

LOCAL PLANNING POLICY 18 - POINT HENRY FIRE MANAGEMENT STRATEGY POLICY STATEMENT - REVIEW		
Existing Elements	Current Status	Recommendation
Strategy used as an appendix	Although the Strategy document was drafted prior to the release of State Planning Policy 3.7 much of the content remains accurate and relevant to Point Henry.	It is recommended that the 2014 Strategy be retained as an explanatory document that supports the Local Planning Policy only.
Strategy Plan	<p>The Strategy Plan refers to many of the recommendations of the Strategy and will guide future planning for the area.</p> <p>The strategic fire break system has now been reviewed and there are proposed changes to this system that if adopted, will need to be updated on the Strategy Plan.</p>	That the Strategy Plan be updated to reflect any adopted changes required as a result of this review.
Aim That the bushfire risk at Point Henry be managed through increased prevention and preparedness to be as low as is reasonably practicable to ensure that there is no potential loss of lives.	This remains a realistic a for fire management measures on Point Henry. No measures will completely eliminate the risk of fire .	Retain
Objectives a) To integrate fire management as a key element of development and subdivision design in balance with environmental, landscape, community and residential objectives; b) To ensure that new development contains appropriate levels of bushfire protection; c) To improve the fire safety of existing dwellings; and d) Not to prohibit development on existing lots.	<p>The objectives relate well to Point henry with its vulnerable community and sensitive landscape.</p> <p>It is not contrary to anything subsequently adopted at a state or local level</p>	Retain
Background	This remains relevant and current description of the circumstances that prevail on Point Henry and in fire management requirements.	<p>Retain</p> <p>Need to add that the adoption of the state's Bushfire Management frame work including SPP3.7, Guidelines, regulations and so forth supersede the current policy but that a number of areas still require clarification and a local response.</p>

Definitions	Some terms have been altered in the recent release of State Planning Policy 3.7 and Guidelines.	Update terminology to reflect latest State Planning Policy definitions.
Existing Clauses		
1. That the study area is considered to be bushfire prone for the purpose of the application of the Building Code of Australia.	Now declared as part of the Map of Bush Fire Prone Areas as designated by the Fire and Emergency Services (FES) Commissioner	Delete clause 1
<u>New Dwellings</u> 2. That new dwellings being developed on existing allotments shall unless otherwise approved by Council: <ul style="list-style-type: none"> • Be constructed in accordance with AS3959 Construction of Buildings in Bushfire Prone Areas; • Comply with any approved fire management plan including any assigned BAL rating; • Have an appropriate water supply of 20,000L; • Have an appropriate driveway and vehicle turn around area; • Have a 20m building protection zone; and • Avoid areas of Kwongkan Shrubland. <i>Note: Rec 18 refers to BAL – 40 and BAL - FZ</i>	<p>Much of this clause is superseded by State Planning Policy 3.7 and supporting Guidelines for Planning in Bushfire Prone Areas (the Guidelines), Deemed Provisions and the now required application of AS3959.</p> <p>SPP3.7 and the Guidelines require an application to how the Guidelines have been satisfied, addressing all the matters listed at Appendix 4 and 5.</p>	<p>Clause 2 to be modified:</p> <ul style="list-style-type: none"> a) Delete clauses from Policy, replace with a cross reference to SPP3.7 and associated Guidelines. b) Include information in an Information Pack c) Retain: <ul style="list-style-type: none"> • Have an appropriate water supply of 20,000L; and • Avoid areas of Kwongkan Shrubland. d) Include a new section requiring an application to provide a standard Bushfire Management Statement and provide a template. Failure to comply with the standard requirements of the Bushfire Management Statement would require the applicant to prepare full Bushfire management Plan by an appropriately accredited person.
<u>Existing Dwellings</u> 3. That existing dwellings: <ul style="list-style-type: none"> • Should have an appropriate water supply; • Should have an appropriate driveway and vehicle turn around area; • Should have a 20m building protection zone unless otherwise approved by Council; and • Should upgrade the construction standard of buildings to comply with AS3959 where practicable. <i>Note: These requirements will be progressively phased in through the Fire Break Notice, see R30</i>	The Shire's Fire Control Information notice now requires compliant access, turnaround, water supply and Asset Protection Zone phased in over 5 years.	<p>Delete clauses 3 & 4.</p> <p>Information pack to be prepared to assist people who wish to retrofit their existing house to comply with AS3959.</p>

