



## LPP11 Development in Bushfire Prone Areas

### Policy Objective

The objectives of this Policy is to:

- a) establish clear guidelines for the short-term rental of holiday houses for tourism accommodation.
- b) 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.
- c) Clarify and streamline the development process for residential development in bushfire prone areas zoned Rural, Rural Residential and Rural Small Holdings by providing a Bushfire Management Statement template.

### Policy

#### **Background**

Large areas of the Shire of Ravensthorpe are prone to bushfires due to topography, vegetation and climate.

The Department of Fire and Emergency Services (DFES), the Building Commission and the Western Australian Planning Commission (WAPC) collectively manage 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 Map of Bushfire Prone areas; and
- Published 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."

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' within the 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, as contained in the Bushfire Management Plan (BMP) Manual produced by the Department of Planning Lands and Heritage and the WAPC

### Scheme Requirements

Regulation 10A of the Planning Regulations 'Deemed Provisions' require planning (development) approval for all development within a designated bushfire prone area; except lots less than 1100m<sup>2</sup>.

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 development 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 National Construction Code (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'**: 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 Maps of Bushfire Prone areas; and
- Published Guidelines for Planning in Bushfire Prone Areas

**'Bushfire Protection Criteria'**: means section Four (4) of the Bushfire Management Plan(BMP) Manual as amended from time to time.

**'Bushfire Management Plan'**: means a plan which sets out the proposed fire mitigation measures for land. [spp-3.7-planning-for-bushfire-guidelines-2024-a-guide-to-developing-a-bushfire-management-plan-bmp.pdf](#)

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 section Four (4) of the Bushfire Management Plan (BMP) Manual and this Policy.

[Local Planning Policy No.11 - Requirements](#)

### Exemptions from Development Approval

There are no exemptions; all development in bushfire prone areas require assessment against the



Bushfire Policy Framework, including this policy.

### **BAL Contour Plan**

- 1) 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'.
- 2) The BAL Contour Plan applies BAL ratings to those areas designated bushfire prone.
- 3) An applicant can choose to prepare their own BAL Assessment should they choose to not accept the BAL Contour Plan recommended BAL rating. This must be prepared by a suitably accredited fire consultant.
- 4) The BAL Contour Plans will be reviewed in order to respond to any townsite mitigation actions completed.
- 5) The BAL Contour Plans are not applicable to strategic planning proposals and subdivisions.

### **Bushfire Management Statement**

That development applications on land zoned 'Rural', 'Rural Residential', Residential' or 'Rural Small Holdings' 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:
  - o House constructed to AS3959 - "Construction of Buildings in Bushfire Prone Areas";
  - o Distance to classified vegetation; and
  - o 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 Prone Areas;
- 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 female 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.

Note: 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.

<b>DOCUMENT CONTROL BOX</b>		
<b>Custodian:</b> Chief Executive Officer		<b>Decision Maker:</b> Council
<b>Compliance Requirements:</b>		
<b>Legislation:</b> State Planning Policy 3.7 and associated framework		
<b>Industry:</b>	Building	
<b>Organisational:</b>		
<b>Document Management:</b> Bushfire Management Statement Template		
<b>Risk Rating:</b> Medium	<b>Review Frequency:</b> 2 Years	<b>Next Due:</b>
<b>Version #</b>	<b>Decision Reference:</b>	<b>Description:</b>
<b>a</b>	OCM 20/12/18 – Item 10.2.1	Major Revision to Planning Scheme Policies
<b>b</b>	OCM 15/09/20 – Item 15.1	Policy Amendment – Bushfire Attack Level (BAL) Contours will be reviewed annually to being reviewed as required.
<b>c</b>	OCM 14/12/20 Item 15.2	Policy Confirmation following Local Public Notice.
<b>d</b>	OCM 19/07/22 – Item 12.1.2	Comprehensive Policy Manual review.
<b>e</b>	OCM 17/12/2024 Item 12.1.2	Policy Reconfirmed – No Amendments
<b>f</b>	OCM 15/12/2025 Item 12.1.1	Comprehensive Policy Register Review