

PLANNING FOR BUSHFIRE PROTECTION 2018

Targeted Consultation Feedback Summary

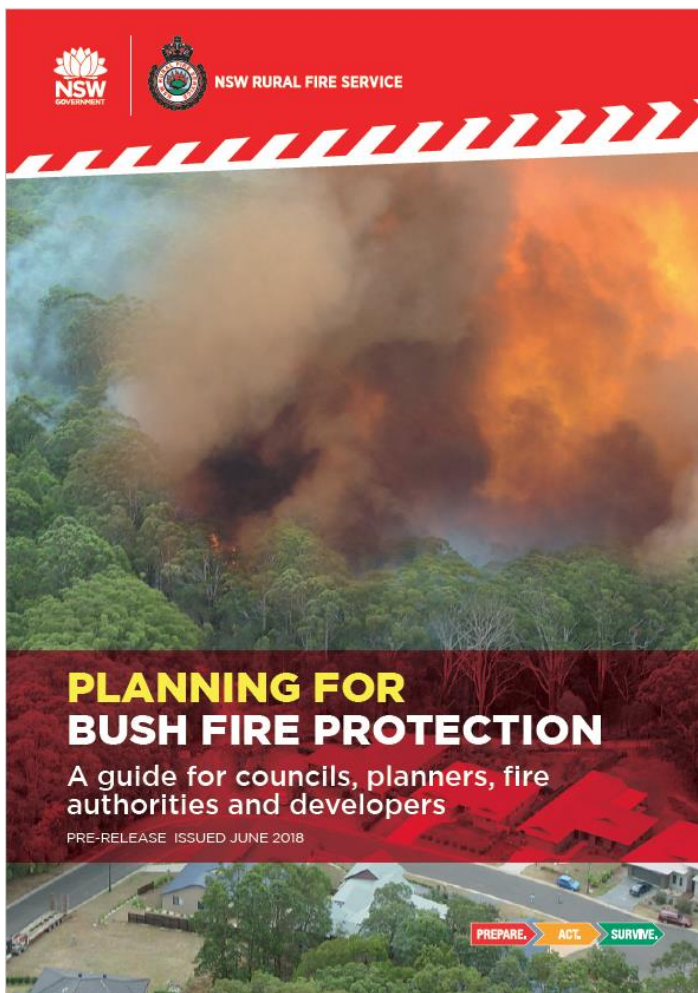
COMMUNITY RESILIENCE FACT SHEET- MAY 2018

Public exhibition seeking feedback on the revised draft Planning for Bush Fire Protection (PBP) was undertaken throughout May and June 2017 in which a total of 45 submissions were received.

The submissions have been reviewed and a revised Planning for Bushfire Protection 2018 prepared for pre-release. The following provides

a summary of the key issues raised during the public exhibition and the revised PBP response to these issues.

Due to the significant amount of comments received, this document provides a high level summary of comments and does not address every comment in detail.



Chapter 1 - INTRODUCTION

- Clarification is sought regarding when PBP applies A) PBP 2018 has used flow diagrams, figures and simplified descriptions to better advise the application and jurisdiction of the document.
- Where does Complying Development Certificates (CDCs) sit in the system A) The CDC process does not involve the NSW RFS however in the absence of readily available information, PBP has included detail to help inform the bush fire industry.
- Fact sheets need to be included as they shouldn't override PBP A) The new document has incorporated the majority of previous fact sheets (where appropriate). Fact Sheets will still be required from time to time to clarify matters within PBP.

Chapter 2 - FRAMEWORK

- Outdated Bush Fire Prone Land (BFPL) mapping unfairly impacts development A) Significant resources have been devoted to updating the BFPL maps and the NSW RFS is in the process of working with councils to ensure that the bush fire prone land mapping accurately reflects the bush fire hazards across the state.
- New hazards are not mapped and are not represented accurately with CDCs A) Due to logistical constraints and the fact that bush fire prone land mapping is council-based, discrepancies may occur due to lag times in recertification.
- CDCs do not reflect other Bush Fire Protection Measures (BPMs) which is often inappropriate given the risk A) Some practitioners may not be completely aware of the full requirements of the CDC Checklist (NSW RFS - *Practice Note 3/12 Bushfire Attack Level (BAL) and Complying Development Certificate (CDC) Checklist*). The CDC process is not permitted unless the requirements of the CDC Criteria Checklist (https://www.rfs.nsw.gov.au/__data/assets/pdf_file/0014/4334/PN-3-12-Bushfire-Attack-Level-BAL-and-Complying-Development-Certificate-CDC-Checklist.pdf) have been complied with which includes requirements relating to other BPMs.
- Subdivisions outside of Urban Release Areas (URAs) should have the ability for a Post Subdivision BAL Certificate (PSBC) A) The NSW RFS is investigating ways in which to streamline development assessment on bush fire prone land through changes to legislation. However the legislation that was enacted to permit the exemptions created for PSBC do not apply to land outside of an urban release area. Lots created in approved subdivisions occurring outside of URAs are still applicable for CDCs.

