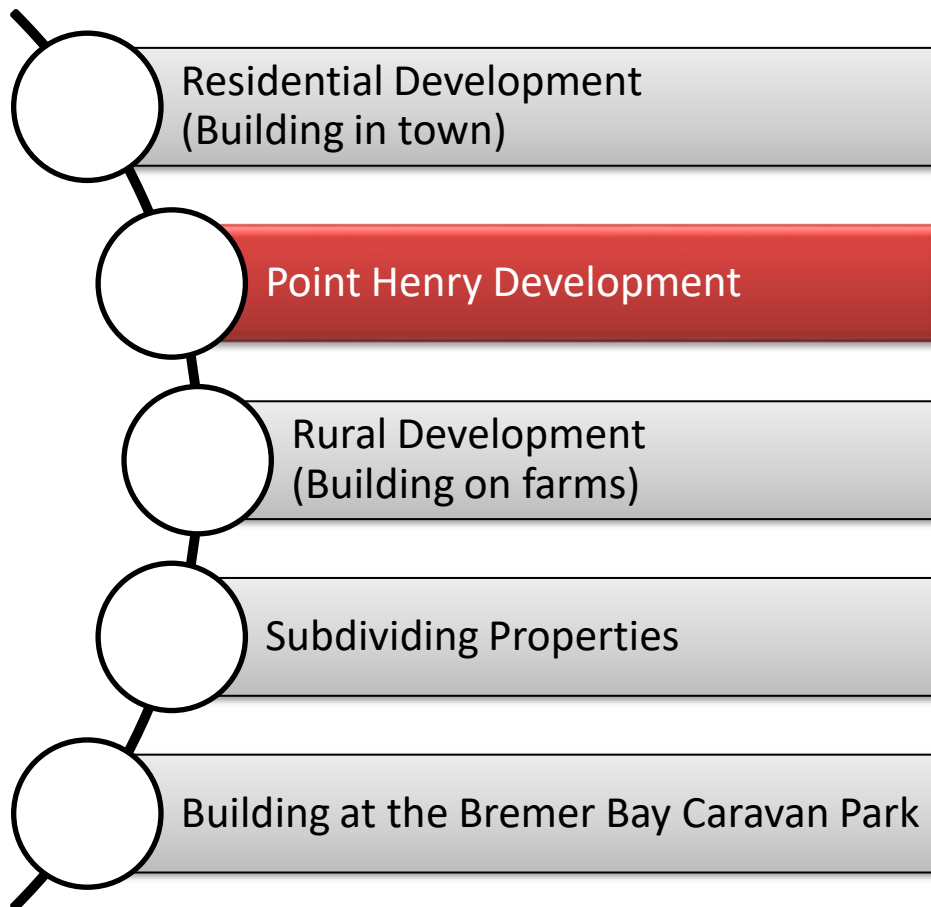




# Shire of Jerramungup

## Info Sheet 2:

### Point Henry Development



**This information sheet contains information about the most commonly asked questions and answers in relation to developments within 'Rural Residential' zoned areas of Point Henry in the Shire of Jerramungup.**

# BUILDING IN POINT HENRY

## FAQ:

### ***What approvals do I need?***

All buildings in Point Henry require both planning and building approval.

*For more information please refer to the Shire's Information Sheet "Development Approval Process".*

### ***What information do I need to provide?***

For a planning application you need to provide:

- i) A completed application form;
- ii) Pay the application fee;
- iii) Site plan (showing your proposed building envelope), floor plans and elevations of all buildings;
- iv) A BAL Assessment prepared by an accredited fire consultant.
- v) A Completed Bushfire Management Statement (refer to back page of this sheet) or a site specific Bushfire Management Plan prepared by an accredited fire consultant.

*For more information please refer to the attached Planning Application Checklist.*

For a building application you need to:

In addition to the usual information required with any building application you will need to show how you have complied with the requirements of Australian Standard 3959 "Construction in Bushfire Prone Areas".

*For more information, please refer to the Shire's Information Sheet "Development Approval Process".*

### ***Where do I start?***

With the location of your building envelope.

All buildings must be located within a building envelope up to 3000m<sup>2</sup> in area that is nominated as part of the Planning Application.

