



Department of Planning,
Lands and Heritage



Draft Position Statement:

Tourism land uses within bushfire prone areas

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1. Policy Intent

This position statement provides the policy position for short stay tourism land uses and tourism land uses limited to day/night use with no overnight stay, located within bushfire prone areas.

2. Tourism land uses in bushfire prone areas in Western Australia

The social and economic importance of tourism is recognised in the State Planning Strategy, and many regional and local planning strategies. This position statement recognises the need to provide a framework to facilitate appropriate tourism opportunities across Western Australia, where they are supported by a regional or local planning strategy.

Many tourism proposals are intrinsically linked to the natural landscape values of an area and often the remoteness of the location. This link to natural amenity and remote locations makes it difficult for many tourism proposals to meet the current provisions of SPP 3.7 Planning in Bushfire Prone Areas (SPP3.7) and the supporting *Guidelines for Planning in Bushfire Prone Areas (Guidelines)*.

In addition no construction requirements for caravans and tents are provided in Australian Standard (AS) 3959 and little can be done to enhance structural resilience. The provision of Asset Protection Zones (APZs) for the purpose of ensuring the structure can withstand the onset of a bushfire is no longer a valid assessment criteria.

3. Application of this policy

This position statement is to be read in conjunction with SPP 3.7 and the Guidelines. It is to be used to inform and guide decision-makers, referral agencies, landowner/proponents and consultants to help achieve acceptable bushfire protection outcomes specifically for tourism land uses.

All strategic planning proposals, subdivision applications and development applications proposing tourism land uses within a designated bushfire prone area, shall have due regard to SPP 3.7. The preparation of a Bushfire Management Plan (BMP) and an Emergency Evacuation Plan (EEP) shall be undertaken in accordance with the Guidelines for a vulnerable land use. The proposal will be required to demonstrate compliance with the policy objectives and measures of this position statement.

In accordance with the Guidelines, all vulnerable land uses should be referred to the Department of Fire and Emergency Services for assessment.

4. Policy objectives

The policy objectives are to:

- minimise vulnerability of tourism land uses in bushfire prone areas;
- provide bushfire protection relevant to the characteristics of the tourism land use;
- identify and understand the risks in order to anticipate and provide suitable bushfire risk management measures; and
- achieve a balance between bushfire risk management measures, environmental protection and biodiversity management and landscape amenity.

5. Policy measures

Applications for tourism land uses should, as far as possible achieve the 'intent' for each element contained within the Guidelines. Specific bushfire policy measures or details on expectations to meet the general policy measures are included in section 5.1.

General policy measures for all tourism land uses are:

1. Minimize levels of radiant heat, smoke and ember attack through the provision of APZs for built structures;
2. Provision of an appropriate operational environment for emergency service personnel during firefighting and emergency management;
3. Provision of two different access routes in two different directions to two different destinations, or provision of a refuge (included below as a land use specific measure); and
4. Provision of 10,000 litre minimum static water supply dedicated for firefighting purposes for each habitable building where no reticulated water is available.

5.1 Land use specific bushfire protection measures

Different tourism land uses demonstrate different characteristics and may be considered to require different levels of protection. Reasons for setting bushfire

protection measures specific to the type of tourism development include, but are not limited to:

- Lower occupancy levels,
- The presence of a resident/manager on-site, thereby improving the potential for informed emergency evacuation decisions,
- Construction under AS 3959 may be impractical (ie. tents and caravans) or the dwelling may already exist,
- Remoteness of the site.

Definitions below are consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Bed and breakfast and holiday house

A bed and breakfast is a dwelling used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than four adult persons or one family and containing not more than two guest bedrooms.

Holiday house means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.

The decision maker may determine that a bed and breakfast or holiday home that is within (or contiguous with) a residential built out area, satisfies the definition within SPP3.7 of 'minor development'. A BMP

and an EEP should be provided to reflect the minor nature of the development. The Simple Development Application BMP [template](#) should be used.

Where a bed and breakfast or holiday home is outside of a residential built out area, the bushfire protection criteria, contained within the Guidelines, should be addressed as far as practical. Where the building is existing, the building should be modified to achieve a BAL-19 construction standard in accordance with AS 3959, regardless of whether an APZ can be provided. Improvements to the site may include provision of an APZ, improved internal vehicular access and provision of 10,000 litres of water designated for fire fighting purposes. Two way vehicular access to two different destinations should be provided. A BMP and a simplified EEP should be provided to suit the residential scale of the vulnerable land use. The Simple Development Application BMP [template](#) should be used.

New buildings should comply with the bushfire protection criteria contained within the Guidelines. A BMP and an EEP should be provided.

Holiday accommodation

Holiday accommodation means two or more dwellings on one lot used to provide short term accommodation but does not include a bed and breakfast.

