

DRAFT LOCAL PLANNING POLICY NO.15 – Development in Bushfire Prone Areas

Background

Large areas of the Shire of Ravensthorpe are prone to bushfires due to topography, vegetation and climate. In 2015 the state government released a suite of reforms in response to the Keelty Report 2011 that apply across the state and elevate bush fire issues to the highest level of planning policy.

The Department of Fire and Emergency Services (DFES), Building Commission and Western Australian Planning Commission (WAPC) collectively released a ***Bushfire Policy Framework*** which includes:

- State Planning Policy 3.7 'Planning in Bushfire Prone Areas';
- Amendments to Planning Regulations;
- Amendments to Building Regulations;
- An order by the Fire & Emergency Services Commissioner designating bushfire prone areas;
- Published the Map of Bushfire Prone areas; and
- Published the Guidelines for Planning in Bushfire Prone Areas

The intention of this policy framework is to *“implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.”*

The recent release of this policy framework has increased the level of complexity when lodging development applications. The majority of landowners and developers in the Shire of Ravensthorpe are 'owner builders' or reasonably unfamiliar with the development process and requirements.

Additionally, the townsites are remote to professional services, any service usually comes with considerable travel costs added. Large areas of the townsites are required to prepare a BAL Assessment being identified as 'bushfire prone' by the recently released State-wide Bushfire Prone mapping.

This policy seeks to aid applicants in preparing information for lodging development applications by providing a BAL Contour Plan over Ravensthorpe and Hopetoun Townsites and a template for lodging Bushfire Management Plans.

Purpose of the Policy

The purpose of this Policy is to:

- a) Adopt and apply BAL Contour Plans for the townsites Ravensthorpe and Hopetoun in order to assign a Bushfire Attack Level (BAL) rating to the residential areas within these townsites.
- b) Clarify and streamline the development process for residential development in bushfire prone areas zoned General Agriculture, Rural Conservation and Rural Small Holdings by providing a Bushfire Management Statement template.

Scheme Requirements

Regulation 10A of the Planning Regulations 'Deemed Provisions' require planning approval for all development within a designated bushfire prone area; except lots less than 1100m².

The Scheme then requires that Council have 'due regard' for State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Area when determining planning applications in bushfire prone areas.

Therefore, this policy is to be read in conjunction with:

- the Deemed Provisions contained in the Planning and Development (Local Planning Schemes) Amendment Regulations 2015, which form part of every local planning scheme;
- Where relevant, any supplementary provisions of a scheme;
- State Planning Policy 3.7 and the supporting Guidelines; and
- Australian Standard 3959: Construction of buildings in bushfire-prone areas.

Importantly, this policy compliments the above requirements only and does not supersede any other requirement of this policy framework. It seeks to streamline, add clarity and consistency to the requirements of the abovementioned documents when applied in the Shire of Ravensthorpe.

Definitions

These definitions are largely from State Planning Policy 3.7 and apply in the context of SPP 3.7, the Guidelines and this policy.

AS 3959: Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas.

BAL: Bushfire Attack Level (BAL) as set out in the *Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas* (AS 3959), as referenced in the Building Code of Australia (as amended).

BAL assessment: An assessment prepared in a manner and form set out in AS 3959 to determine a BAL. It is required that BAL assessments are prepared by accredited Level 1 BAL Assessors.

BAL Contour Map: A BAL Contour Map is a scale map of the subject lot/s illustrating the potential radiant heat impacts and associated indicative BAL ratings in reference to any classified vegetation remaining within 100 metres of the assessment area after the development is complete. The intent of the BAL Contour Map is to identify land suitable for development based on the indicative BAL rating.

Bushfire Policy Framework: The collective term for the package of requirements released in December 2015 that guide development in bushfire prone areas. These documents include:

- State Planning Policy 3.7 'Planning in Bushfire Prone Areas';
- Amendments to Planning Regulations;
- Amendments to Building Regulations;
- An order by the Fire & Emergency Services Commissioner designating bushfire prone areas;
- Published the Map of Bushfire Prone areas; and
- Published the Guidelines for Planning in Bushfire Prone Areas

Bushfire Protection Criteria: means Appendix Four of the Planning for Bushfire Risk Management Guidelines (2015).

