

Council Policy

Bushfire Management in Conservation, Special Residential & Rural Residential (Special Rural) Zoned

Background

1. Local Planning Scheme No.1 (LPS1) includes Conservation, Special Residential and Rural Residential (Special Rural) zoned land. These zones are often located in areas of natural vegetation.
2. LPS1 recognises the importance of preserving the natural environment in these areas. However, this must be balanced with the need to manage and mitigate bushfire risk.
3. LPS 1 has always included requirements for bush fire mitigation works; including the installation of Asset Protection Zones (APZ), formerly known as building protection zone and hazard separation zones, strategic fire access routes and fire breaks.
4. It has been identified that a number of properties do not have adequate fire mitigation measures installed which has arisen from a number of factors, including:
 - cost;
 - desire to protect existing natural or established vegetation;
 - perception and misinformation that LPS1 prohibits bushfire risk mitigation (i.e. removal of vegetation); and
 - conflict between LPS1 vegetation protection conditions placed on development and the fire mitigation requirements issued under the City of Albany's annual Fire Management Notice.

Objective

5. To provide a balanced, fair and enforceable application of the bushfire mitigation measures as required under the Fire Management Notice for land within the City of Albany zoned:
 - Conservation;
 - Special Residential; and
 - Rural Residential (Special Rural).

Policy Statements

A. Council:

6. Council recognises:
 - That the *Bush Fires Act 1954* provides the legislative head of power to protect life and property from the threat of bush fire.
 - Fire mitigation measures are issued under section 33 of the *Bush Fires Act 1954* and the requirements are set out in the City of Albany Fire Management Notice (the Notice).

- That in the interest of maintaining community amenity, the City will take a pragmatic approach in the implementation of this Policy to ensure the overall intent of the Local Planning Scheme is balanced with the safety needs of the greater community. To this end:
 - The City accepts that the fire management provisions of existing approved subdivision guide plans, existing approved fire management plans and fire mitigation provisions as detailed in LPS1 for the planning zoned defined in point 5 of this Policy as meeting the requirements of its Fire Management Notice .
 - If the requirements of the LPS1 or other approved fire management plans are not met, the provisions of the Notice will apply at the City's discretion.
 - The City Planning Team will provide information on request to assist owners and to ensure that owners and occupiers can understand the applicable requirements.

B. Landowners/Occupiers

7. Landowners/occupiers must comply with the conditions or apply for a variation for any conditions they are unable to meet.
 - Variations must be approved by an authorised officer in writing; and
 - Be supported by a bushfire management plan that provides alternative mitigation measures that afford at least the level of protection provided by the requirements of the approved plan or the Notice.

C. Authorised Officers

8. Authorised Officers may:
 - Identify problematic areas, review current fire management and guide plans and produce an appropriate mitigation improvement strategy that meets the requirements of the Notice, LPS1, and where practical, the Planning for Bushfire Policy and associated guidelines.
 - Review annually and amend the Notice to ensure currency.
 - Work with land owners who may be required to implement additional fire management measures to ensure that they are compliant with requirements.
 - Promote the preparation of approved Bush Fire Management Plans as a strategy to comprehensively review and update mitigation strategies.
 - Compliance investigations and actions are to be prioritised based on risk and be subject to budget and resource (financial/human) availability.
 - Compliance actions may be focussed on the following areas and priority order:
 - Assets Protection Zones (APZ);
 - Compliant access to the properties to enable Bush Fire Brigade responders to safely access the property;
 - Maintenance of Strategic Fire Access Routes (SFAR), previously referred to as strategic fire breaks.
 - Maintenance and installation of perimeter firebreaks.

Scope

9. This policy applies to all land included zoned Conservation, Special Residential and Rural Residential (Special Rural) under Local Planning Scheme No. 1.
10. Land subject to registered conservation covenants or known to include populations of declared rare flora are outside the scope of this policy.

Legislative and Strategic Context

11. Relevant legislation, directives and guidelines that provide the broad framework within which the policy operates and/or with which it needs to comply:
 - The Bushfire Act 1954
 - Local Planning Scheme No. 1 (LPS1);
 - State Planning Policy 3.7 – Planning in Bushfire Prone Areas and its associated guidelines; and
 - DFES Publication: Planning in Bushfire Prone Areas.

Review Position and Date

12. This policy is to be reviewed by the document owners every two years.

Definitions

13. Key terms and acronyms used in the policy, and a summary of their definitions and standards:

Please refer to the [Guidelines for Planning in Bushfire Prone Areas for more detailed information and the applicable standards.](#)

- **Asset Protection Zone (APZ):** a low fuel area immediately surrounding a building.
- **Strategic Fire Access Route (SFAR):** a Strategic Fire Access Route is both a major fire access road and a major firebreak.
- **Fire access track (Perimeter Firebreak):** a 3 metre wide and 4.5 metre high firebreak should be cleared around the perimeter of rural residential (special rural) or special residential lots larger than 4000m²
- **Compliant Access to the habitable building where the distance from the public road exceeds 50 metres:** to defend a property during a bushfire fire appliances will have to gain access to the dwelling. For properties with a driveway shorter than 50 metres, fire appliances typically operate from the street frontage.

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