

July 11th 2021.

**Submission by the Principal Petitioner, Peter Brazier, in relation to Petition No 014:
Moratorium on subdivisions in high to extreme bushfire prone areas.**

This Petition, with 3,208 signatories from across Perth and the Hills' regions, fundamentally highlights the need to **press pause on subdivisions in high to extreme bushfire prone areas** to await critical and pending outcomes of high-level bushfire related Federal and State government led inquiries. These inquiries focus on what is now accepted at all Government levels, as a national – and indeed global challenge of how, or if, to build communities in areas that we know pose significant bushfire risks to people.

Due to climate change, we are facing an era of increased risk of catastrophic bushfires in bushfire prone areas. We are experiencing longer bushfire seasons, a decrease in rainfall, drier hotter summers and more frequent and extreme weather events. Australia experienced its hottest year on record in 2019. The average maximum temperature was 2.09°C above the baseline, a full 0.5°C higher than the previous record. In order to better safeguard the community, property, and infrastructure, a new and informed approach to planning and development in high to extreme bushfire prone areas is urgently needed, together with the appropriate policy reforms to State Planning Policy **SPP 3.7** 'Planning in Bushfire Prone Areas'.

In January 2019, Dr Tony Buti undertook a review into the Western Australian Framework for Planning and Development in Bushfire Prone Areas. The review was primarily intended " **to identify ways to enhance the efficiency and fairness of the bushfire framework.**" Three of the sixteen recommendations in the report, call for significant and far-reaching reforms to SPP 3.7.

- **Recommendation 1:** Reinforce **protection of human life as the primary focus**, recognising importance of locational context and associated risk
- **Recommendation 8:** Better articulate **primacy of human life** and avoidance of development in Extreme areas
- **Recommendation 9:** Amend SPP 3.7 and Guidelines to adopt a **broader landscape risk assessment**.

To highlight the critical importance of considering the broader landscape beyond the subject site when assessing the bushfire risk of an area, in November 2019 the Western Australian Planning Commission (**WAPC**), released - **Position Statement : Planning in Bushfire Prone Areas - Demonstrating Element 1: Location and Element 2: Siting and design**. The intent of the Position Statement is that **'due consideration should be given to the site context, where 'area' is the land within and adjoining the subject site'**.

The community strongly assert and support that these three recommendations be fully implemented in SPP 3.7, scheduled to be released for a three-month public consultation period, in late 2021.

Since the January 2019 'Buti Review' we have had a glimpse into the future with unprecedented, and catastrophic bushfires, firstly on the East Coast of Australia and then here in Perth.

In late 2019 and early 2020 the East Coast of Australia experienced the **'Black Summer Bushfires'**- **More than 24 million hectares of land were burnt, 33 lives were lost, 3,000 homes were completely destroyed and nearly 3 billion animals were killed.**

Just over a year later in February 2021, the Perth Hills experienced the **catastrophic Woorloo bushfire**. This fire began 45 kilometres north east of Perth but within days, it threatened Perth's urban fringe, requiring an unprecedented **69 Perth suburbs and Hills' regions to be issued with 489 bushfire alerts, including inner suburbs in the Cities of Stirling, Joondalup and Wanneroo**. Conservatively those 69 regions represent, approximately, 300,000 people.

- 87 homes and two fire trucks were destroyed (300+ people homeless); 80% of all homes in Tilden Park – a semi-urbanised area of Gidgegannup, were destroyed;
- in total 11,000 hectares were burnt ;
- 800+ emergency personnel were required to battle the 140km bushfire perimeter.

The report from the Royal Commission into National Disasters Arrangements concluded that: *“Extreme weather has already become more frequent and intense because of climate change; further global warming over the next 20 to 30 years is inevitable. The likelihood of increases in the severity and frequency of natural hazards should be taken into account in land-use planning and building decisions”*.

The State Government have committed to holding a Woorloo bushfire inquiry, but this is still pending, already 5 months after the bushfire. The community strongly supports the inclusion of planning and development in the terms of reference for the 'Inquiry'. The Ministers' office has confirmed that any relevant outcomes from the Royal Commission into National Natural Disaster Arrangements and the Woorloo Bushfire Inquiry will be included in further iterations of SPP 3.7.