<p>4. That owners and property managers must ensure that fire prevention measures are maintained at holiday homes including the provision of information to guests.</p>	<p>The Shire's Holiday Home policy has included a requirement for publically displayed emergency plans and property management statements.</p>	
<p><u>Outbuildings</u></p> <p>5. AS3959 construction standards apply to outbuildings, carports, sheds, verandas etc. Where these are attached to the dwelling they will have the same BAL rating as the dwelling. Where they are more than 6m from the dwelling they will have a separate BAL rating.</p> <p>6. Non habitable outbuildings may utilise BAL-40 or BAL-FZ ratings.</p> <p><i>Note: Any outbuilding within 6m of a dwelling must have the same BAL rating. Once it is more than 6m from the dwelling then it has its own BAL rating.</i></p>	<p>Much of this clause is superseded by State Planning Policy 3.7 and supporting Guidelines for Planning in Bushfire Prone Areas (the Guidelines), Deemed Provisions and the now required application of AS3959.</p>	<p>Delete clauses 5.</p> <p>Replace with updated 'Developing in Point Henry' Information Pack</p>
<p><u>Future Development</u></p> <p>7. That any new planning proposal (rezoning, structure plan or subdivision) shall comply with the draft State Planning Policy 3.7 Planning for Bushfire Risk Management and the associated Guidelines. Any such development must be designed to ensure that there is a maximum Bushfire Attack Level rating of BAL-29. Any proposal must identify any Kwongan Shrubland and assess the potential impacts on this.</p> <p>8. That Lots 112, 113 and 114 should be subject to a single structure plan providing for a connecting road network; "clustering" of lots in the western portion of the land and a strategic water supply with an associated reserve.</p> <p><i>Note: Compliance with requirements 7 & 8 do not infer that any rezoning will necessarily be approved as this will be part of a broader consideration.</i></p>	<p>SPP3.7 is no longer draft, the remainder of the clause remains relevant.</p>	<p>Update Clause 7 to remove the word 'draft'.</p>

<u>Building Protection Zone</u>			
9.	That where the slope of the site exceeds 10 degrees the planning approval for the dwelling and / or fire management plan shall require the building protection zone to be increased on the downslope from the dwelling as follows: a) 25m for land with slopes between 10° to 15°; b) 30m for land with slopes between 15° - 20°; and c) 40m for land with slopes over 20°.	New terminology applied in SPP3.7 & Guidelines, Building Envelope now called 'Asset Protection Zone'. APZ on sloping land now increases in response to the vegetation type and slope rather than applying a generic increase as described in clause 9.	Delete clause 9 and replace with reference to Guidelines.
10.	That the requirement for building protection zone may be varied by Council where the development is considered to be "unavoidable development" being that: a) No alternative building location/building envelope exists; b) The 20m distance is not available due to topography, sensitive vegetation i.e. Kwongan Shrubland, distance to boundary, etc; or c) That it could be compensated for by a larger setback on another side that may act as a refuge, ie 30m wide with direct access to the property's water supply.	Variations to APZ are inevitable and this clause needs to be retained for clarity when assessing such applications.	Delete Clause 10 and replace with a document that describes where variations to the Fire Control Information notice will be entertained.
11.	In considering any proposed variation to the provision of the building protection zone for new dwellings, Council will require that a fire management plan be prepared for subject land. This plan shall show that there are appropriate alternative performance based measures for the protection of the dwelling.	The Fire Control Information Notice will require all existing houses to slash a 20m wide APZ by October 2019. There will be circumstances where this will not be possible. The preparation of a bushfire management plan would inform these requests for variations.	Delete Clause 11 and replace with a document that describes where variations to the Fire Control Information notice will be entertained.
12.	Where dwellings on adjoining properties are located less than 20m from the shared boundary, Council may permit screen planting along the boundary within the building protection zone.	Retain, this clarifies existing circumstances where a variation may be applied to existing development.	Delete Clause 12 and replace with a document that describes where variations to the Fire Control Information notice will be entertained.
13.	That Council will develop a policy to allow the building protection zone to include heath vegetation which has been trimmed to a nominated height and maintained with reduced fuel loads. This Policy shall encourage the planting of local native species so that	Whilst retention of Kwongan Shrubland and heath vegetation is important ecologically and to prevent soil erosion issues this policy encourages housing to be located out of areas covered in this vegetation	Delete clause 13 and replace with an information pack.

