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140 William Street  
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via email to [bushfirereview@dplh.wa.gov.au](mailto:bushfirereview@dplh.wa.gov.au)

To whom it may concern,

**RE: STATE PLANNING POLICY 3.7 BUSHFIRE AND GUIDELINES**

**Introduction**

The Australian Institute of Architects the (Institute) is the peak body for the architecture profession in Australia. It is an independent, national member organisation representing over 14,000 members across Australia and overseas. Almost 1,200 of our members are based in Western Australia and are supported by and professionally participate in our Western Australia Chapter.

The Institute notes that this consultation is being undertaken to deliver Stage 3 of the Action Plan for the Bushfire Framework Review 2019<sup>1</sup>. This stage amends State Planning Policy (SPP) 3.7 and introduces new *Planning for Bushfire Guidelines* (the draft Guidelines) to replace the current Guidelines for Planning in Bushfire Prone Areas Version 1.4, (December 2021). Stage 3 also was intended to amend other relevant policy and regulatory instruments.

We have corresponded with Layla Croker, Senior Policy Planner to discuss our preference to provide this submission via this letter as we wished to include responses which did not fit well into the feedback template fields.

**The Institute supports the policy.**

Our overall response is that the Western Australia Chapter supports the revised SPP 3.7 and the Guidelines. The Guidelines are well laid out and easier to navigate than the standards. Of particular benefit is the ability to develop outcomes-based solutions than previous performance-based solutions.

**Alignment all parties is a critical success factor.**

The Bushfire Planning and Policy Review Report<sup>2</sup> had noted:

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<sup>1</sup> See [Action Plan for Bushfire Framework Review 2019](https://www.wa.gov.au/system/files/2023-04/Bushfire-framework-review-action-plan-2019.pdf) at: <https://www.wa.gov.au/system/files/2023-04/Bushfire-framework-review-action-plan-2019.pdf>

<sup>2</sup> See [Bushfire Planning and Policy Review. A Review into the Western Australian Framework for Planning and Development in Bushfire Prone Areas](https://www.wa.gov.au/system/files/2021-07/BF-Bushfire-Planning-Review-Report.pdf) at: <https://www.wa.gov.au/system/files/2021-07/BF-Bushfire-Planning-Review-Report.pdf>

‘The risk aversion of some agencies and local governments in supporting development in bushfire prone areas and the consequential impact on residential development in areas considered to be a lower risk, particularly built-up areas within the metropolitan area.’ (p.11)

‘The simple (binary) nature of the map was seen as contributing to the risk averseness of the approvals process.’ (p.11.)

‘The inconsistent application of bushfire planning policies and construction standards across State and local government, including assessing land not designated bushfire prone, for bushfire risks.’ (p.11)

‘The unduly risk adverse over-reliance of decision-makers on DFES advice.’ (p.12)

Therefore, a critical success factor to implement the new outcomes-based approach will be processes to ensure effective alignment of all parties involved in deciding and determining outcomes. These could include:

- rollout education
- conferences and regional forums
- central help desk
- establishing diverse multidisciplinary communities of practice

### **Ensuring adequate capacity in WA’s bushfire assessment industry.**

The new Guidelines set out clearly in Appendix B the recommendation that accredited Level 2 or Level 3 bushfire planning practitioners prepare Bushfire Hazard Level (BHL) Assessments, Bushfire Hazard Level (BHL) Assessments, and Bushfire Attack Level (BAL) Contour Maps. Level 1 BAL assessors or accredited Level 2 or 3 bushfire planning practitioners may prepare Bushfire Attack Level (BAL) assessments.

However, the Review report had also identified that issues for the planning assessment process included:

‘The relative immaturity of the bushfire assessment industry and the concept of accepting assessments at face value without further investigation.’ (p.12)

‘The lack of mandatory accreditation for bushfire assessors and the fact that most local governments do not require assessments by accredited practitioners resulting in inconsistency.’ (p.12)

‘A shortage of bushfire assessment knowledge and skills in State and local government that contributes to a risk averse approach to the assessment of proposals.’ (p.12)

Therefore, a further critical success factor has been to address the development of this industry and ensure upskilling and continuing professional development as scientific evidence about fire behaviour and bushfire risk evolves, especially with changing climatic conditions.

A framework for accrediting organisations was developed in 2018<sup>3</sup>, with Fire Protection Association Australia approved as the single accrediting organisation to date. We note that currently<sup>4</sup> there are 11 Level 3 practitioners, 36 at Level 2 and 41 at Level 1 based in Western Australia.

The ongoing work of the Western Australian Bushfire Accreditation Steering Committee (Committee) is to oversee the development of training and the accreditation system as well as monitoring the implementation of the Bushfire Accreditation Framework.

We recommend that the Committee also actively takes on a role to monitor if there are sufficient numbers of suitably accredited practitioners in decision-making bodies, such as local government as well as industry capacity to deliver its important consultancy services to the built environment and land use and management sectors.

### **Balancing bushfire risk with environmental protection.**

Draft SPP 3.7 contains important policy objective 5.4

‘Achieve an appropriate balance between the modification or removal of native vegetation for bushfire risk management, biodiversity conservation and landscape amenity.’

In addition Draft SPP 3.7 specifies the following policy measure,

‘8.1 Advice of relevant agencies/authorities for environmental protection to be sought.

