

## Appendix 4

# Submission Requirements for DAs on bush fire prone land

### A4.1 For general development applications to be considered under section 79BA of the EP&A Act

Development applications on bush fire prone land must be accompanied by a Bush Fire Assessment Report within the Statement of Environmental Effects demonstrating compliance with the aim and objectives of PBP and the specific objectives and performance criteria for the land use proposed. In particular, the following matters must be addressed.

- i. a statement that the site is bush fire prone land, where applicable,
- ii. the location, extent and vegetation formation of any bushland on or within 100 metres of the site,
- iii. the slope and aspect of the site and of any bush fire prone land within 100 metres of the site, which may determine the likely path of any bush fires,
- iv. any features on or adjoining the site that may mitigate the impact of a high intensity bush fire on the proposed development, and
- v. a statement assessing the likely environmental impact of any proposed bush fire protection measures.
- vi. whether any building is capable of complying with AS 3959/1999 in relation to the construction level for bush fire protection.

For most smaller applications this can be done relatively simply and can be accompanied by a diagram showing the required features with approximate distances. The RFS has also produced guidelines for lodging of information for single dwellings. These can be downloaded from the RFS website at [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au).

### A4.2 For integrated development applications under section 100B of the RF Act and section 91 of the EP&A Act

The detailed information to be contained within a Bush Fire Assessment Report submitted to the RFS under Clause 46 of the RF Reg is:

- a description of the property
  - provide Lot No., DP of subject land
  - street address with locality map

- zoning of subject land and any adjoining lands
- staging issues, if relevant, and description of the whole proposal;
- aerial or ground photographs of subject land including contours and existing and proposed cadastre .
- the classification of vegetation out to 140 metres from the development
  - provide a structural description consistent with the identification key in Keith D (2004) and PBP.
  - identify any past disturbance factors and any future intended land uses that could alter the vegetation classification in the future.
- an assessment of the effective slope to a distance of 100 metres
  - usually 5m contours will suffice for subdivisions, 10 metres should be used only if there has not been a survey undertaken by a registered land surveyor.
  - the effective slope is the slope under the vegetation assessed as being a hazard in relation to the development and not the slope within the asset protection zone.
- identification of any significant environmental features - these could include the presence of:
  - riparian corridors
  - SEPP 14 – Coastal Wetlands
  - SEPP 26 Littoral rainforests
  - SEPP 44 – Koala Habitat
  - areas of geological interest
  - environmental protection zones or steep lands (>18°)
  - land slip or flood prone areas
  - national parks estate or various other reserves.
- details of threatened species, populations, endangered ecological communities and critical habitat known to the applicant
  - details of some threatened species can be found on the web ([www.environment.nsw.gov.au](http://www.environment.nsw.gov.au))
  - past studies or surveys for the area (eg local environment studies)
  - documentation supplied to council in relation to flora and fauna
- details of Aboriginal heritage known to the applicant
  - past surveys and information held by the DEC. (application fees may apply)

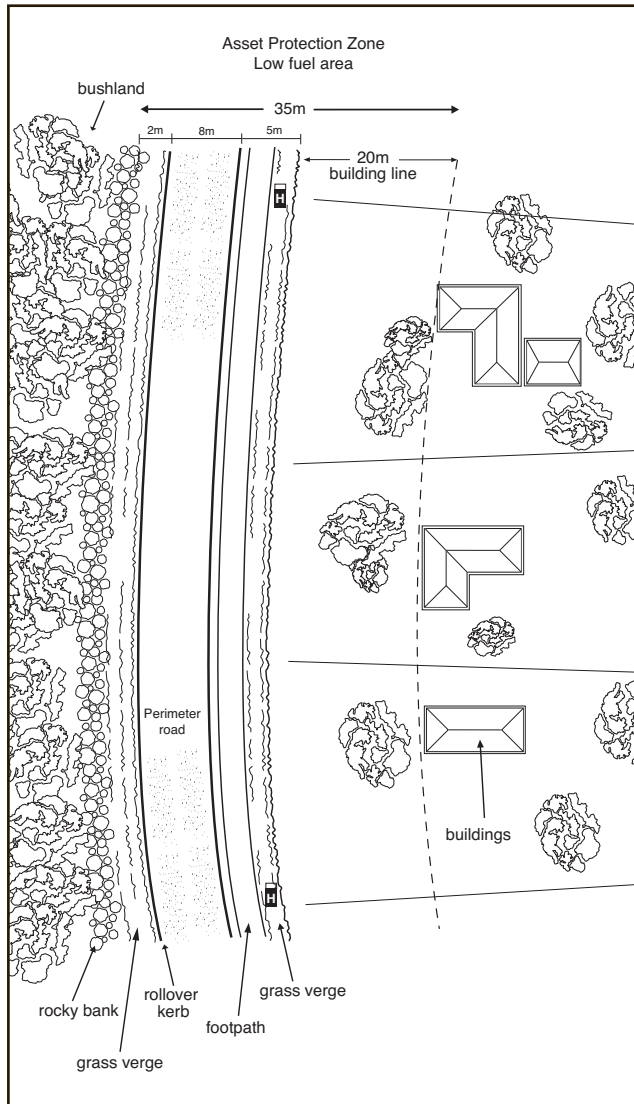


Figure A 4.1 Example of information supplied on a plan with a bush fire threat assessment.

**The RFS has also produced guidelines for lodging of information for simple subdivision (eg one lot into two lots). These can be downloaded from the RFS website at [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au).**

- a bush fire assessment that addresses –
  - asset protection zones (including any management arrangements, any easements including those contained on adjoining lands)
  - siting and adequacy of water (in relation to reticulation rates or where dedicated water storage will be required)
  - capacity of public roads (especially perimeter roads and traffic management treatments)
  - whether public roads link to fire trails and have two way access
  - adequacy of access and egress
  - adequacy of maintenance plans (eg landscaping) and emergency procedures (especially SFPP developments)
  - construction standards to be used (where non-conformity to the deemed-to-satisfy arrangement is envisaged, which aspects are not intended to conform)
  - adequacy of sprinkler systems (only as an adjunct to other passive controls).
- an assessment of how the development complies with the acceptable solutions, performance requirements and relevant specific objectives within Chapter 4 of PBP.

APZs should be identified on plans for interface allotments by either a building line or building footprint. In some cases building envelopes are identified which include other building constraints. Unless otherwise specified, a building envelope will be taken as the building footprint. Where an applicant proposes not to follow the acceptable solutions for particular bush fire protection measures, detailed evidence must be provided demonstrating compliance with performance criteria and intent of the measures proposed. For alternate solutions under the BCA, the applicant must demonstrate how the product, design or material can meet the performance requirements of the BCA (see clause AO.8 in Volume 1 of the BCA).

***In relation to significant environmental features, threatened species, endangered populations, endangered ecological communities and Aboriginal heritage issues, the RFS only requires sufficient information to ascertain that the environmental values are or are not a constraint to development. The RFS is not providing an approval in relation to the loss or removal of these environmental assets. That is the role of the relevant consent authority.***