

Frequently Asked Questions



Version 1.4 of the Guidelines for Planning in Bushfire Prone Areas

This document provides answers to commonly asked questions about changes within Version 1.4 of the Guidelines for Planning in Bushfire Prone Areas

1 WHEN WAS VERSION 1.4 OF THE GUIDELINES FOR PLANNING IN BUSHFIRE PRONE AREAS RELEASED AND WHEN CAN THE CHANGES BE USED?

Version 1.4 of the Guidelines for Planning in Bushfire Prone Areas (the Guidelines) was published on 13 December 2021, and the changes are effective from this date. Planning proposals and applications where State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) applies should be assessed against the updated criteria within Version 1.4 of the Guidelines. However, proponents can continue to lodge Bushfire Management Plans (BMPs) that are prepared in accordance with Version 1.3 of the Guidelines for three months from the release date of the new guidelines, until 13 March 2022.

2 DOES VERSION 1.4 OF THE GUIDELINES APPLY TO EXISTING APPROVED DEVELOPMENTS?

No, Version 1.4 of the Guidelines does not apply retrospectively to existing approved developments.

3 WHAT DOES THE LABEL ON THE FRONT COVER MEAN?

Policy labels are being included to assist readers to quickly identify the status of a policy. Further information on label descriptions and statuses can be found in the fact sheet, [WAPC Policy Document Labels](#).

4 WHAT CHANGES HAVE BEEN MADE TO VERSION 1.4?

There have been four new inclusions:

- Element 5: Vulnerable tourism land uses
- Section 2.6 Discretionary decision-making
- Section 2.7 Legacy approvals and discretionary decision-making
- Additional definitions.

There has been substantial revision of current provisions:

- Element 2: Siting and design (Schedule 1 and explanatory notes)
- Element 3: Vehicular access
- Element 4: Water
- Section 5.3 Subdivision in Bushfire Prone Areas
- Section 5.5 Proposing a vulnerable land use
- Section 5.5.4 Developing a Bushfire Emergency Evacuation Plan
- Reference to DFES endorsing BMPs
- Table 2 - BAL descriptions
- Figure 8 – Process for single houses
- Agency names and responsibilities.

A full list of changes can be found in the version control table at the beginning of the Guidelines.

5 I CAN NO LONGER FIND PLANNING BULLETIN 111/2016 OR THE POSITION STATEMENT: TOURISM LAND USES IN BUSHFIRE PRONE AREAS ONLINE?

The inclusion of *Planning Bulletin 111/2016 – Planning in Bushfire Prone Areas* into a new Section 2.6 ‘Discretionary decision-making’ and the *Position Statement: Tourism Land Uses in Bushfire Prone Areas* as a new ‘Element 5: Tourism land uses’ in the Guidelines, means that both *Planning Bulletin 111/2016 – Planning in Bushfire Prone Areas* and the *Position Statement: Tourism Land Uses in Bushfire Prone Areas* will be rescinded from 13 March 2022.

However, proponents can continue to lodge BMPs that are prepared in accordance with Version 1.3 of the Guidelines and the *Position Statement: Tourism Land Uses in Bushfire Prone Areas*, for three months from the release date of the Version 1.4 of the Guidelines, until 13 March 2022. After this date, *Planning Bulletin 111/2016 – Planning in Bushfire Prone Areas* and the *Position Statement: Tourism Land Uses in Bushfire Prone Areas* can no longer be used in decision-making.

6 SECTION 2.7 LEGACY APPROVALS AND DISCRETIONARY DECISION-MAKING HAS BEEN INCLUDED, WHAT DOES THIS SECTION PROVIDE FOR?

Section 2.7 provides for guidance on making a discretionary decision where a planning application cannot comply with the Guidelines, and states that a prior approval does not necessarily ensure a subsequent approval. There is further detail in this section regarding what Bushfire Management Plans (BMP) on sites with legacy approval should address.

7 WHO ‘ENDORSES’ A BUSHFIRE MANAGEMENT PLAN?

While Section 6.6 of SPP 3.7 states that Bushfire Management Plans (BMP) for vulnerable or high-risk land uses are to be jointly endorsed by the relevant local government and the State authority for emergency services, the Department of Fire and Emergency Services (DFES) does not formally endorse BMPs. DFES will provide referral advice and state whether the BMP demonstrates compliance with SPP 3.7 and the Guidelines.

