



INFORMATION SHEET

PLANNING SERVICES

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Planning for Bushfire Protection 2018 (NSW)

Over the last two years an extensive review of Planning for Bushfire Protection (PBP) has been undertaken. PBP contains provisions for planning and building on bushfire prone land in NSW. This information sheet is designed to give an overview of the updated version of PBP.

Background

Planning for Bushfire Protection is a planning document which contains development standards for planning and building on bushfire prone land in NSW. It is referenced by the Environmental Planning and Assessment Act 1979 and therefore must be considered when planning or building on bushfire prone land in NSW.

The NSW Rural Fire Service (RFS) has conducted an extensive review of Planning for Bushfire Protection 2006 (PBP 06), and after industry consultation has released Planning for Bushfire Protection 2018 (PBP 18) (as a pre-release version).

The provisions of PBP 18 are foreshadowed to commence 1 September 2019. Until then PBP 06 remains in force. In the meantime PBP 18 may be used as part of a Performance Solution, in consultation with NSW RFS.

PBP 18 is divided into 8 chapters. A description of each chapter and the key points for HIA members to take note of are provided below.

1. Introduction

This chapter sets out the main objectives of the document the first being to; *'afford buildings and their occupants protection from exposure to a bush fire'*. The chapter also contains a flow chart outlining how to use the document throughout the planning process.

2. Framework

This chapter provides an outline of the legal framework governing the use of the document and details that PBP 18 should be considered at both the strategic planning phase and development assessment phase.

Key points:

- Under s.10.3 of the *Environmental Planning & Assessment Act* (EP&A Act), bush fire prone land (BFPL) must be mapped. Local Councils will provide the maps to the Commissioner of the NSW RFS who may certify the land is BFPL. The Commissioner may make changes to BFPL maps at any time.
- Under s.4.14 of the EP&A Act all development on land identified as bushfire prone must comply with PBP.
- Complying Development may be undertaken on land rated up to Bushfire Attack Level BAL- 29
- All development must also comply with the National Construction Code (NCC). PBP 18 varies the construction requirements found in the AS 3959, which is called up in the NCC.

3. Bush Fire Protection Measures

This chapter does not contain requirements, it simply provides descriptions of the main bushfire protection measures (BPM) contained in PBP 18. They are; Asset Protection Zones (APZ), building and construction

DISCLAIMER - The above is intended to provide general information in summary form. The contents do not constitute specific advice and should not be relied upon as such. Formal specific advice should be sought by members with respect to particular matters before taking action.

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design, access arrangements, water supply and utilities, emergency management arrangements and landscaping.

4. Strategic Planning

This chapter outlines the principles that should be applied when developing regional strategies and plans, Local Environment Plans and Development Control Plans.

5. Residential and Rural Subdivisions

This chapter provides the requirements, or BPMs that must be implemented for land subdivisions on BFPL.

Key points:

- APZ's must be provided so that all building footprints in a subdivision will not be rated higher than BAL-29 (29KW/m²).
- Landscaping must be managed to reduce flame contact and embers.
- Roads and access must be designed to allow adequate access for emergency vehicles.
- Services including water, electricity and gas must be in accordance with the tables in chapter 5.

6. Special Fire Protection Purpose Developments

A Special Fire Protection Purpose (SFPP) development is one that is occupied by people who are identified as at-risk members of the community. Examples of SFPP developments include schools, hospitals, nursing homes and tourist accommodation.

Key points:

- APZ's are larger for these developments with a max 10KW/m² permitted for areas around the building that emergency services will need to utilise during firefighting and emergency management.
- There are some exceptions such as bed and breakfasts and manufactured home estates which are permitted max 29KW/m².

7. Residential Infill Development

This chapter contains the BPM's which apply to the construction, alteration or addition of a dwelling on BFPL.

Key Points:

- Contains requirement for APZ's, access, water supply, construction standards, landscaping and emergency management.
- Emergency management plans are required for short term rental accommodation and home based child care.
- This chapter also contains the construction requirements which differ from AS 3959. Effectively construction requirements for floors, walls, decks, steps, ramps, landings, timber supports, beams and posts for BAL-12.5 and BAL-19 are lifted to BAL-29 requirements.
- Another variation to AS 3959 is that materials tested to AS 1530.8 parts 1 and 2 must not "Flame". This is not a change from PBP 06.
- Better Bush Fire Outcome – this clause outlines that where development involves alterations and additions, strict compliance with AS 3959 may not be the best outcome for the development.

For example rather than constructing the addition to BAL-40 it may be a better outcome to construct the addition to BAL-29 and provide additional ember protection to the existing part of the dwelling. Evidence must be provided that the proposed outcome is better.

A bushfire design brief (BFDB) can be completed with all stakeholders including the RFS to approve the development under an alternate solution.

Further guidance on this can be found in Appendix 2 of BPB 18.

- When determining the bush fire attack level for a site the tables in Appendix 1 replace those in AS 3959.

8. Other Development

This chapter outlines considerations and requirements for construction not covered by chapter 7.

Key points:

- Dual occupancy, multi-dwelling housing, secondary dwellings, rural workers dwellings and boarding houses must not exceed BAL-29 on the building envelope, if they do then the provisions of chapter 5 must be considered even if the land is not to be subdivided. This reflects that Complying Development can only be carried out on land rated BAL-29 or lower.
- Contains 'technical considerations' which need to be addressed as part of a development application for multi-storey residential buildings over 3 stories.
- Additional considerations for non-residential construction.

Planning for Bushfire Protection 2018 can be downloaded for free at www.rfs.nsw.gov.au

For further clarification and information on bushfire requirements, HIA members can contact [HIA's Planning Services team](mailto:nsw_planning@hia.com.au) on nsw_planning@hia.com.au