We applaud the Government for the planned reforms to policy and guidelines in bushfire prone areas. **However, the community is very concerned with the lag time required to implement policy reforms**. The Buti review recommendations will have taken **over 3 years to implement into policy**. Further revisions of SPP 3.7 to include outcomes from the Royal Commission and the Woorloo bushfire inquiry would most likely not be fully implemented until 2024 at the earliest.

The community is also very concerned with how the policy and guidelines of SPP 3.7 have recently been interpreted and applied by Department of Planning Land and Heritage (**DPLH**), planners, and the Western Australian Planning Commission (**WAPC**). One recent example, in the Perth Hills, illustrates our concerns:

Structure Plan SP 77 in Mount Helena was approved by the WAPC on the 8th of December 2020, with some minor amendments. The Department of Fire and Emergency services (**DFES**) in their report to the WAPC stated that *“DFES consistently maintained its concerns regarding the introduction and intensification of urban land uses on the site, particularly due to its proximity to areas of vegetation which represent an extreme bushfire hazard.”* **The risk of a significant landscape fire event within and surrounding the area was considered as part of the Level 3 Peer Review** undertaken by Dr. G Douglas from NSW. In his review Dr Douglas states: *“the site is not likely to be subject to landscape fire risk. The area is subject to a fire run from the north (being south of the railway) through forested vegetation. The most likely fire weather is from the south.”*

Alarmingly, there was no validation or challenge to the findings of this Level 3 Peer Review. Only two months after the WAPC's approval of this sub-division, the Woorloo bushfire fire front burnt within 5 kms of this site. The Bureau of Meteorology (BoM) historical records show quite clearly that fire weather in the Perth Hills is mostly likely to come from the East or West/South West. The most likely fire run would therefore be from one of these directions and not from the north as claimed in the review. Additionally, there is no railway in the area as stated in the review.

I put forward that the **Peer Review findings are grossly inaccurate, and incorrectly portray the site as not likely to be subject to a significant landscape fire risk**. This Peer Review would have significantly influenced the WAPC decision to approve the structure plan SP77. The community that

strongly opposed this development, are bound by the decision of the WAPC with no third-party right of appeal. We will now be left with the dangerous legacy of this decision.

There are several other examples of structure plans with design layout in the Hills that include cul-de-sacs and battle-axe blocks. These structure plans have been approved or put forward for approval by the WAPC, despite recommendation by DFES in all cases not to include cul-de-sacs in these development plans. The recent disaster at Tilden Park clearly highlights the danger to the community and bushfire fighters' safety presented by sub-divisions with single entrance/exit road networks. Tilden Park was declared 'undefendable' by bushfire fighters, and residents were hastily evacuated, resulting in 80% of the homes being destroyed.

The challenges and concerns of planning in Perth's bushfire zones has now reached the recognition of the WAPC. In a decision on an application to rezone land in Stoneville back to a safer 'rural' zoning, the WAPC ruled on June 30, 2021 to defer a determination on the proposed MRS amendment request, pending: Finalisation of the reform initiatives resulting from the State Government's Bushfire Framework Review 2019, as this may have an impact on the proposed amendment request and surrounding Perth Hills locality. In addition, the WAPC have requested that the DPLH provide advice on a strategic review of Urban zoned land within the Perth Hills. The start and finish of this strategic review has not been specified. However, history would suggest it might take several years.

The community is deeply concerned, and strongly opposed, to several major urban style town-site/ sub-divisions in the Perth Hills that are included in the current State planning framework for development consideration in the next few years for North Stoneville, Parkerville and Gidgegannup.

In conclusion, the community is petitioning for the Legislative Council to urgently recommend to Government to **investigate a moratorium on sub-division development in high bushfire prone areas** until after the Royal Commission findings and Wooroloo bushfire inquiry outcomes are implemented into the relevant planning policies. The community also strongly encourages the Committee to initiate a full inquiry into the effectiveness and implementation of the current version of SPP 3.7 policy and guidelines in protecting the community in high bushfire prone areas.

These actions will help mitigate the potential for future catastrophic outcomes, safeguard the community, and ensure that policy and decision makers have sufficient time to fully assimilate the latest scientific evidence on climate change and the increasing fire risks to bushfire prone communities.

Your sincerely

Peter Brazier