Bushfire Management Plan: means a plan which sets out the proposed fire mitigation measures for land. It is normally required to comply with the Bushfire Protection Criteria (Appendix 4 & 5 of the Bushfire Risk Management Guidelines). A bushfire management plan or bushfire management plan is to be prepared by a person with expertise in fire management planning who is preferably accredited under the national BPAD scheme.

Bushfire Management Statement: means a statement prepared by an experienced person or BAL Assessor that demonstrates how a development proposal complies with the 'acceptable solutions' listed in Appendix 4 of the Bushfire Risk Management Guidelines and this Policy. A template and list of requirements for a Bushfire Management Statement are attached to this Policy.

LOCAL PLANNING POLICY NO.15 - Requirements

1. Exemptions from Planning Approval

- 1a. There are no exemptions; all development in bushfire prone areas require assessment against the Bushfire Policy Framework, including this policy.

2. BAL Contour Plan

- 2a. The Shire of Ravensthorpe has prepared a BAL Contour Plan for the townsites of Ravensthorpe and Hopetoun (2 Townsites BAL Contour Plans). This Plan and report apply a BAL rating to all properties capable of residential development.

It is to be applied in the context of the WAPC's 'Bushfire Policy Framework'.

- 2b. The BAL Contour Plan applies BAL ratings to those areas designated bushfire prone.
- 2c. An applicant can choose to prepare their own BAL Assessment should they chose to not accept the BAL Contour Plan recommended BAL rating. This must be prepared by a suitably accredited fire consultant.
- 2d. The BAL Contour Plans will be reviewed annually in order to respond to any townsite mitigation actions completed in the previous year.
- 2e. The BAL Contour Plans are not applicable to strategic planning proposals and subdivisions.

3. Bushfire Management Statement

That planning applications on land zoned 'General Agriculture', 'Rural Conservation' or 'Rural Small Holdings' in the Study Area are to be accompanied by:

- A. A BAL Assessment prepared by an accredited person.
- B. A Bushfire Management Statement prepared by as experienced bushfire practitioner that addresses the matters listed in the template provided at Appendix 1 of this policy. These measures include:

"Essential":

- i) Define the proposed Building Envelope (where applicable)
- ii) Incorporate findings of BAL Assessment including:
 - House constructed to AS3959 - "Construction of Buildings in Bushfire Prone Areas"
 - Distance to classified vegetation
 - Attach a copy of BAL Assessment as an appendix
- iii) Asset Protection Zone (APZ) -minimum of 20m wide managed to the standard described at Element 2, Appendix 1 of the Guidelines for Planning in Bushfire Probe Areas (attached).
- iv) Council may consider a lesser width APZ where there are environmental, topographical, visual amenity or erosion issues. In all cases the minimum width of the APZ must allow the house to achieve a BAL-29 rating.
- v) Driveway maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m, vertical clearance of 4.5m and maximum grade of 1 in 10.

- vi) An emergency services vehicle turnaround within 50m of the dwelling (three point or circular)
- vii) Dedicated water supply of 10,000L accessible from the driveway or turnaround and provided with a 50mm male camlock fitting
- viii) Fire Breaks (as appropriate).
- ix) Sheds located at least 6m from the house or assessed as part of the house and a BAL rating applied as appropriate
- x) Fences and sheds within the APZ are constructed of non-combustible materials; and
- xi) Avoid areas of Kwongkan Shrubland

“Desirable/Complimentary”:

- Use a simple house design to reduce wind turbulence around house
- Method for managing vegetation on balance of property;
- Secondary access points through neighbouring property, developed in conjunction with neighbouring landowner;
- Sprinkler Systems; and
- Fire Bunkers.

*This list is a collection of the ‘acceptable solutions’ listed at Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas and responses specific to the topographic and environmental conditions around Hopetoun; **see attached template.***

- C. Where any ‘essential’ element of the Bushfire Management Statement cannot be complied with a full Bushfire Management Plan shall be prepared by an appropriately accredited fire consultant.



BUSHFIRE MANAGEMENT STATEMENT

The Shire of Ravensthorpe may accept a Bushfire Management Statement as described in the template below for development proposed in the General Agriculture, Rural Conservation and Rural Small Holdings zones. This statement must be prepared by an experienced person or the BAL Assessor.