Ideally the building envelope should be:

- Located in an existing cleared area and outside of Kwongkan Shrubland (see *below for more information*);
- Have regard for the suitability of the soil for effluent disposal and wind protection
- Be at least 20m from any boundary
- Below the top of ridgelines
- Ideally located away from neighbouring houses (for privacy) and to allow for a house to be built in a safe, unobtrusive location.
- The Shire will assess its location against environmental, fire, privacy, erosion and landscape protection criteria.

*Note: there is an existing Guide Plan for each zone on Point Henry that identifies a building envelope. These are considered to be indicative only.*

### ***What can I build on my property in Point Henry?***

The intention for Point Henry is to have rural-residential retreats in a coastal area that minimise the impact on the landscape and natural vegetation. This needs to be balanced with fire management to strive for a safe environment as well.

You can have a single house and shed subject to conditions.

You can apply for ancillary accommodation (granny flat), holiday home, bed & breakfast and to run a home business. It is up to Council to decide whether these land uses are appropriate on a case by case basis.

All other land uses are not permitted; if unsure, please discuss with the Shire's Planner.

### **What are the setbacks from boundaries?**

Generally speaking all buildings need to be at least 20m from all boundaries so as to allow for a low fuel area around the house located entirely within the property boundaries.

You are encouraged to consider more than 20m to allow you to keep some existing vegetation as screening from adjacent properties and the surrounding roads.

### **Are there size limitations?**

Houses are generally limited to 5m in height, measured from natural ground level, unless it can be shown that they are not seen from surrounding roads and public vantage points (like Tooreburup Hill) when up to 7.5m can be considered.

The size of sheds varies with the size of the property, with larger sheds being allowed on larger properties as per the following table:

Lot Size	Max. Wall Height	Max. Ridge Height	Maximum floor area (aggregate)
< 3ha	4 m	4.8 m	150 m <sup>2</sup>
> 3ha	4.2 m	5 m	240 m <sup>2</sup>

### **Are there any special requirements for houses in Point Henry?**

- Non-reflective materials and colours that blend with the landscape
- 92KL of water, plus an additional 20KL dedicated for firefighting.
- Boundary fences are generally not permitted
- Driveways are to be located in a way that minimises soil erosion and their visibility.
- Compliance with the requirements for living in a bushfire prone area (see below)

### **Can I live in my shed while I build my house?**

No. Under the Building Act 2012 sheds are classed as a non-habitable, 10a structure. Therefore, it is not permitted to live in a shed.

You can apply to the Shire to live in a caravan on site while you are building your house. The Shire may grant approval for a period up to 12 months.

### **Can I build a shed first and then a house afterwards?**

If you intend to build a shed on a vacant block before building a house, you require planning approval for both buildings at the same time; before commencing any building works. Only if planning approval has been granted, can you apply for individual building permits for the shed and the house at different stages.

However, from the time planning approval has been granted, you have a period of two years to substantially commence building works on all structures/buildings named in the planning approval.

### **Can I install a shower/toilet in my shed?**

Yes, but only after building works on your house have been substantially commenced.

### **Can I keep livestock?**

No. The keeping of livestock and horses is not permitted on Point Henry.

### **Can I vary the standard requirements?**

The Shire has a Local Planning Scheme and a set of Local Planning Policies that establish the ground rules for what is expected. Some of these requirements are fixed and some may be varied, depending on individual circumstances. If you need to vary them you will need to lodge plans and written justification with the Shire. This will be assessed, referred to neighbours and may have to be decided by a full Council meeting.

If the house or shed fully complies with all requirements of the Scheme and various policies an approval can be arranged by staff.

### **How much of my property can I clear?**

Clearing to bare earth is not recommended in Point Henry because of the wind exposure and erosion issues that this can cause. Slashing existing vegetation is recommended for fire management. Managed gardens are fine as well.

You can clear/slash with approval to:

1. Establish your house, shed and living area, all within your building envelope.

2. Maintain a low fuel area up to 30m wide around your house;
3. Establish your driveway; and
4. As part of measures required by an adopted Bushfire Management Plan or the Shire's Local Planning Policy 18 - Point Henry Fire Management Strategy (see below for more information on fire management).

