



Bushfire Prone Areas

INFORMATION SHEET

WHAT IS BUSHFIRE PRONE LAND?

An area that has been designated as bushfire prone is an area that has been identified by the Fire and Emergency Services Commissioner under the *Fire and Emergency Services Act 1998* and shown on the [Map for Bushfire Prone Areas](#). The State Government has developed State Planning Policy 3.7 and associated guidelines for proper bushfire planning and risk assessment within areas identified as 'bushfire prone'. This information sheet outlines some basic requirements specific to planning / development approval.

BUILDING IN A BUSHFIRE PRONE AREA

Since April 2016, Bushfire Planning Reforms have been in place to help protect lives and property against the threat of bushfires throughout Western Australia. These reforms introduced new requirements for people intending to develop and/or build in bushfire prone areas, including the need to assess a property's bushfire risk and take additional construction and vegetation management measures to limit the impact of bushfires.

The new bushfire planning requirements apply to all new planning proposals for habitable buildings (e.g. house, restaurant, office, etc.), specified buildings in areas designated as bushfire prone on the Map of Bush Fire Prone Areas (unless exemptions apply) and the introduction of certain land uses. If your property is located within a bushfire prone area according to the map, you may need to undertake a bushfire attack level (BAL) assessment.

If you are building a single house on a lot/s less than 1,100m² you will not require a BAL assessment for planning, even if your house is going to be built in a designated bushfire prone area. However, the building permit approval process will still require a BAL assessment or BAL Contour Map. For further information on building permits please visit the Building Commission's website or contact the Shire of Manjimup Building Services department on (08) 9771 7777.

Development currently requiring planning approval will continue to do so. In addition, any habitable building (e.g. house, restaurant, office, etc) or specified building with a BAL rating of BAL-40 or BAL-Flame Zone will require a development application seeking planning approval, even if they would normally be exempt by legislation.

It is strongly recommended that you use an accredited BAL Assessor or an accredited Bushfire Planning Practitioner to undertake a BAL assessment, or an accredited Bushfire Planning

Practitioner to prepare a BAL Contour Map. The Fire Protection Association Australia (FPAA) is the recognised accrediting body in Western Australia and they can assist you in finding a professional. For more details visit the FPAA website.

VULNERABLE LAND USES

'A land use where persons may be less able to respond in a bushfire emergency.'

-) Includes short stay or visitation uses that involve people who are unaware of their surroundings (holiday homes, caravan parks, tourist activities*);
-) Land uses which are designed to accommodate groups of people with reduced physical or mental ability (schools, Childcare centres, hospitals, nursing homes*); and
-) Facilities that, due to building function or design, offer limited access or evacuation challenges (prisons*).

(*Example land uses provided are not exhaustive.)

All vulnerable land uses will require a Bushfire Management Plan and Emergency Evacuation Plan to be prepared and submitted with your development application where the assessed risk is BAL 12.5 or greater. All applications for vulnerable land uses will be referred to the Department of Fire and Emergency Services for endorsement.

LAND CLEARING FOR BAL REDUCTION

Land clearing within the Shire of Manjimup requires planning approval except in the following instances:

-) The clearing of land associated with a development that has Shire planning approval and/or Building Permit.
-) The clearing of firebreaks and building protection zones surrounding houses in accordance with the Shires Firebreak & Fuel Hazard Reduction Notice and the *Bushfires Act 1954*.
-) The removal of any vegetation that is:
 -) Dead, diseased or dangerous;
 -) Associated with Shire approved works or building licenses including the provision of an access from the road to the approved development; and
 -) Limited exemptions within the defined/approved building envelope for the land.

For all other exemptions please refer to the information sheet on land clearing.

Development Approval to clear land does not exempt you from also obtaining the relevant approvals from other government agencies where required.

PENALTIES

The clearing of land without prior consent from the Shire or relevant State Government Agencies may result in the issuing of warnings, infringement notices or in some situations, prosecution. Monetary fines issued by the Shire under the *Planning and Development Act 2005* for works which contravene a planning scheme range in size from \$500 to a maximum of \$200,000.

Under the *Environmental Protection Act 1986*, the Department of Water and Environmental Regulation has the power to issue fines up to \$500,000 for the unauthorised clearing of native vegetation.

The information contained in this brochure is intended as a guide only. It is recommended that the advice and assistance of the Shire's Statutory Planning section be sought prior to lodgement of a planning application.

The Shire of Manjimup disclaims any liability for any damages sustained by a person acting on the basis of this information.