<p>this area becomes a “managed” landscape.</p>	<p>type.</p> <p>Where this is not possible a standard 20m APZ is still required as this vegetation community still carries fire a presents a threat to the dwelling and fire fighters. An information pack is being prepared as part of a current project to describe how compliant APZ may be established in this vegetation type.</p>	
<p><u>Building Envelope and Balance of Land</u></p> <p>14. That as part of the planning application for a dwelling, the building envelope is to be redefined and endorsed by Council. The building envelopes shown in the subdivision guide plans are general in nature and historically have not been assessed against fire management & environmental/landscape/amenity principles. While acknowledging that landowners will want to site dwellings to take advantage of costal views the building envelope should preferably not be located in areas of Kwongan Shrubland.</p> <p>15. The building protection zone should generally be contained within the defined building envelope.</p> <p style="padding-left: 20px;">a) The balance of the building envelope is to be maintained as a hazard separation zone.</p> <p style="padding-left: 20px;">b) Where the building envelope setback is less than 20m from the boundary, the dwelling is still to be setback 20m in order to accommodate the building protection zone.</p> <p>16. That where a private landowner wishes to undertake additional fuel reduction measures on a property such measures may require the approval of Council under Clause 5.25 of the Scheme and the approval of the Department of Environment Parks and Wildlife unless exempted under Council’s proposed Bushfire Risk Management Plan. Progressive thinning of coppiced peppermint trees to reduce fuel loads is supported and shouldn’t need any clearing approval.</p>	<p>This process has proven to be effective, providing a common sense approach to assessing building envelope locations.</p> <p>This is provides clarification on issues not adequately addressed in the Guidelines.</p> <p>This clause is used in conjunction with clause 19 to trigger consideration of clearing proposed for a house.</p> <p>There is a balance required in Point Henry between safety and protection of ecological and environmental values. There would be temptation for some landowners to clear aggressively to reduce the cost of housing.</p> <p>Anything beyond 30m requires further detailed assessment and referral to DPAW.</p>	<p>Retain clauses 14, 15 & 16</p>

