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SUBMISSION

Planning for Bushfire Risk Management Regulations

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Introduction

The Forest Industries Federation of WA (FIFWA) is the association for the timber industry in Western Australia. FIFWA is representative of almost all of the major companies and businesses that operate in the WA timber industry, including the processors and harvest and haul operators for both the native and plantation sectors.

We appreciate the opportunity to comment on the *'Planning and Development (Bushfire Risk Management) Regulations 2014* (Regulations), and provide some comments particularly in relation to the declaration of bushfire prone areas and how the Regulations relate to the Planning for Bushfire Risk Management Guidelines. Of particular concern to our industry is the potential for an overly precautionary approach to be adopted in relation to the declaration of bushfire prone areas in Western Australia, overshadowing the intent of the SPP 3.7 and causing unduly prescriptive building construction requirements for homeowners in moderate and low risk areas.

Operation

The Regulations set the criteria for determining if a property is in a bushfire prone area. FIFWA notes the draft Regulations incorporate a default definition for bushfire prone areas and seek public comment on this approach.

While FIFWA is generally supportive of a uniformed approach to identifying bushfire prone areas, we understand the Office of Bushfire Risk Management (OBRM) is currently creating the state map using mostly aerial photographs to make a determination as to whether or not an area is bushfire-prone. OBRM are using an adapted definition from the Australian Standard AS3959 to define bushfire-prone areas. According to the Bushfire-Prone 'Area Mapping Standard' the definition of a bushfire prone area is; *"An area that is subject to, or likely to be subject to, bushfire attack for the purposes of this Standard, this area includes both the bushfire-prone vegetation and its surrounding bushfire-prone buffer"*.

Our main concern is that the Australian standard is designed to be applied on a case by case basis not via aerial photographs. Whilst local government have an opportunity to amend the maps there is the potential for areas that are not bushfire-prone to be declared as such.

It is a concern that the Guidelines state that *'there is no formal review process for a proponent to seek a review of their property's designation as being within a bushfire prone area'* pp 5. This will force land owners to employ a bushfire consultant to undertake a Bushfire Hazard Level assessment and/or a Bushfire Attack Level (BAL) assessment when it would otherwise not have been necessary. The classification could potentially have ongoing implications for the landowners insurance and property value.

As the State bushfire prone area map is not as yet complete it is difficult to say how much of the state is going to be declared as 'bushfire- prone' and the impact this approach may have.

We understand the Mapping Standard is scheduled for a review in May 2015, although it is not clear if there will be a public comment period.

Of concern is that the draft Regulations expand the definition of bushfire prone area to also include any property where the *'status of the property has not yet been determined by the Fire and Emergency Commissioner, but the property is within 100 meters of an area of bushfire prone vegetation covering more than one hectare'*

We feel the unintended consequences of such a broad brush and precautionary approach is that potentially there will be a sizeable proportion of the state declared as 'bushfire prone', with no opportunity to review this classification. Potentially there may be large areas declared bushfire prone, affecting many suburban properties at relatively low risk to bushfire attack rather than targeting the areas of real concern.

FIFWA believes more consideration needs to be given to how best to identify areas at high risk to bushfire attack in preference to a default definition.

Process

Given the State Planning Policy 3.7 and the Bushfire Risk Management Guidelines are both in draft format and under review, the release of these draft Regulations appears premature. The draft Regulations should allow for amendments arising out of the public consultation period for the review of the SPP 3.7 and the draft Bushfire Risk Management Guidelines upon which these draft Regulations are predicated.

FIFWA is appreciative of the opportunity to make comments on the draft Bushfire Risk Management Regulations and note we have also made a comprehensive submission on the related Guidelines. We look forward to having these submissions thoroughly considered by the Department of Planning: Planning for Bushfire Risk Mitigation.

For any queries relating to this submission please contact myself on 08 9472 3055.

Sincerely,



Melissa Haslam
Executive Director.