

Shire of Mundaring

POLICY

DWELLING EXTENSIONS IN THE BUSH FIRE SPECIAL CONTROL AREA

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| Policy Ref: | PS-03 | | |
| Adopted: | C8.09.16 | Date: | 13 September 2016 |
| Amended: | | Date: | |
| Reviewed: | Once per electoral cycle | Date: | |
| Statute Ref: | - <i>Planning and Development Act 2005</i> - <i>Local Planning Scheme No. 4</i> - <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> - <i>Building Amendment Regulations 2016</i> | | |
| Local Law Ref: | N/A | | |

PURPOSE

To provide an interim position to align the Shire's Local Planning Scheme No.4 exemptions for compliance with AS3959 with the *Building Amendment Regulations 2016*.

1.0 POLICY OBJECTIVES

- 1.1 Provide a consistent approach across Planning and Building Services in relation to the application of bushfire construction requirements within the Shire.

2.0 SCOPE

This policy clarifies the interpretation of Clause 6.5.3 and 6.5.4 of the Shire's Local Planning Scheme Bush Fire Hazard Special Control Area relative to habitable additions / extensions.

3.0 BACKGROUND

The Shire adopted *Local Planning Scheme No.4* (LPS4) in February 2014 which includes a Bush Fire Hazard Special Control Area. The State has more recently introduced both planning and building regulations to ensure mandatory bushfire requirements across the State.

In some cases, this has resulted in some discrepancies between the State and Shire requirements, particularly in relation to whether additions need to comply with Australian Standard 3959 (construction in bushfire prone areas).

This policy clarifies the interpretation of the Shire's Bush Fire Hazard Special Control Area provisions relative to 'additions'. Clause 6.5.4 states:

'The development of, or external addition to, a Single House within the Bush Fire Hazard Special Control Area shall require planning approval, but, except as otherwise required by this Scheme or the Residential Design Codes of Western Australia, an outbuilding or other development incidental to a Single House within the Special Control Area shall not be required.'

Currently, all habitable additions require planning approval supported by a Bushfire Management Statement and Bushfire Attack Level assessment.

Changes to the *Building Regulations (2012)* introduced on 8 April 2016, exempt additions of the value of \$20,000 (or less) or additions that do not increase the risk of ignition from bushfire attack for the building or incidental structure.

This interim policy refines the Shire's interpretation of LPS4 to align with the Building Regulation exemptions.

4.0 POLICY

4.1 Additions to habitable buildings in the Shire's Bushfire Special Control Area (Clause 6.5) are exempt from planning approval provided the extension / additions:

- (a) are less than \$20,000; or
- (b) in the opinion of a building surveyor, do not increase the risk of ignition from bushfire attack for the building or incidental structure that is being extended; and
- (c) comply with all relevant requirements of Local Planning Scheme No.4 and/or Residential Design Codes of WA (R Codes).

4.2 Advice regarding whether an extension/addition will increase the risk of ignition from bushfire can be obtained from a Private Building Surveyor.

4.3 Where a Private Building Surveyor is consulted, the Shire will require written confirmation of the reasoning behind their professional opinion regarding (4.1b) above.

4.4 While the Shire will generally not require additions to comply with AS3959 in circumstances outlined in (4.1) above, the Shire encourages landowners to:

- consider building the addition / extension to Australian Standard 3959 to assist in bushfire preparedness;
- consider other measures to improve the bushfire rating of their existing building more generally, particularly in relation to managing ember attack; and,
- understand their legal obligation to manage the fuel loads on their property in accordance with the Shire's Firebreak and Fuel Load Notice.

**Please note: Applicants are encouraged to liaise with the Shire's Planning Services to confirm planning approval is not required.*