An APZ should be established in accordance with acceptable solution A2.1 (element 2 of the Guidelines). Construction is applied in accordance with AS 3959; or where the buildings are existing, the buildings should be modified to achieve a minimum BAL-19 construction standard in accordance with AS 3959, regardless of whether an APZ can be provided.

Where suitable vehicular access to two different destinations cannot be provided, the BMP should identify the risks and propose bushfire mitigation measures to reduce this risk, including a refuge building or open space area. Refer to section 5.2 below.

Caravan parks

Means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1). Standard type caravans and motor homes used for short-term tourist accommodation generally cannot achieve any level of construction under AS 3959. Compliance with the general policy measures should be demonstrated including the provision of APZs for habitable buildings such as offices, shops and enclosed

eating areas. The emphasis should also be on emergency management, early evacuation and/or non-operation on days of catastrophic fire danger rating or in high fire risk areas, a fire danger rating of very high, severe or extreme, may be more appropriate.

Where suitable vehicular access to two different destinations cannot be provided, the BMP should identify the risks and propose bushfire mitigation measures to reduce this risk, including a refuge building or open space area. Refer to section 5.2 below.

Camping

Means premises that are a camp or camping ground as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1). No construction requirements for tents are provided in AS 3959. Due to the nature of materials used in tent construction, little can be done to enhance structural resilience. Generally caravan parks (particularly town based parks) will contain a component of camping sites and compliance with the general policy measures should be demonstrated. The emphasis should also be on emergency management, early evacuation and/or non-operation on days of catastrophic fire danger rating or in high fire risk areas, a fire danger rating of very high, severe or extreme, may be more appropriate. Western Australia contains many camping grounds that are remote

from townsites and emergency services and require special consideration. Some of these camping grounds provide limited facilities and may or may not include an on-site caretaker. There is an inherent risk associated with these areas, bushfire being one of them. It is the responsibility of the owner/operator to provide information on the bushfire risks associated with the area and any emergency management options available. It is also the responsibility of those visiting these areas to understand and prepare for these risks. Vehicular access may be limited to 4-wheel drive; and potable water and water for firefighting may not be available.

The use of remote camping grounds in high risk bushfire prone areas during periods of elevated bushfire danger is discouraged. The BMP should identify the risks and propose bushfire mitigation measures to reduce this risk. This could include improvements to vehicular access, signage and identification of areas of 'least risk' for the camp sites. Refer to section 5.2 below.

The importance of identifying potential risks and options for seeking refuge should be considered through the preparation of the EEP. Where there are no structures provided on-site, a bushfire refuge building may not be deemed appropriate; however consideration could be given to the identification of a refuge open space area, such as the beach.

5.2 Bushfire risk assessment

Developing tourism land uses within remote and/or heavily vegetated areas comes with an inherent risk of bushfire. Risks can be reduced but can never be fully eliminated. These risks must be understood in order to anticipate and manage them and foster a culture of resilience at all levels.

This position statement provides for a risk based assessment and if necessary, the use of contingencies in the assessment of tourism proposals that cannot achieve vehicular access in two different directions to two different destinations. Risk treatment measures may include additional and alternative contingency measures. Closure of a tourism facility when the bushfire risk is elevated, early evacuation in response to a bushfire alert or warning, and/or the provision of a refuge building or open space area as a place of last resort, are contingency options that may be suitable for tourism land uses. The suitability should be evaluated by an accredited level 3 bushfire planning practitioner and detailed within an EEP.

The Australian/New Zealand Standard Risk Management – Principles and Guidelines (ISO31000:2009) sets out the relationship between the principles for managing risk, the framework in which it occurs

and the risk management process. These principles should be applied to assist with demonstration of compliance with this position statement.

Decision makers will need to be satisfied that the BMP:

1. identifies the risks;
2. proposes risk treatment measures appropriate to the development and the demonstrated risks, consistent with the bushfire protection measures; and
3. identifies an appropriate and rigorous process for ongoing monitoring and review of risk management for the life of the development.

5.3 Contingency measures

Refuge buildings and refuge open space areas

The early evacuation of visitors based on an imminent bushfire threat should always be the first consideration, and will form the basis of a successful EEP. Care must be taken to avoid creating a perception that sheltering on site, within a designated refuge, will provide a degree of protection that aligns with it being considered a first resort option.

Sheltering in a refuge must be accepted as being a last resort option when it is no longer safe to evacuate to an area not prone to bushfire risk. It should be

emphasised that a refuge is not a stand-alone solution to mitigating risk to life and safety.

The refuge should be provided with sufficient space for all employees and the maximum number of visitors that could be on-site at any given time. The refuge should be easily accessible from the tourism development with designated and sign-posted paths.

