



## DEVELOPMENT IN BUSHFIRE PRONE AREAS

Areas within Western Australia have now been designated as bushfire prone by the Fire and Emergency Services Commissioner. This order was gazetted in tandem with the Planning and Development (Local Planning Scheme) Amendment Regulations 2015 and new State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) which together form the State Government's bushfire planning reforms.

The Bushfire Reforms formally identified areas of the state at threat of bushfire attack and introduce planning and building requirements to reduce the risk to people, property, infrastructure and the environment. Proposed development within designated 'Bushfire Prone Areas' may be subject to additional planning and building requirements. These may include the need to assess a property's bushfire risk and the application of bushfire construction standards.

This fact sheet provides an overview of planning and building requirements in relation to Bush Fire Prone Areas in the Shire of Derby/West Kimberley.

When in doubt as to whether the Bushfire Prone Area requirements affect your property, please contact the Shire's Planning Services on 9191 0999 to discuss the proposal.

### THE MAP OF BUSHFIRE PRONE AREAS

Bushfire Prone Areas are classified by the presence of and proximity to bushfire prone vegetation. The Department of Fire and emergency Services formally identifies these areas on the State-wide Map of Bushfire Prone Areas.

To find out if your property is located in a Bushfire Prone Area, you can search for your address on the Map of Bushfire Prone Areas: [www.dfes.wa.gov.au/bushfireproneareas](http://www.dfes.wa.gov.au/bushfireproneareas)

If you are concerned your property has been incorrectly included in the Map of Bushfire prone areas, please contact the Shire on 9191 0999 or via email on [sdwk@sdwk.wa.gov.au](mailto:sdwk@sdwk.wa.gov.au). The Map is reviewed on an annual basis and any comments and queries received will be recorded as part of the next review process.

### DEVELOPMENT REQUIRING A BUSHFIRE ATTACK LEVEL (BAL) ASSESSMENT

A Bush fire Attack Level (BAL) assessment is a method of determining the level of bushfire risk of a proposed development and establishes the construction requirements to improve the protection of a building from a bushfire attack.



The Shire requires that BAL assessments and Bushfire Management Plans are undertaken by an accredited bushfire risk assessment practitioner.

If you intend to build in a Bushfire Prone Area you may need to undertake a Bushfire Attack Level (BAL) assessment before you can commence development. The following table outlines the types of development that require a BAL assessment to be provided with a development and/or building permit application:

Development Type		BAL Assessment required	
		Planning	Building
Single house or ancillary dwelling	On a lot less than 1100m <sup>2</sup>	X	✓
	On a lot less than 1100m <sup>2</sup>	✓	✓
Residential renovation, alteration, extension or repair	<ul style="list-style-type: none"> <li>Works not less than \$20,000</li> <li>Not roof mounted evaporative air-conditioner; and</li> <li>Does not increase the ignition risk from bushfire attack for the existing building</li> </ul>	X	X
	In all other cases	X	✓
Sheds and Outbuildings	Associated with residential buildings	✓	✓
	Not associated with residential buildings	X	X
Other residential building		✓	✓
Habitable buildings		✓	X

**The bushfire reforms are not retrospective so will not affect existing buildings or approved development.**

Renovations to an existing building and new houses on lots less than 1100m<sup>2</sup> are not subject to bushfire assessment at the planning stage, however, a BAL assessment may still be required as part of the building permit process. It is recommended that you contact the Shire's Building Services on 9191 0999 for any queries regarding the bushfire requirements at the building permit stage.

The Department of Planning, Lands and Heritage's [what do I need to do](#) interactive questionnaire provides guidance on what assessment requirements apply, advice if any planning approval is likely to be required and when to seek building construction advice.

### **BAL ASSESSMENT RATING FOR PLANNING AND BUILDING APPROVAL**

The outcome of the BAL assessment will determine if further planning and building requirements apply. For example, you must obtain planning approval if you intend to build a house or ancillary dwelling on a lot greater than 1100m<sup>2</sup> with a BAL rating of BAL-40 or BAL – Flame Zone (BAL-FZ).

All development and subdivision applications with a BAL-40 or BAL-FZ will need to be lodged with a Bushfire Management plan that address the bushfire protection criteria detailed within the *Guidelines for Bushfire Prone Areas* with the aim of achieving a BAL rating of BAL-29 or less.

The table below shows the BAL rating requirements at the development, building and subdivision stages.



BAL Rating	Development Application	Building Permit	Subdivision
<b>BAL-Low</b> Very low risk	<ul style="list-style-type: none"> <li>No further requirements</li> </ul>	<ul style="list-style-type: none"> <li>No further bushfire construction requirements</li> </ul>	<ul style="list-style-type: none"> <li>No Bushfire Management Plan required.</li> <li>No notification on title required.</li> </ul>
<b>BAL -12.5 to BAL-29</b> Low risk to high risk	<ul style="list-style-type: none"> <li>Bushfire Management Plan addressing bushfire protection criteria required</li> </ul>	<ul style="list-style-type: none"> <li>Development to be constructed to relevant bushfire construction standards set out in Building code of Australia and Australian Standard AS3959: Construction of Buildings in Bushfire Prone Areas.</li> </ul>	<ul style="list-style-type: none"> <li>Bushfire Management Plan required.</li> <li>Approval to include a condition requiring a notification to be registered on title.</li> </ul>
<b>BAL-40 to BAL-FZ</b> Very high risk to extreme risk	<ul style="list-style-type: none"> <li>Development application required.</li> <li>Bushfire Management Plan addressing bushfire protection criteria with aim of achieving BAL-29 or less for the site.</li> <li>Approval to include a condition requiring a notification to be registered on title</li> </ul>		<ul style="list-style-type: none"> <li>Bushfire Management Plan addressing bushfire protection criteria with aim of achieving BAL-29 or less for the site.</li> <li>Approval to include a condition requiring notification to be registered on title.</li> </ul>

## FURTHER INFORMATION

For further information on the Bushfire Prone Areas, please contact Shire's Planning Services on 9191 0999 or visit the following websites:

- Department of Planning, Lands and Heritage: <https://www.planning.wa.gov.au/7958.aspx>
- Building Commission WA: [www.commerce.wa.gov.au/building-commission/building-designated-bush-fire-prone-areas](http://www.commerce.wa.gov.au/building-commission/building-designated-bush-fire-prone-areas)
- Department of Fire and Emergency Services: [www.dfes.wa.gov.au/bushfireproneareas](http://www.dfes.wa.gov.au/bushfireproneareas)

Prepared 22/03/2018