Chapter 3 - BUSH FIRE PROTECTION MEASURES

- Clarify defensible space A) Defensible space is an area within the inner protection area (IPA) of an APZ adjoining the asset within which firefighting operations can be undertaken to defend the structure. The physical size of the development will determine whether the defensible space is provided as pedestrian access or will require sufficient space for vehicular movements. Vegetation within the defensible space should be kept to an absolute minimum and the area should be free from combustible items and obstructions.
- Can staged development implement APZs sequentially to minimise environmental impact A) APZs can be implemented sequentially providing that bush fire risk is appropriately mitigated through each stage of the development. This can be achieved through legal agreements. Commentary is provided in the revised PBP on this matter.
- More information should be included regarding APZs including further clarification into the management of slopes greater than 20 degrees A) The NSW RFS intends to amend *Standards for APZs* after the release of PBP 2018 and the management of APZs on steep slopes will be addressed for site specific conditions.
- Fire access and fire trails must not be used as substitutes for public roads A). A clear statement is provided in the revised PBP that fire trails cannot be used as a substitute for public roads.
- Additional access should be required where road design for subdivisions creates pinch points that may potentially expose residents to dangerous evacuation routes beyond site boundaries A) PBP 2018 has included a new chapter on strategic development that will increase the scope to include a landscape level assessment beyond the property boundaries.

Chapter 4 - STRATEGIC PLANNING

- Strategic planning chapter is well received as the current system does not do enough to consider landscape scale issues. Local fire history knowledge should be considered in planning proposals. A) PBP 2018 introduces a strategic planning chapter which increases the scope of assessment of bushfire proposals to include a landscape-scale evaluation beyond the property boundaries.
- The introduced requirement of an Indicative Development Layout Plan to accompany a planning proposal is considered to be a beneficial addition to the consultation process with NSW RFS. A) Agreed and noted.
- This chapter will only be effective if the NSW RFS is willing to be more proactive with detailed investigations into strategic planning A). Agreed and noted.

Chapter 5 - RESIDENTIAL AND RURAL RESIDENTIAL SUBDIVISIONS

- Isolated subdivision should also incorporate a statement regarding fire trails and their inclusion within the Community Association lot A) Agreed and noted.
- Strata subdivision of an existing building should not be included in PBP A) Strata subdivision of existing buildings is permissible and therefore the NSW RFS will endeavour to provide direction. PBP 2018 provides details regarding the strata subdivision of existing buildings.
- If alterations and additions to existing dwellings in bush fire prone areas should be subject to mandatory upgrading requirements this is a matter for legislation and should not be hidden within PBP A) Alterations and additions to existing dwellings that can clearly demonstrate to provide safer outcomes for bushfire should not require legislation to support their implementation. The NSW RFS has the authority to modify consent requirements for single dwellings or existing dwellings as part of a subdivision proposal through section 4.14 of the EP&A Act 1979 and clause 3.7.4.0 of the National Construction Code.
- There is not enough in Chapter 5 providing performance criteria and acceptable solutions in regard to landscaping A) Guidance is provided on the structure of Inner and Outer Protection Zones within Appendix 4 of PBP 2018. The NSW RFS provides further guidance in its document *Standards for Asset Protection Zones*.
- Should turn points be provided for the fire fighting vehicles A) Yes, they are a feature that needs to be appropriately provided for.

Chapter 6 - SPECIAL FIRE PROTECTION PURPOSE DEVELOPMENTS

- Flame temperatures used need to be identified so that performance solutions can be applied consistently A) Noted and highlighted in the document.
- Home based businesses need to be differentiated where they are classified as SFPPs but are small enough to warrant not being a SFPP A) Certain specific examples of this instance have been identified in PBP 2018.
- SFPP and specific tourism uses - a need for emergency evacuation plans should be submitted for all of these proposed uses A) Agreed, bush fire emergency management and evacuation plans should be submitted and provided to the appropriate NSW RFS District office.
- Camping issues - the ember attack on tents is likely to lead to their destruction. It would be good practice to move to a place of last resort (Refuge building) A) The emergency management requirements for camping and similar development types have been improved and expanded in PBP 2018.
- Need to clarify whether or not the new building will be refused if there is an existing building within its proposed APZ A) Existing structures located within an APZ may be problematic for a new building due to the potential risk of building to building ignition. This will require a performance-based solution to address the unique characteristics of each situation.

