



MULTI LOT RESIDENTIAL SUBDIVISIONS IN BUSH FIRE PRONE AREAS

This document outlines the design considerations of Planning for Bush Fire Protection (PBP) for multi-lot subdivisions in bush fire prone areas (i.e. Rural Cluster Subdivisions).

The NSW Rural Fire Service (NSW RFS) has seen an increase in developments involving the subdivision of large rural blocks into smaller rural-residential allotments which include an association lot. In some cases, these subdivisions cannot meet all the acceptable solutions in PBP. In these situations it is imperative that the proposals comply with the Performance Criteria and the aims and objectives of PBP.

In these circumstances developers, designers and consent authorities need to be made aware that compensations in subdivision design and additional bush fire protection measures will be a requirement to allow for safer and appropriate outcomes for future occupants. In many situations, access issues will prevent compliance with the Performance Criteria of PBP and these types of subdivisions will not be approved by the NSW RFS. In some situations, upgrading of the existing public access roads and the creation of adjoining APZ along these roads may be required. This may create a burden on local councils or other landowners and needs to be considered as part of any due diligence and also by the consent authority as part of the determination for the Development Application.

The requirements developed have been identified to ensure that multi-lot subdivisions provide an acceptable level of bush fire safety not only to their occupants but also attending emergency service personnel through appropriate protection and inbuilt redundancies.

Each individual subdivision will need to be assessed on its own merits against the performance requirements of PBP, with due consideration to the potential risk to occupants.

This will involve the bush fire design brief process where relevant stakeholders agree on the basis for any assessment, the appropriateness of the proposed subdivision, and the applicability of the following additional performance-based requirements:

1. Access/egress considerations within the developable land and along the adjoining public road system shall include safety provisions for attending emergency service vehicles and evacuating residents, including road widths and management of vegetation along internal access road verges. Clearing or modifying vegetation in roadside verges of existing road reserves in order to do this may not be permitted.
2. Subdivision design shall be such that it includes perimeter roads separating developable lots from conserved bushland areas. The objective of perimeter roads is to not only provide a fuel free area adjacent to the hazard but to also ensure suitable unrestricted access for firefighting and fire management purposes. Maintenance of Perimeter roads shall be the responsibility of the cluster community.

3. Access should be provided for maintenance of APZ and for risk reduction.
4. Larger Asset Protection Zones (APZs) outside of the range prescribed in Planning for Bush Fire Protection must be considered together with consideration for increased Bush Fire Attack Levels (BALs) to proposed buildings. Where an increased BAL or APZ requirement has been conditioned these requirements will need to be recorded so that any purchaser is aware of the additional requirements, such as a notation on the Certificate of Title or the section 88b instrument.
5. Dedicated firefighting water supply and associated firefighting equipment (i.e. pump and hose) must be provided to each dwelling in addition to any reticulated water supplies. This must comply with the non-reticulated provisions of Planning for Bush Fire Protection and be accessible to the NSW RFS at all times.
6. Arrangements must be established in a “Community Management Statement” (e.g. body corporate by-laws) that the owners (e.g. Executive) consider fire management strategies of the development that takes into account the following:
 - a. Continued management of Asset Protection Zones and fire trails (including green waste disposal practices).
 - b. Acknowledgement of hazard reduction proposals approved by the District NSW RFS and the District Bush Fire Management Committee that involve the association land.
 - c. Consultation should occur between the Community Executive and the local District NSW RFS to confirm contact details and legalities involved with permissions for fire management works on association land together with any other community engagement advice for the cluster.
 - d. Preparation of a Bush Fire Survival Plan for each household.
 - e. Vegetative waste disposal mechanisms for large bush blocks that apply for the local area.
7. Where there are existing fire trail networks that currently traverse the subject land onto neighbouring properties a right of carriageway for fire management purposes needs to be maintained. Where the establishment of a right of carriageway on adjacent land is not possible, the existing fire trails on the subject land are to be connected to the proposed access road to ensure suitable access for maintenance and fire appliances.

There are many variations for these types of subdivisions and therefore a one size fits all solution is not appropriate. The NSW RFS will enforce the additional bush fire protection measures agreed upon through the issue of General Terms of Approval under Section 100b of the *Rural Fires Act 1997*.

Any proposed increase in density can only be approved after the risks have been appropriately identified and addressed in accordance with this document and the performance requirements of *Planning for Bush Fire Protection*.

In circumstances of significant bush fire risk, any development which increases the density of residents in the area may not be appropriate. Councils should, therefore, work closely with the NSW RFS at the strategic planning stage in bush fire prone areas.

Disclaimer: Any representation, statement opinion, or advice expressed or implied in this publication is made in good faith on the basis that the State of New South Wales, the NSW Rural Fire Service, its agents and employees are not liable (whether by reason of negligence, lack of care or otherwise) to any person for any damage or loss whatsoever which has occurred or may occur in relation to that person taking or not taking (as the case may be) action in respect of any representation, statement or advice referred to above.



For further information regarding this document, please contact a NSW RFS Planning and Environmental Service Centre on 1300 NSW RFS (1300 679 737) or email pesc@rfs.nsw.gov.au