To ensure landscape amenity, environmental and biodiversity conservation values are taken into account, the advice of the relevant agencies/authorities responsible for biodiversity conservation management and environmental protection is to be sought and considered in the preparation and determination of all higher order and strategic planning proposals, subdivision and development applications where:

- i. the clearing of vegetation within environmentally sensitive areas protected under state or federal legislation is proposed; and/or
- ii. substantial clearing of locally significant native vegetation is proposed; and/or
- iii. development abuts vegetated land managed by that authority.’

There are also frequent references to the environmental and biodiversity considerations in the draft Guidelines. The draft Guidelines largely refer these matters to Department of Biodiversity, Conservation and Attractions (DBCA) or local government, without much other practical guidance.

Only in Section 10 is reference made to the use of an Environmental Consultant. Moreover, there are no references to seek knowledge or services from First Nations

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<sup>3</sup> Guidelines For Organisations Seeking To Become Accrediting Bodies in Western Australia (September 2018)  
at: [https://www.wa.gov.au/system/files/2021-06/BF-Guidelines\\_for\\_Accrediting\\_Bodies.pdf](https://www.wa.gov.au/system/files/2021-06/BF-Guidelines_for_Accrediting_Bodies.pdf)

<sup>4</sup> Bushfire Planning and Design (BPAD )Accredited Practitioner Register at  
[https://connect.fpaa.com.au/Connect/Registers/BPAD\\_register.aspx](https://connect.fpaa.com.au/Connect/Registers/BPAD_register.aspx)

Communities, Traditional Custodians or landscape architects who all may provide important advice about biodiversity and plant species (and the fauna who rely upon these ecosystems)

It is also difficult to locate practical maps or guidance for re-planting. The Environmental Protection Agency's (EPA's) 324-page guidelines, *Environmental Guidance for Planning and Development*<sup>5</sup> published in 2008 are largely focussed on administrative process, methodological considerations and risk. The guidelines stated purposes are:

- to provide information and advice to assist participants in land use planning and development processes to protect, conserve and enhance the environment
- to describe the processes the EPA may apply under the EP Act to land use planning and development in Western Australia, and in particular to describe the environmental impact assessment (EIA) process applied by the EPA to schemes.

However, these guidelines but do not directly advise on matters of specific replacement species or lower fire risk re-planting/revegetation. The guidelines refer this guidance to local policies,

‘Local planning policies can provide useful guidance on aspects of native vegetation protection and revegetation, for example, on-site biodiversity management, rehabilitation and landscaping using indigenous species, and measures to minimise the impacts of development in the vicinity of significant natural areas.’ (p 7).

Exploration of the DBCA website addresses this information gap. The DBCA website provides information about specific sensitive systems or areas such as the Swan Canning Riverpark., but not broad areas across the state or Perth and Swan River urban setting.

EPA's *Environmental Factor Guideline Land Flora and Vegetation*<sup>6</sup> published in 2016 is useful. However, it is quite limited in scope and detail as a 6-page document and therefore only provides guidance of a general nature. It even includes the advice that,

‘detailed vegetation classification and mapping does not exist for the bulk of the State [and] in many areas the only vegetation mapping is at a 1:1,000,000 scale.’

The current Department of Primary Industries and Regional Development (DPIRD) online map of National Resource Information for Western Australia (NRInfo)<sup>7</sup> is also published with the caveat that,

*The pre-European vegetation mapping is designed for use at publication scale, 1:250 000, and as such, is useful for broad scale area mapping only.*

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<sup>5</sup>[Environmental Guidance for Planning and Development May 2008 Guidance Statement No. 33](https://www.epa.wa.gov.au/policies-guidance/environmental-guidance-planning-and-development-gs-33) at: <https://www.epa.wa.gov.au/policies-guidance/environmental-guidance-planning-and-development-gs-33>

<sup>6</sup>[Environmental Factor Guideline Land Flora and Vegetation](https://www.epa.wa.gov.au/policies-guidance/environmental-factor-guideline-flora-and-vegetation) at: <https://www.epa.wa.gov.au/policies-guidance/environmental-factor-guideline-flora-and-vegetation>

<sup>7</sup>NRInfo (Natural Resource information) for Western Australia online map at: <https://dpiird.maps.arcgis.com/apps/webappviewer/index.html?id=662e8cbf2def492381fc915aaf3c6a0f>

Nonetheless, the DPIIRD online map is an important resource, and a companion guideline to understand how to use the map, and ways to replant sustainably to reduce fire risk while maintaining biodiversity would be beneficial.

Overall, it appears that there is a need to expand mapping and guidance material to mitigate the impacts of human land use and development especially under the conditions set out in SPP 3.7, Policy Measure 8.1, i-iii. We particularly note condition ii, 'where substantial clearing of locally significant native vegetation is proposed'.

Expanded mapping and guidance material should be informed by local and cultural knowledge. This reduces the risk of inadvertently eradicating local rare flora species. It should also be subject to change as biodiversity is by its very nature dynamic. Land clearing that results in habitat loss can also intensify the migration of fauna to uncleared pockets and this needs to be monitored.

Clearly a practical strategy is needed, as it not possible to undertake detailed mapping for all of the state. A risk-based strategy should be adopted that targets those geographic areas that are likely to be developed (e.g. in the next ten years) so that greater detail around vegetation and bio-diversity mapping and guidance is achieved, and proponents of land-use are best equipped with the right tools to balance human needs, bushfire safety with landscape amenity, environmental and biodiversity conservation values.

Thank you for the opportunity to provide feedback and we look forward to future engagement regarding the consultation on the bushfire risk maps later this year.

Yours sincerely,

Sandy Anghie RAIA - State President,  
Western Australia Chapter,  
Australian Institute of Architects.