

1.6 Bushfire Attack Level (BAL) Public Land Management Policy

Policy Owner	Executive Director Infrastructure, Development and Environment
Responsible Officer	Manager City Reserves Manager Development Services
Date of Approval	01/07/2025
Amended/Revised	03/07/2025

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 landowner 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 when an applicant seeks to clear vegetation on public land, to reduce their property BAL rating.

Policy Statement

- The planning and development approval process is a considered process that must consider environmental considerations.
- Landowners who wish to build in bushfire-prone areas must consider how the risk of bushfire will influence the construction requirements that are necessary to keep your home and family safe. 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.
- 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 bushfire-prone areas and the potential financial consequence.
- Landowners are to conduct BAL vegetation clearing requirements on their private land in the first instance.
- The City cannot be bound to clear vegetation on public land to mitigate a private landowner's BAL rating.
- Consideration will be given to the following strategies:

Developed Reserve	The City may consider adjusting the maintenance regime to assist the landowner, where adjacent and adjoining public land is regularly maintained.
Verge Treatments	The City may consider the development of a verge to reduce vegetation if the property is adjacent to a verge within an urban area. A Verge Development Application will be required to be submitted for consideration. Noting: (a) If approved, the landowner will be responsible for the ongoing maintenance. (b) The clearing of native vegetation or street trees may not be supported.
Natural Reserve	Where a property is adjacent to a Natural Reserve or road verge supporting native vegetation, the landowner can apply to <i>Clear Native Vegetation Along a Fence Line</i> for consideration by the City. The Permit may allow the property owner to clear up to 1.5m on public land, depending on the officer's assessment, to facilitate the construction or maintenance of a fence.
City emergency services access track	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

Federal and State legislation, directives, and guidelines that provide the broad framework within which the policy operates, and/or with which it needs to comply:

- [Environmental Protection Act 1986](#)
- [Building Act 2011](#)
- [State Planning Policy No. 3.7: Planning in Bushfire Prone Areas \(SPP 3.7.\)](#) – Updated 1 October 2024.
- [Standard \(AS\) 3959 Construction of buildings in bushfire-prone areas.](#)

Strategic Community Plan 2032:

- **Planet** - We are leaders in sustainability with a shared commitment to climate action and protecting our beautiful, natural environment.

Review Position and Date

This policy position is to be reviewed annually.

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 the 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, i.e., 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, and street furniture (bus stops). street trees, 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.