The elements of the Bushfire Management Statement are to comply with the "acceptable solutions" set out in Appendix 4 of the "Guidelines for Planning in Bushfire Prone Areas". Where it is not possible to comply with the listed 'acceptable solutions' a full Bushfire Management Plan is to be prepared by an accredited Bushfire Planning Practitioner.

Bushfire Management Statement

1. Property this statement relates to				
Property Street Address	Street no	Lot no	Street name	
	Suburb		State	Postcode
	Diagram or Plan No	Certificate of Title No	Folio	
	Tile Encumbrances (e.g. easements, restrictive covenants)			
4. Proposed Development				
Type of Development				
2. Owner details				
Owner's name				
Postal address	PO Box or street address	Suburb	State	Postcode
Email address				
Phone/fax	Phone	Fax	Mobile	
Owner's signature				Date
3. Fire Consultant details				
Fire Consultant's name				
Postal address	PO Box or street address	Suburb	State	Postcode
Email address				
Phone/fax	Phone	Fax	Mobile	
Fire Consultant's signature				Date



BUSHFIRE MANAGEMENT STATEMENT



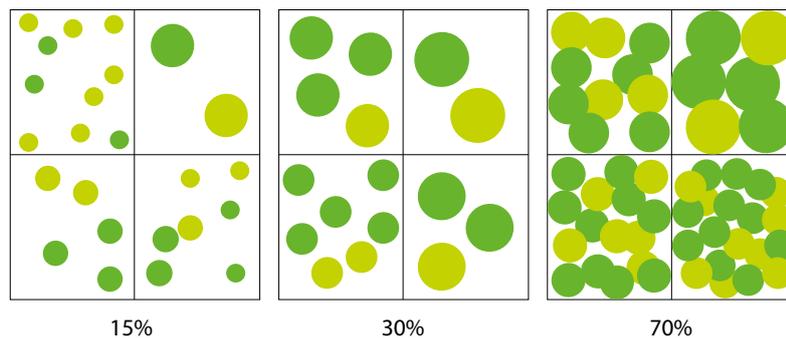
Bushfire Management Statement	Yes	N/A
Essential		
1. Define the proposed Building Envelope (as appropriate)		
2. Incorporate findings of BAL Assessment including: <ul style="list-style-type: none"> • House constructed to AS3959 - "Construction of Buildings in Bushfire Prone Areas" • Distance to classified vegetation • Attach copy of BAL Assessment as an appendix 		
3. Asset Protection Zone (APZ) -minimum of 20m wide managed to the standard described at Element 2, Appendix 1 of the Guidelines for Planning in Bushfire Prone Areas (attached). Council may consider a lesser width APZ where there are environmental, topographical, visual amenity or erosion issues. In all cases the minimum width of the APZ must allow the house to achieve a BAL-29 rating.		
4. Driveway maintained at a trafficable standard at all times. The driveway is to have a minimum trafficable surface of 4m, horizontal clearance of 6m, vertical clearance of 4.5m and maximum grade of 1 in 10.		
5. An emergency services vehicle turnaround within 50m of the dwelling (three point or circular)		
6. Dedicated water supply of 10,000L accessible from the driveway or turnaround and provided with a 50mm male camlock fitting		
7. Fire Breaks (as appropriate)		
8. Sheds located at least 6m from the house or assessed as part of the house and a BAL rating applied as appropriate		
9. Fences and sheds within the APZ are constructed of non-combustible materials		
10. Avoid areas of Kwongan Shrubland		
Desirable/Complimentary		
A. Use a simple house design to reduce wind turbulence around house		
B. Secondary access through neighbouring property.		
C. Method for managing vegetation on balance of property;		
D. Sprinkler Systems;		
E. Fire Bunkers,		

ELEMENT 2: SITING AND DESIGN OF DEVELOPMENT

SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES

- **Fences:** within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.
- **Objects:** within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.
- **Fine Fuel load:** combustible dead vegetation matter less than 6 millimetres in thickness reduced to and maintained at an average of two tonnes per hectare.
- **Trees (> 5 metres in height):** trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

Figure 16: Tree canopy cover – ranging from 15 to 70 per cent at maturity



- **Shrubs (0.5 metres to 5 metres in height):** should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m² in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.
- **Ground covers (<0.5 metres in height):** can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 millimetres in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.
- **Grass:** should be managed to maintain a height of 100 millimetres or less.