – means of measuring the severity of a building's potential exposure to ember attack, radiant heat or direct flame contact.
- BAL Requirements – determines distance required between buildings and areas of bushfire prone vegetation and construction requirements.
- Developed Reserve – developed managed space typically in the urban environment and consists of recreation areas such as parks and gardens.
- Natural Reserve – reserve retained for conservation of both flora and fauna, scenic beauty, research, education and health.
- Verge. A verge is the area of land that lies between a property boundary and a road. The purpose of the verge (which is part of the road reserve) is to allow the placement of services and infrastructure such as communications cables, drainage, gas, power, street furniture (bus stops) and pathways.
- Crossover. A crossover is the part of the driveway that crosses over the verge area fronting a property, i.e. from the kerb line to the property boundary line.

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Manager City Reserves Manager Building & Planning Services		Executive Director Infrastructure, Development and Environment	
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0.1	Manager City Reserves	Draft v1 – Prepared for internal consultation.	24/03/2021
0.2	Manager City Reserves	Draft v2 – Prepared for Executive Management Team (EMT) review. EMT approved in principle pending Governance & Risk Team review.	14/04/2021
0.3	Manager Governance & Risk	Draft v3 – Amended: <ul style="list-style-type: none"> Applied simplified policy format. Appended with Verge and Cross Over Definitions. Reworded title. Reworded Objective. Reworded Scope. Reworded, clarified and re-order policy statements. Appended with review position and date. Appended with Strategic Context. 	14/5/2021
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2.1	Reserves Officer / Manager Governance & Risk	Minor administrative amendments approved by Document Owner under delegation: <ul style="list-style-type: none"> Changed to Environmental Protection Act 1986. Removed date of AS3959. Added Building Act 2011. Changed to Environmental Land Management Guidelines. Noting Natural Reserves Strategy and Action Plans is current and in place, 2017 to 2021 removed from title. Reference to Community Strategic Plan updated. Review period increased from annually to every two years. 	10/08/2022