

State map of bushfire prone areas and control of development in bushfire prone areas

On 7 December 2015 the Fire and Emergency Services (FES) Commissioner gazetted the first Map of Bushfire-Prone Areas ('Map') for Western Australia.

This Information Sheet provides a brief overview of the State Government's reforms to town planning assessment processes as they relate to bushfire hazards identified on the Map.

The Map will be updated and republished by the FES Commissioner on an annual basis, commencing in May 2016 (refer to Information Sheet on *Bushfire-Prone Areas – OBRM Annual Review of the State Map of Bushfire-Prone Areas and Vegetation*).

A bushfire-prone area is an area that is likely to be subject to bushfire attack. Bushfire-prone vegetation is often associated with forests, woodlands, shrub-lands and areas with other vegetation or potential fire fuel. However, it may also exist on largely cleared or cropped land, which has a seasonal/periodic bushfire risk due to potential for tall grasses and weeds to establish.

The State Government recommends a precautionary approach to planning and building to mitigate the risks posed to life and property from possible bushfire attack.

The Department of Fire and Emergency Service's Office of Bushfire Risk Management has identified that land containing bushfire-prone vegetation, or land within 100m of such vegetation, has an elevated risk or potential for damage from bushfires. This land is identified on the Map as bushfire-prone.

Developers, builders and the public are able to view the Map to determine whether their land is

identified as bushfire-prone.

The State Government has determined that revised bushfire planning assessment processes will apply, in accordance with the *Planning and Development (Local Planning Scheme) Amendment Regulations 2015* ('Regulations'), to the following forms of development located in designated Bushfire-Prone Areas:

- Single dwellings and ancillary dwellings on a site 1,100m² or greater*;
- Habitable buildings (buildings used by people for living, working, studying or being entertained) other than single or ancillary dwellings;
- Any specified building (the City of Armadale has not identified any "specified buildings").

Applicants proposing any of the forms of land use or development listed above on land identified as bushfire-prone on the Map must comply with State Government requirements. Applicants should consult a suitably qualified bushfire planning practitioner to prepare a Bushfire Attack Level Assessment (BAL) (unless a valid Bushfire Attack Level Contour Map already exists for the site).

The State Government's Regulations require a development application to be submitted to the City's Planning Services Department for sites where a Bushfire Attack Level rating is identified as BAL-40, identified as BAL-FZ or if a BAL rating cannot be identified.

* Single dwellings and ancillary dwellings on sites less than 1,100m² are exempt from the planning requirements in the Regulations, as the State Government considers that there is limited ability for the planning assessment process to manage bushfire risks on these sites. However, buildings may still need to be constructed to Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas under the State Government's Building legislation.

Where a development application is required, applicants and their consultants should ensure that the information requirements of the State Government's Regulations and *State Planning Policy 3.7 Planning in Bushfire Prone Areas* ("SPP 3.7") have been appropriately addressed.

If there is any doubt over information requirements applicants are recommended to discuss their application with the City's Planning Services Department prior to lodgement.

Please be advised that the policy measures of SPP 3.7 apply stricter information and location requirements to land uses that are considered "vulnerable" or "high-risk". Vulnerable or high risk land uses are those where occupants have a limited ability to respond in the event of a bushfire and where it may be a challenge to evacuate those occupants.

Examples include (but are not limited to) retirement villages, nursing homes, hospitals, tourist accommodation providers and educational establishments.

BUILDING PERMITS

Please also be advised that the State Government has introduced regulations under the Building Act 2011 to amend Building Permit application requirements for buildings in Bushfire-Prone Areas.

You may be required to submit a BAL assessment or BAL contour map as part of your application, and construct to the standards in *Australian Standard 3959 Building Construction in Bushfire-Prone Areas*.

For further information on building permits please visit the Building Commission's website or contact the City's Building Services.

Further information can be obtained from the State Government's Department of Fire and Emergency Services, Department of Planning and the Building Commission on the web links provided.

LINKS TO RESOURCES AND RECOMMENDED DOCUMENTS

- [Map of Bushfire-Prone Areas](#)
- [Building Commission of Western Australia](#)
- Department of Planning documents:

[State Planning Policy 3.7 - Planning in Bushfire Prone Areas](#)

[Planning Bulletin 111/2015 - Planning in Bushfire Prone Areas](#)

[Guidelines for Planning in Bushfire Prone Areas](#)

EXISTING TOWN PLANNING SCHEME NO.4 SPECIAL CONTROL AREAS

Irrespective of a site's location on the Map, the Special Control Area (SCA) provisions of Town Planning Scheme No.4 (TPS No.4) Clause 6.7 relating to Prime Bushfire Hazard Protection Areas still apply.

No lots within the SCA are at or below the 1,100m² lot size that is exempt from the planning requirements in the State Government's Regulations.

It should be noted that all developable lots currently located within this SCA are already subject to a requirement for planning approval for single dwellings by virtue of their Special Residential or Rural Living zoning under TPS No.4, notwithstanding the SCA requirements. The City is currently reviewing its Prime Bushfire Hazard Protection Areas SCA provisions in the context of the State Government's reforms.

The TPS No.4 Prime Bushfire Hazard Protection Areas SCA can be viewed by following the link to Intramaps SCA Map 1 [here](#).

FIRE MANAGEMENT PLANS PREPARED UNDER PREVIOUS PLANNING INSTRUMENTS

There are also requirements to conform to bushfire construction requirements of the Building Code of Australia (as contained in Australian Standard 3959) under some Fire Management Plans adopted for certain subdivisions in the City. Adopted Fire Management Plans are listed and can be accessed [here](#).