Planning Application and Approvals			
17.	That planning applications on land in the Study Area are to include information on proposed bush fire management measures including: a) What BAL rating is intended to be used for the construction of the dwelling; b) Confirming the average gradient of the slopes under this vegetation on all four sides of the dwelling extending for a distance of 100m; c) Detailing what vegetation is intended to be cleared for the construction of the dwelling and associated fire management of the property; d) Defining the proposed building envelope; e) Confirm the capacity of the proposed water tanks; and f) Showing the proposed driveway.	SPP3.7 and the Guidelines replace much of 17. However, a simplified Bushfire Management Statement template could work to reduce costs for landowners, clarify expectations and provide a more uniform and suitable response for Point Henry. This approach is consistent with Planning Bulletin 111/2016 released by the WAPC in October 2016.	Delete Clause 17 and replace with both an information pack and a requirement to prepare a Bushfire Management Statement.
18.	Where a planning application proposes any variation to the provisions of this Policy or proposes to use BAL – 40 or BAL – FZ construction standards for dwellings, it shall be accompanied by a fire management plan.	Is a requirement of SPP3.7 and the Guidelines.	Delete clause 18, now addressed by the Bushfire Management Framework.
19.	Where an application proposes to modify more than 30m width of vegetation or impacts on shrubland vegetation the Council may refer the application to DPaW for comment.	Discussed above	Retain clause 19 and combine with clause 16
20.	Where an application proposes development on land which may contain Kwongkan Shrubland, Council may request that a flora survey be conducted to confirm the presence and extent of the Kwongkan Shrubland.	There is a current project being undertaken with funding assistance to map all vegetation communities in Point Henry and provide best practice recommendations in fire management measures in these communities. This will inform this requirement further over time.	Retain clause 20 until such time as the mapping of vegetation communities is completed.
21.	In considering a planning application the Council, in addition to the matters contained in the Local Planning Scheme, shall consider the suitability of the development location and proposed building envelope in relation to: a) Proposed fire management measures,	This effectively updates the Scheme requirements in the Rural Residential zone. Consultants have been engaged to update the Scheme, this will be included in the body of the Scheme eventually.	Retain clause 21 until such time as the Scheme is reviewed.

<p>b) Landscape and environmental objectives;</p> <p>c) Any potential impacts on Kwongkan Shrubland; and</p> <p>d) Whether there are alternative development sites on the subject land.</p> <p>22. That Planning Approvals require the installation and maintenance of appropriate driveways, water supply and building protection zone.</p>	<p>This should be covered by the introduction of a Bushfire Management Statement described above.</p>	<p>Delete clause 22</p>
<p><u>Town Planning Scheme</u></p> <p>23. That Council amend the Local Planning Scheme to introduce a general provision relating to bush fire prone land and consider the introduction of a Special Control Area over the Study Area for bushfire management.</p> <p>24. That Council review Clause 5.25 of the Local Planning Scheme to ensure consistent terminology and to clarify provisions in relation to trees, vegetation and fire management issues.</p>	<p>A consultant has been engaged to review the Local Planning Scheme to bring it into line with these recommended changes as well as other statutory requirements.</p>	<p>Delete clauses 23 & 24 as they are being actioned separately to a Local Planning Scheme.</p>
<p><u>Shire Land</u></p> <p>25. That Council investigate the opportunities to improve the passive fire protection measures at Blossom's and Short beaches including the development of Neighbourhood Safer Places and upgrading of roads to a suitable standard.</p> <p>26. That Council prepare a fire management plan for R511 which includes fire management zones and associated measures.</p> <p>27. That portion of selected road reserves be judiciously slashed for their full width as part of the strategic firebreak network.</p>	<p>Neighbourhood Safer Places are still required due to the 'one road in, one road out' with people needing another place to go should Wellstead Road be cut off.</p> <p>Additional places at Fisheries Marina and the top of Dillon Bay should be explored as they are already in a low fuel state and/or reasonable facilities and capacity for evacuation.</p> <p>Whilst a fire management plan has not been prepared the reserve has been reviewed as part of the Bushfire Risk Management Plan being prepared. Cells have been identified and progress made toward establishing another strategic break.</p> <p>All road reserves in Point Henry are being progressively slashed as a key part of the strategic break and access network for the Point. A standard has been formulated and should be formally adopted.</p>	<p>Retain clause 25 and expand to include an investigation of Fishery's marina and the top end of Dillon Bay</p> <p>Delete clause 26</p> <p>Retain clause 27 and expand to include all road reserves.</p>

