



DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT

9th August 2005

DSDS6	FIRE BUFFER ZONES OF SOUTH WEST ROCKS – NOTICE OF MOTION COUNCIL MEETING 12 JULY 2005
	FILE: 170 (LA 5054) APB

SUMMARY:

To advise Council of Planning for Bushfire Protection Guidelines in relation to housing for older persons.

◆◆◆◆◆

Background

At its meeting of 12 July 2005, Council resolved:-

"That this matter be deferred and the Director Sustainable Development Services prepare a report to the next Council meeting on fire buffer zones and the impacts on developments where there is reasonable access and also developments that are deemed as State Significant."

Bushfire Considerations

The Planning for Bushfire Protection Guidelines produced by the NSW Government, sets out the requirements for development on land considered to be "bushfire prone land". Bushfire Prone Land is identified by maps signed by the Fire Commissioner and includes buffers ranging from 30-50 metres around vegetated areas of greater than 1 hectare, depending on vegetation classification.

Under the Rural Fires Act, Section 100B requires development of bushfire prone land for a "special fire protection purpose" to obtain approval from the Rural Fire Service. A "Special fire protection purpose" includes hospitals, and housing for older people or people with a disability. Council cannot issue consent until the Rural Fire Service advises that it will grant approval under the Rural Fires Act.

The Planning for Bushfire Guidelines sets out minimum “asset protection zones” (APZs) for hospitals and housing for older persons or people with a disability. These APZs are substantially greater than general residential development because in the event of a bushfire, these residents may be difficult to evacuate and be more susceptible to smoke impacts.

The minimum recommended APZ for this type of development adjoining forested land likely recommended is 80 metres, although this is subject to a bushfire assessment by an appropriately qualified person. Experience with the Rural Fire Service indicates that they are unlikely to allow development with less than that required by the guidelines unless measures to reduce potential hazards are incorporated in the development.

State Significant Development

State Environmental Planning Policy (State Significant Development) identifies significant development that results in the State Government becoming the consent authority, instead of Council.

Hospitals involving capital investment value of more than \$15 million for the purpose of providing professional health care services to people admitted as in-patients are listed as state significant development. Nursing homes and housing for older persons do not constitute state significant development unless the Minister has determined the development to be State Significant Development under Section 88A of the Environmental Planning and Assessment Act.

Listing as State Significant Development does not avoid the need to comply with the Rural Fires Act.

Referred Development

Other development not requiring a Bushfire Safety Authority is required to be referred to the RFS for comment where minimum APZs cannot be met. Experience indicates that the RFS recommendations are far less onerous in respect to referred development.

RECOMMENDATION

That the report be noted.

.....
R B Pitt
DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES