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Chief Executive Officer  
City of Swan  
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Attention: Planning

**LOCAL PLANNING SCHEME NO 17 - PROPOSED AMENDMENT No. 99  
(Bushfire Amendment) City of Swan**

**Contact details**

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Representatives of the Urban Bushland Council request the opportunity to discuss this Amendment in person with the Department of Planning.

The Urban Bushland Council WA Inc. submits the following comments on the proposed Amendment No 99 to Local Planning Scheme No 17, City of Swan, under the Planning and Development Act 2005 (as amended).

**General comments**

1. The Urban Bushland Council supports the introduction of the proposed compliance with Australian Standard AS 3959 for new homes and extensions and alterations to existing buildings in bushfire prone areas.

2. **Retrofitting:** In addition we support the encouragement (including helpful incentives) by the City for existing houses in mapped high and medium risk bushfire prone areas to be retrofitted for AS 3959 in a reasonable staged manner. Notably this is explicitly excluded in the City's Guide to the Amendment.

This would be a much better approach for control of ember attack rather than relying on extensive clearing of intact bushland around existing buildings which appears to be implied in the City's *Your Guide to the 2013/14 Fire Season* for some areas.

3. *Your Guide to the 2013/14 Fire Season* has many clauses which are open to varied and extreme interpretation. This is of major community concern in general and especially in some areas such as The Vines where they could be interpreted to mean that bushland which is required to be retained and managed under the 60:40% covenants may be cleared this year under the proposals

which are not yet in place. Notably this document is a 'guide' and is based on general guidelines by DFES - which are a generalised 'wish list'.

**4. Focus on cause of fire:** Activities such as 20m radius clearing around buildings or new buildings do not *prevent* bushfires. More focus should be made on the *causes* of bushfire ignition and their *prevention*: especially arson and human behaviour, burning off in late spring early summer, use of machinery such as slashers and angle grinders in summer adjacent to dry grass, wood fired barbecues in summer, trail bike riding in long dry grass in summer and so on.

**5. Grassy weeds:** There should be more focus on the control of weed invasion, especially annual grassy weeds which dry off in late spring- summer and are a major ignition hazard along roadsides and around buildings for example. Grassy weeds such as wild oats and veldt grass are a major fire hazard on the Swan Coastal Plain. Their appropriate control and removal in bushland, and slashing along roadsides should be given much more attention by the City and landholders.

**6. Prescribed burning:** Prescribed burning is not suitable for fuel load reduction on the Swan Coastal Plain ecosystems. It accelerates the invasion of grassy weeds which grow faster than re-emerging native plants and fire hazard actually becomes worse because of the spread of dry grass in summer.

Most urban bushland on the Coastal Plain is burnt too often - degrading bushland areas. Prescribed burns including cool burns kill small resident native birds, mammals (Quenda, Chuditch, Honey Possums), reptiles, invertebrate pollinators, and microbial mulch decomposers, and their populations take many years to recover, if at all, in a fragmented landscape. Often feral animals (foxes, rabbits, cats) will recolonise faster and remove slowly recovering native fauna resulting in further degradation.

Another significant impact of fire and excessive ground fuel reduction - especially on Bassendean landforms - is that the organic carbon and the buffering capacity of the soil is drastically reduced resulting in soil acidification.

A better more stable approach is to retain and re-introduce ground feeding mammals such as quenda, kangaroos and microbial decomposers which keep ground litter ('fuel') under control.

## **SPECIFIC COMMENTS ON AMENDMENT 99**

**(numbers are as on your form 1C)**

**1. Amendment to clause 10.2 with clause (o):** '...to ensure life and property are adequately protected....' Life includes human life and also wildlife in our environment that we all live in - ie on our properties as well as in public areas. The flora and fauna need to be protected along with human life. We must remember that nearly all bushfires are ignited by human activity and therefore we humans have responsibility for them. We all have a duty of care to the living things in nature - in natural bushland. Fire kills native animals and starves them of their food and shelter habitat.

To ensure our native fauna is adequately protected from the risk of bushfire, we need to control arson and aberrant human activities which result in fire. We should not be killing our wildlife by burning and clearing their habitat.

While this clause is acceptable, its meaning must be interpreted in the above context.

## 6.4 Designated Bushfire Prone Areas

(e) to assist in the prevention.....' As stated in our general comments, the emphasis should be on bushfire prevention, especially the social issue of arson prevention. This implies education and awareness programs to teach children about fire and its dangers. The former JAFFA program by FESA for juveniles should be used and expanded where needed.

**6.4.2 Land within 100metres of other land considered to be BPA:** This clause should be deleted. It means that National Parks and Bushland reserves could be cleared up to 100m inside their boundaries. This is totally unacceptable as it would mean the loss of conservation areas and their wildlife. These areas have been set aside with the public purse for the purpose of nature conservation for nature itself and for people to enjoy and benefit.

The reality is that we live in a natural landscape that is flammable. But this does not mean that we should remove that natural landscape - which provides us with essential health services - clean fresh air, clean water, erosion control, shade, better health and well being and amenity. We also have a duty to protect the diversity of nature in our landscape.

**6.5.2 (b) and 6.5.3 Planning applications:** These should not include the implied permission for clearing or slashing of whole bushland blocks and/or adjoining bushland of up to several ha to seek approval.

6.5.2 (b) is wide open to abuse - by landholders or developers clearing huge areas and removing the values of living in a naturally vegetated setting.

In this Amendment, the use of the PFBFP guidelines only applies to new proposals. The extent of what is required in a Building Protection Zone is not stated in the Amendment and is not clear in 'Your Guide to the 2013/14 Fire Season'. Fuel loads generally apply to the ground layer but this is not stated. The use of 2 tonnes/ha appears as almost total clearing in the Guide diagrams rather than ground level reduction of 2T/ha of dry material.

The guidelines appear to be grossly excessive and would result in significant clearing of bushland habitat. This would include loss of feeding habitat for the endangered Black Cockatoos (2 or 3 species may be in the area). Such proposals should be referred to the Commonwealth under the EPBC Act. Such clearing should not be permitted.

Fuel reduction by burning should not be included or permitted on the Swan Coastal Plain.

Clearing up to 20m from proposed buildings is unacceptable and should be removed. In a subdivision like The Vines, such a measure would result in clearing of the whole area which is totally unacceptable and defeats the intent of living in a vegetated landscape.

**6.5.5 (b) and (c):** Where the BAL is BAL-40 or BAL-FZ, housing should not be permitted. We are living in a drying and heating climate - and the risk of extreme weather events will continue to increase. People should not be permitted to build in these highest risk areas. Clearing all the vegetation is not an appropriate response to the high risk. We cannot change or remove the extreme weather events.

## 8. Amending Schedule 1A- general definitions

## **Planning for Bush Fire Protection Guidelines (PFBFP)**

While these guidelines are defined according to their source from another agency, there is no text about them in the Amendment. It states in 6.5.2 (b) that a statement must accompany an application for planning approval that includes 'acceptable solutions stipulated by the PFBFP.' The word 'stipulated' is inconsistent with the fact that these are guidelines only. The guidelines are general as they apply to the whole region and need interpretation and careful selective use according to the features of the site. This leaves their interpretation for a particular site open to selective interpretation which could be misused.

The City's Guide to the 2013/14 Fire Season are guidelines for all landholders in the City of Swan but various sections state that certain conditions **MUST** be met. Are all the specifications given part of the Shire's new regulations? It appears confusing and certain aspects are very heavy handed.

These measures require review in our opinion.

President, UBC.

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