<p>28. That Council investigate the opportunities to improve the standard of roads in Point Henry over time including line-marking, pull over bays and completing Wellstead Road.</p>	<p>Point Henry Road has been line marked and progress made toward improving the link between the two parts of Wellstead Road by having Western Power remove a stay that crosses the current track alignment.</p> <p>The Shire was waiting upon the subdivision of the adjacent Lot 400 to construct this road link. There is no sign of this land being subdivided any time soon. A fire in Trevally Place highlighted the importance of this link in accessing the western portion of Point Henry quickly.</p>	<p>Modify clause 28 to delete reference to line marking Point Henry Road (complete) but expand reference to exploring the further development of a Wellstead Road link.</p>
<p>Implementation</p> <p>29. That Council continue to utilise the existing landowner contribution scheme for maintenance of strategic firebreaks and other mitigation measures.</p> <p>30. That Council review its Firebreak Notice in relation to the provision of building protection zones, water supplies, and driveways. The application of these measures on existing dwellings should be phased in over a nominated time period i.e. 5 years.</p> <p>31. Where it is not practical for an existing dwelling to provide a 20m building protection zone a landowner shall apply for a variation to the Firebreak Notice. In considering any such request regard will be given to:</p> <ul style="list-style-type: none"> a) The topography of the site; b) Potential environmental impacts caused by the building protection zone; c) Provision of alternative low or managed fuel zones. <p><i>Note: Varying 20m BPZ for existing houses can be considered without need for a Fire Management Plan.</i></p>	<p>The Shire continues to review the application of these funds to ensure that they being used effectively. To this end the strategic break network has been reviewed and is explored elsewhere in this report.</p> <p>The Fire Break Notice (Fire Control Information notice) has been updated as per this recommendation.</p> <p>This requirement is due by October 2019 in the Fire Control Information Notice, a standard variation policy will be adopted to deal with these requests either as a public document or an internal procedure that will reflect the points listed at 31.</p>	<p>Retain most of the 'Implementation' section as all recommendations are currently being worked on but are not complete.</p> <p>Delete clause 30 as it is complete.</p>

32.	That fuel reduction measures on the balance portion of the land outside of the building envelopes, vacant and Crown Land be addressed in the preparation of the municipal Bushfire Risk Management Plan.	<p>The Bushfire Risk Management Plan is currently being drafted.</p> <p>Fire management and management of vegetation on the balance of the property is being addressed through a separate project described above.</p>	
33.	That the Shire consider preparing Vegetation Management Plan for Point Henry that maps the vegetation communities and provides recommendations on weed control and fire management measures for specific vegetation communities with a view to retaining their ecological values over time.	The Vegetation Management Plan has been commenced and should be presented to Council by February 2017 following consultation with landowners and the local brigades.	
34.	The Council consider preparing an Asset Plan updated annually that documents all development with the status of the fire management elements available at each property.	An Asset Management Plan has been commenced in house following inspection of all private property on Point Henry. Once complete it will be shared with the local brigade.	
35.	Encourage people to work with neighbours to achieve secondary access points.	This continues to be a recommendation of all planning approvals, however it cannot be 'required' as a planning condition.	
36.	That this Policy be reviewed once every five years or when required.	Currently being reviewed.	

<p>Further issues</p> <p>Aspirational Statement</p>	<p>The Strategy and Policy have aims and objectives but does not make any aspirational comment about where the Shire would like Fire Management as it relates to Point Henry to be.</p>	<p>Add a section after the 'Objectives' describing the Shire's aspirations for Point Henry, to compliment the aims and objectives and to further focus future actions and studies.</p>
<p>Strategic Fire Break Network</p>	<p>Numerous strategic fire breaks created over time as each subdivision developed and maintained annually by the Shire of Jerramungup.</p> <p>Agreements with most landowners on Point Henry have been put in place to allow the Shire to enter their property to maintain the breaks.</p> <p>No individual fire breaks are required as there is a strategic network in place. They are intended as places where</p> <p>Some breaks are trafficable, some are not.</p>	<p>Review the number and function of the strategic breaks.</p> <p>Rationalise and articulate their role in the fire mitigation planning for the Point.</p>