Chapter 7 - RESIDENTIAL INFILL DEVELOPMENT

- Determination of BALs moving away from AS3959 but the new rangelands may be something the RFS is interested in A) Rangelands have not been included in the NSW specific vegetation classification and are not included in the latest draft of AS3959.
- Indicates that fencing should be hardwood. This will have little relevance once the timber has weathered. Best to outlaw timber fencing within a 6m distance from the building. All fencing should be non-combustible. A) The Bushfire Cooperative Research Centre and CSIRO recommend that all fences in bush fire prone areas should be made of either hardwood or non-combustible material.
- No Acceptable Solution is provided meaning it is difficult for industry to understand what the minimum requirements are for construction in Flame Zone. A) AS3959 and the NASH Standard can be used as a basis for a performance-based solution in the Flame Zone. Due to unique characteristics of some applications additional measures may be required based on individual circumstances.
- There is also little prescription provided about the Bush Fire Design Brief (BFDB). A) Additional information contained within Appendix 2 of PBP 2018 regarding the BFDB process has been included and will also be featured in a separate Performance Guidelines document.
- The replacement of the tables in AS3959 with the tables in Appendix 1 complicates the assessment process and is not necessary. A) Keith's subset of vegetation classifications presents the most accurate scientific information regarding fuel loads for NSW. As PBP will be the sole site assessment methodology in NSW, the process has been simplified through the inclusion of tables (simplified since the earlier public exhibition draft) in PBP 2018.

Chapter 8 - OTHER DEVELOPMENT

- It is not clear which set of performance criteria and acceptable solutions multi-storey (high rise) development should be measured against A) Issues and technical considerations specific to multi-storey residential development have been included in PBP 2018. As high rises pose a unique challenge for bush fire protection PBP 2018 requires a performance-based approach to the design of high-rise buildings in bush fire prone areas.
- We need to introduce compliance officers who check that development is complying with conditions A) Noted
- Development such as wind farms, mines and telecommunications towers should not be included in PBP A) The NSW RFS considers that PBP is the appropriate place to provide development standards and considerations for these types of developments when they are situated on bush fire prone land.

Appendix 1 - SITE ASSESSMENT METHODOLOGY

- Appendix 1 uses a more detailed vegetation classification system based on formations in Keith (2004). While this appears to have a good scientific basis in terms of relationship to fuel loads, the description of each vegetation formation needs to be more thoroughly explained to avoid incorrect classification A) The information provided in the Pre-release version of PBP has been simplified from that contained within the earlier public exhibition draft. The NSW RFS will provide online tools to support what products are already available which depict the location and extent of the Keith vegetation mapping layer.
- In forested environments it is the surface and near surface fuels which largely drive fire behaviour. This is reflected in the fire behaviour models which underpin the site assessment methodology. Therefore in forested areas the distance to the hazard needs to be surface and near surface fuels (perhaps the latter for more practical reasons). A) The methodology in PBP 2018 is based on the most accurate vegetation fuel load studies undertaken in NSW. These studies have included a fuel load component for canopy fuels which means that the deemed to satisfy methodology for measuring APZs should be measured from the edge of unmanaged vegetation. Where there is sufficient grounds to exclude canopy vegetation from the measurement of APZ distances, a performance assessment may be undertaken based on site specific conditions.
- Mentions APZs on 18 degree sites as the previous document refers to 20 degrees APZs. Should these be consistent with each other? A) Appendix 1 of PBP 2018 has been prepared to entirely replace the site assessment methodology of AS3959 with more state specific information however some amendments have

been made to be more consistent with AS3959. The change to 20 degrees will reduce confusion in the industry for assessing hazards on steep slopes.

Appendix 2 - SUBMISSION REQUIREMENTS, PERFORMANCE-BASED SOLUTIONS AND BUSH FIRE DESIGN BRIEFS

- The Bush Fire Design Brief for Performance Based Solutions needs to be condensed and clarified A) The NSW RFS performance guidelines are being prepared to deliver broad instructions on Bush Fire Design Briefs and performance solutions in general. This will add to the guidance currently provided in this appendix.

Appendix 3 - ACCESS

- Council's Development Guidelines for Subdivision cul de sacs requires a minimum of 10 metre radius A) NSW RFS engineering has determined that a 12 metre radius is required for a Category 1 RFS Pumper.
- The chapter features multi-point turning options however other sections of the document state that the turning head should avoid multipoint turning options A) The preferred option for access turning is a compliant turning circle however information has been provided to advise on appropriate multi-point turns.

Appendix 4 - ASSET PROTECTION ZONE STANDARDS

- Further clarification is sought in regards to trees in IPAs. The diagrams in Appendix 4 indicate no trees in this area, but the wording describes the allowance of some tree coverage such as "mown lawn and well maintained gardens". This ambiguity should be clarified to avoid confusion on this matter. A) The diagrams in Appendix 4 are for illustration purposes only and should not be used as a compliance requirement. Trees are permitted in an IPA provided there is sufficient space between canopies to prevent the spread of fire. The NSW RFS intends to amend "Standards for APZ's" after the release of PBP 2018 which will improve the understanding of vegetation management in an APZ.
- The wording in this chapter does not prevent people who propose to remove ALL trees as part of clearing works A) NSW RFS literature does not prescribe wholesale clearing however it is expected that the traditional council mechanisms for preventing wholesale vegetation removal will continue. "Standards for APZ's" will assist with further clarification on this matter.
- The need to consider environmental values should be reinforced in PBP 2018 to ensure that assessors are aware of the range of options available to maintain those values in the assessment of proposals A) The focus of PBP 2018 is the protection of life, property and the environment.

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