Any more clearing requires the separate approval of Council and is likely to require assessment by the Department of Biodiversity, Conservation and Attractions (DBCA).

Importantly, Council has had a report "**Bremer Bay Point Henry Vegetation Mapping and Management Project**" prepared. This report includes a guide for vegetation conservation and hazard management specific with information and recommendations specific to Point Henry vegetation communities.

This important report and guide offers recommendations on balancing biodiversity with fire management needs plus best practice methods of dealing with local weed species. A copy of this Guide is available from the Shire offices and on the Shire website.

***What is 'Kwongkan Shrubland' and if it's on my property what should I do?***

**Kwongkan Shrubland** is a Proteaceae dominated vegetation community found on Point Henry which is an endangered ecological community of national environmental significance as listed under the Environment Protection and Biodiversity Conservation Act 1999. Generally speaking it is heath with banksia, hakea and dryandra and it requires protection.

Building envelopes should be located away from this Shrubland where possible, and where it's not, Council may request that a flora survey to confirm the presence and extent of the Kwongkan Shrubland.

***What are the fire management measures required?***

Importantly, Point Henry has been declared 'bush fire prone'. Any new development proposal must be accompanied by:

- i) A 'Bushfire Attack Level' (BAL) Assessment prepared by an accredited fire consultant; and
- ii) Either a Bushfire Management Statement (that meets all the criteria listed on the attached template), or a site specific Bushfire Management Plan prepared by an accredited fire consultant.

See the attached Bushfire Management Statement template for a list of requirements for all new development.

*For details see Local Planning Policy 18 - Point Henry Fire Management Strategy.*

***Can I vary the 20m Asset Protection Zone (APZ) or any other fire protection measure?***

If you need to vary any 'standard' fire management requirement you will need have a site specific bushfire management plan prepared by an accredited fire consultant. Council will consider variations to the 20m APZ where:

- a) No alternative building location/building envelope exists;
- b) The 20m distance is not available due to topography, sensitive vegetation i.e. Kwongan Shrubland, distance to boundary, etc; or
- c) That it could be compensated for by a larger setback on another side that may act as a refuge, ie 30m wide with direct access to the property's water supply.

***What's the Shire doing about fire safety on Point Henry?***

The Shire has an adopted the "Point Henry Fire Management Strategy" and a Shire-wide Bushfire Risk Mitigation Plan that detail the fire management expectations of landowners and what the Shire is actively doing in regard to fire safety on Point Henry.

### **Where do I find detailed information on building requirements?**

This information sheet contains broad guidance only as many of the policies that guide development are quite complex. If you would like to view the relevant regulations and policies, please visit our website at: [www.jerramungup.wa.gov.au/development/](http://www.jerramungup.wa.gov.au/development/)

Links to the relevant documents as listed below are provided on the website:

#### **Shire of Jerramungup Local Planning Scheme No.2**

And in particular – **Point Henry Fire Management** for relevant policies and general advice on fire management

#### **Local Planning Policies (LPP):**

- LPP14 Sea Containers
- LPP15 Transported Buildings
- LPP16 Outbuildings
- LPP18 Point Henry Fire Management

#### **Fire Management Professionals:**

A list of accredited fire consultants can be found at: <http://www.fpaa.com.au/bpad.aspx>

Very good information sheets and 'Frequently Asked Questions' pages provide more detailed information and are available on both the Department of Planning and Building Commission websites at:

Planning:

<https://www.dplh.wa.gov.au/information-and-services/state-planning/bushfire-planning-reform>

Building:

<http://www.commerce.wa.gov.au/building-commission/designated-bush-fire-prone-areas-frequently-asked-questions>

### **Contact details for the Shire of Jerramungup's development department:**

- Face to face by visiting the Shire Office at: Bremer Bay Community Resource Centre
- 7 Mary Street  
Bremer Bay, WA 6338  
*(please ring ahead as the office may not always be attended);* or
- Via phone on 9835 1022; or
- Via email to [planning@jerramungup.wa.gov.au](mailto:planning@jerramungup.wa.gov.au); or
- By visiting our website at: [www.jerramungup.wa.gov.au](http://www.jerramungup.wa.gov.au)