



Changes to the Map of Bush Fire Prone Areas

The McGowan Government has announced improvements to the bush fire policy framework including changes to the Map of Bush Fire Prone Areas (the Map) for 19 inner metropolitan local governments (from Stirling to Belmont to Fremantle).

The improvements will reduce the number of residential buildings required to comply with the bush fire construction requirements of the Building Code of Australia (BCA).

A number of new editions of the Map will be released over the next 12 months. The first revised Map will take effect on Wednesday 31 July 2019.

To view the Map, or for further information regarding it, please visit the Department of Fire and Emergency Services website: www.dfes.wa.gov.au/bushfireproneareas

What does the change to the Map mean for your building work?

Residential buildings (such as houses and apartments) located in designated bush fire prone areas (as shown on the Map) are generally required to comply with the bush fire construction requirements of the BCA.

The changes to the Map mean that a number of areas will no longer be designated as bush fire prone and compliance with the bush fire construction requirements of the BCA may not be required for your building work.

Additionally, changes to the Map allow those with a current building permit (or those with an application for a building permit), to consider amending the design and/or construction of their building or proposed building accordingly.

Submitting your building permit application after a change to the Map

If you submit your building permit application after a change to the Map your building will not have to demonstrate compliance with the bush fire construction requirements of the BCA.

You should contact your builder; relevant building surveyor; and/or the relevant local government to discuss how the change to the Map may affect your application.

If your building permit application was submitted before a change to the Map

It is open to a home owner to amend the details and information contained in a building permit application.

If the Map has changed and you have already lodged your application you may wish to contact the builder; relevant building surveyor; and/or the local government to discuss your options.

If your building permit application was approved before a change to the Map

If you have already received your building permit but the Map has since changed, you may wish to contact the builder or relevant building surveyor prior to contacting the local government, to discuss any options that may be available to you to amend the building permit.

Bush fire requirements under other legislation

You should be aware that there may be bush fire related requirements that still apply to your building under other legislation, such as planning.

Where a home building contract is in place

If the Map has changed and you already have a home building contract you may wish to contact the builder as soon as possible to discuss any options that might be available to vary the contract to remove the bush fire construction requirements. There may be some cost savings by removing the bush fire construction requirements and you should discuss this with your builder.

Usually, any variation to a home building contract should be in writing, show the date and be signed by both parties with a copy given to the home owner before the variation work commences.

It is expected that builders comply with their legislative responsibilities and contractual obligations.

My house was completed before the Map was changed, do I need to do anything to the building?

If your house is already completed, the changes to the Map do not affect your building.

Your house was required to comply with the building standards that were in place as part of your building permit, including the bush fire construction requirements of the BCA if you were located in a designated bush fire prone area at that time.

Changes to the Map do not apply retrospectively to existing buildings that are not undergoing any change/building work.

Disclaimer – The information contained in this fact sheet is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

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