

1.7 Bushfire Management in Conservation and Residential Zones

Policy Owner	Executive Director Infrastructure, Development and Environment
Responsible Officer	Manager Development Services
Date of Approval	01/07/2025
Amended/Revised	03/07/2025

Background

The Local Planning Scheme (LPS) includes zones often located in areas of natural vegetation.

The LPS recognises the importance of preserving the natural environment while balancing the need to manage and mitigate bushfire risk.

The LPS has always included requirements for bushfire mitigation works, such as the installation of Asset Protection Zones (APZ), strategic fire access routes, and fire breaks.

Many properties lack adequate fire mitigation measures due to factors like cost, desire to protect vegetation, misinformation about LPS prohibiting bushfire risk mitigation, and conflicts between LPS vegetation protection conditions and fire mitigation requirements.

Objective

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.

Scope

This policy applies to all land previously zoned Conservation, Special Residential, and Rural Residential (Special Rural) under Local Planning Scheme No. 1, which has now been superseded.

Land with registered conservation covenants or known populations of declared rare flora are outside the scope of this policy.

Policy Statements

A. Council:

- The Bush Fires Act 1954 provides the legislative authority to protect life and property from bushfire threats.
- Fire mitigation measures are issued under section 33 of the Bush Fires Act 1954 and detailed in the City of Albany Fire Management Notice (the Notice).
- The City will take a pragmatic approach to balance the LPS's intent with community safety needs:
 - The City accepts that existing approved subdivision guide plans, fire management plans, and fire mitigation provisions in LPS meet the requirements of its Fire Management Notice.
 - If LPS or other approved fire management plans' requirements are not met, the Notice's provisions will apply at the City's discretion.
 - The City Planning Team will provide information to assist owners in understanding applicable requirements.

B. Landowners/Occupiers

- Must comply with conditions or apply for a variation if unable to meet them.
- Variations must be approved in writing by an authorised officer and supported by a bushfire management plan with alternative mitigation measures providing equivalent protection.

C. Authorised Officers

Authorised Officers may:

- May identify problematic areas, review current fire management plans, and produce mitigation improvement strategies meeting the Notice, LPS, and Planning for Bushfire Policy guidelines.
- Review and amend the Notice annually to ensure currency.
- Work with landowners to ensure compliance with additional fire management measures.
- Promote the preparation of approved Bush Fire Management Plans to update mitigation strategies.
- Prioritise compliance investigations and actions based on risk and available resources.
- Compliance investigations and actions are to be prioritised based on risk and be subject to budget and resource (financial/human) availability.
- Focus compliance actions on:
 - Asset Protection Zones (APZ)
 - Compliant access for Bush Fire Brigade responders
 - Maintenance of Strategic Fire Access Routes (SFAR)
 - Maintenance and installation of perimeter firebreaks

Legislative and Strategic Context

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
- DFES Publication: Planning in Bushfire Prone Areas.

The Guidelines for Planning in Bushfire Prone Areas provide detailed information to help interpret the objectives and policy measures outlined in State Planning Policy 3.7 (SPP 3.7). [These guidelines are essential for ensuring that land use planning effectively addresses bushfire risk management in Western Australia.](#)

The guidelines cover various aspects, including:

- **Risk Assessment:** Methods for assessing bushfire risk in planning proposals.
- **Mitigation Measures:** Strategies for reducing bushfire risk, such as creating Asset Protection Zones (APZ) and maintaining Strategic Fire Access Routes (SFAR).
- **Development Requirements:** Specific requirements for new developments in bushfire-prone areas to ensure they are designed and constructed to withstand bushfire impacts.
- **Compliance and Enforcement:** Procedures for ensuring that landowners and developers comply with bushfire management requirements.

Review Position and Date

This policy and procedure are to be reviewed every two years.

Definitions

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

- **Asset Protection Zone (APZ):** A low fuel area immediately surrounding a building.
- **Strategic Fire Access Route (SFAR):** A major fire access road and firebreak.
- **Fire access track (Perimeter Firebreak):** A 3-metre wide and 4.5-metre-high firebreak around the perimeter of lots larger than 4000m².
- **Compliant Access to the habitable building where the distance from the public road exceeds 50 metres:** Access for fire appliances to the dwelling if the driveway exceeds 50 meters.