The proposed refuge building or open space area should be designed to withstand bushfire attack in the form of wind, smoke, embers, radiant heat and flame contact. A refuge building needs to have a sufficient separation distance from the predominant bushfire prone vegetation to avoid exposure to a radiant heat flux exceeding 10kW/m².

Where an open space refuge area with a BAL of 2kW/m² or less, in lieu of a refuge building is contemplated, it is important to recognise that there will be less protection for people and therefore the threshold of acceptable bushfire attack is significantly less. Whilst the separation distances from bushfire prone vegetation to achieve 2kW/m² are likely to be considerable, some coastal tourism land uses may be able to utilise the beach as a refuge open space area. These land uses may include primitive camping sites that offer limited facilities.

Any proposed refuge building or refuge open space area will be assessed against the *“Design and Construction of Community Bushfire Refuges Handbook”* (Australian Building Code Board 2014). A construction level of BAL-12.5 is applied to the refuge building in accordance with AS 3959. The refuge building will need to be designed and certified by a suitably qualified engineer.

It is recommended that the following conditions are imposed on a development approval.

1. The proposed bushfire refuge shall be designed by a qualified fire engineer in accordance with the *ABCB Design and Construction of Community Bushfire Refuges Handbook* (2014).
2. A final inspection of the proposed bushfire refuge shall be undertaken by a qualified fire engineer. The fire engineer shall provide certification that the works have been completed in accordance with the requirements of the *ABCB Design and Construction of Community Bushfire Refuges Handbook* (2014).
3. A bushfire refuge management plan shall be prepared to detail the maintenance requirements and annual test requirements for operation compliance.
4. A bushfire consultant or fire engineer shall undertake annual testing and provide a compliance certificate to the local government, at least one month prior to fire season commencing.

Early evacuation

Consideration should be given to the early evacuation of a facility in response to a pre-determined fire danger rating on any given day. This option would be reliant on a caretaker or staff member residing on-site and in a position to activate the approved EEP.

Early evacuation requires adoption of a trigger point. The trigger point should be conservative due to the vulnerability associated with the likely occupants. The trigger point will be different across the state, and will need to be articulated within the EEP.

An appropriate ‘safer place’ should be identified in the event of a bushfire or trigger point. A ‘safer place’ is a place that is not prone to bushfire risk, is generally not on the subject site, is accessible and in reasonable proximity to the tourism facility. Local governments are encouraged to identify suitable buildings or areas for use by the community in the event of a bushfire emergency.

The option to evacuate will be dependent on the remoteness of the tourism facility.

Closure of a tourism facility

Closure of a day use facility on any day where the fire danger rating exceeds a pre-determined trigger point is another possible contingency measure. The trigger point should be conservative due

to the vulnerability associated with the likely occupants. As a guide, national parks are closed to the public on days of a catastrophic fire danger rating and for some parks within high bushfire risk areas, closure may occur on days rated extreme, severe and very high. Consideration should also be given to closing during a total fire ban. The trigger point will be different across the state, and will need to be articulated within the EEP.

Consideration could also be given to the closure of a tourism facility during periods of the year where the bushfire risk is elevated. It is likely this would only be realistic for a limited number of tourism facilities, or in limited areas of the state.

5.4 Emergency evacuation plan

It is a requirement for all vulnerable land uses (except a bed and breakfast and a holiday home within residential built out areas) to be accompanied by an EEP. The EEP will be critical in determining the overall suitability of the proposal. Key considerations that should be addressed are outlined in section 5.5.3 of the Guidelines. The EEP should make provision for the specific tourism land use, the number of people, and whether there is a caretaker on-site.

The EEP should be prepared in consultation with the owner/operator, the local government and the local fire brigade; and distributed to visitors through appropriate signage or information sheets.

Where early evacuation is contemplated, visitors should be clear about where to travel to and signage should be provided. The differences in responses by emergency services, including time taken to respond, should be understood and included in the EEP.

The local government is encouraged to require the preparation of a bushfire management plan and EEP by an accredited level 3 bushfire practitioner; and to require as a condition of approval, regular review of the EEP to ensure it remains valid and relevant.

Definitions

Safer place: a public building or land (such as an oval), registered by the local government, for use by the community, in the event of a bushfire (or other) emergency. It provides for improved protection of human life during the onset and passage of a bushfire. It is in a central location where people facing an immediate threat to their personal safety or property can gather and seek shelter from the impact of bushfire.

Bushfire refuge: for the purpose of this position statement is a designated building or open space area that can provide short-term shelter from the immediate life-threatening effects of a bushfire event.

Short term accommodation: means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than three months in any 12 month period.

Residential built out area: refers to a lot that is within close proximity to emergency services, access to reticulated water and is within, or contiguous with, an urban area or town (or similar).

References

COAG 2011, *The National Disaster Resilience Strategy*, Australia

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