Amended text within Version 1.4 of the Guidelines provides clarity regarding the endorsement of BMPs and this reference will be updated in the review of SPP 3.7, through the [Bushfire Framework Review](#).

8 WHAT CHANGES HAVE BEEN MADE TO ELEMENT 2: SITING AND DESIGN?

Updates to Schedule 1: Standards for Asset Protection Zones provide additional guidance on the types of objects and fine fuel load that are permitted within an APZ. It includes details on types of mulch, defensible space, gas cylinders and aligning tree and scrub heights with AS3959:2018.

Detailed explanatory notes for Element 2: Siting and Design have been included to encourage best practice of managing an APZ that is balanced with environmental consideration. There are detailed notes on:

- management of an APZ
- siting considerations for habitable buildings to minimise clearing
- estimating fuel load
- landscaping, design and maintenance within an APZ
- plant selection within an APZ based on plant flammability.

9 WHAT CHANGES HAVE BEEN MADE TO ELEMENT 3: VEHICULAR ACCESS?

Element 3: Vehicular Access has been revised to:

- include additional performance principles for:
 - perimeter roads
 - fire service access routes
 - battle axes
 - private driveways.

- change the terminology for ‘cul-de-sacs’ to ‘through roads’ or ‘no-through roads’
- inclusion of a provision within the acceptable solutions outlining where a no-through road may exceed 200 metres
- provide new acceptable solutions for battle-axe and private driveway requirements, including information on when the requirements do not apply
- include minor changes to Table 6: Vehicular access requirements
- remove the acceptable solution for firebreak widths
- provide more detailed explanatory notes.

10 WHAT CHANGES HAVE BEEN MADE TO ELEMENT 4: WATER?

Revised Element 4: Water provides more clarity on water requirements, such as:

- annotating the acceptable solutions to clarify the planning stage to which they apply
- providing discretion to local government to require a strategic water tank (which would be in their care and control), or to require private water tanks on individual lots
- specifying technical requirements of water tanks such as materials and couplings
- variation in the provision of water supply based on the number of lots proposed
- clarification on whether water tanks can be used for both firefighting and drinking (potable) water.

11 ELEMENT 5: VULNERABLE TOURISM LAND USES HAS BEEN INCLUDED AS A NEW SET OF BUSHFIRE PROTECTION CRITERIA, WHAT DOES THIS MEAN?

Element 5: Vulnerable tourism land uses provides different bushfire protection criteria for Element 1 to 4, for specific land use categories. Element 5 also provides further guidance on when a risk assessment should be undertaken.

Element 5 can be used for the following land uses:

- bed and breakfast and holiday house (within or outside of a residential built-out area)
- other short-term accommodation
- camping ground only (remote) or nature-based park
- day uses (with no overnight accommodation).

There is additional guidance on what information should be provided with a planning application for vulnerable tourism land uses, within revised Section 5.5 Proposing a Vulnerable Land Use in a Bushfire Prone Area of the Guidelines. This information is based on the Position Statement: Tourism Land Uses within Bushfire Prone Areas.

12 WHAT INFORMATION IS INCLUDED IN THE BUSHFIRE AND VEGETATION FACT SHEET?

The Bushfire and Vegetation Fact Sheet provides an overview and general advice to landowners, developers, bushfire planning practitioners and decision-makers for bushfire mitigation measures that involve vegetation modification or removal, in accordance with SPP 3.7 and how this interacts with other relevant legislative requirements.

The fact sheet can be found [here](#)

13 WILL THERE BE ANOTHER REVIEW OF THE GUIDELINES?

Work is ongoing within the Bushfire Framework Review. A revised policy and guidelines will form part of Stage 3 of the review, to provide a response to the new Map of Bushfire Prone Areas, which is being developed in collaboration with the CSIRO, DFES and the Department of Mines, Industry Regulation and Safety.

14 OTHER QUESTIONS?

For other questions relating to changes in Version 1.4 of the Guidelines, please contact the Land Use Planning Policy team at bushfire@dph.wa.gov.au