



Rural Fires Amendment Regulation 2002

under the

Rural Fires Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Rural Fires Act 1997*.

BOB DEBUS, M.P.,

Minister for Emergency Services

Explanatory note

The object of this Regulation is to make provision relating to the formal requirements for applications for bush fire safety authorities.

This Regulation is made as a result of recent amendments made to the *Rural Fires Act 1997* by the *Rural Fires and Environmental Assessment Legislation Amendment Act 2002*.

This Regulation is made under the *Rural Fires Act 1997* (as amended), including section 135 (the general power to make regulations) and section 100B (4).

2002 No 528

Clause 1 Rural Fires Amendment Regulation 2002

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1 Name of Regulation

This Regulation is the *Rural Fires Amendment Regulation 2002*.

2 Commencement

This Regulation commences on 1 August 2002.

3 Amendment of Rural Fires Regulation 1997

The *Rural Fires Regulation 1997* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 3)

Clause 39A

Insert after clause 39:

39A Application for bush fire safety authority

- (1) For the purposes of section 100B (4) of the Act, an application for a bush fire safety authority must be in writing and include the following:
 - (a) a description (including the address) of the property on which the development the subject of the application is to be carried out,
 - (b) a classification of the vegetation on and surrounding the property (out to a distance of 140 metres from the boundaries of the property) in accordance with the system for classification of vegetation contained in *Planning for Bushfire Protection*,
 - (c) an assessment of the slope of the land on and surrounding the property (out to a distance of 140 metres from the boundaries of the property),
 - (d) identification of any significant environmental features on the property,
 - (e) the details of any threatened species, population or ecological community identified under the *Threatened Species Conservation Act 1995* that is known to the applicant to exist on the property,
 - (f) the details and location of any Aboriginal relic (being a relic within the meaning of the *National Parks and Wildlife Act 1974*) or Aboriginal place (within the meaning of that Act) that is known to the applicant to be on the property,
 - (g) a bush fire assessment for the proposed development (including the methodology used in the assessment) that addresses the following matters:
 - (i) the extent to which the development is to provide for setbacks, including asset protection zones,
 - (ii) the siting and adequacy of water supplies for fire fighting,

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- (iii) the capacity of public roads in the vicinity to handle increased volumes of traffic in the event of a bush fire emergency,
 - (iv) whether or not public roads in the vicinity that link with the fire trail network have two-way access,
 - (v) the adequacy of arrangements for access to and egress from the development site for the purposes of an emergency response,
 - (vi) the adequacy of bush fire maintenance plans and fire emergency procedures for the development site,
 - (vii) the construction standards to be used for building elements in the development,
 - (viii) the adequacy of sprinkler systems and other fire protection measures to be incorporated into the development,
 - (h) an assessment of the extent to which the proposed development conforms with or deviates from the specifications set out in Chapter 4 (Bushfire provisions-development stage) of *Planning for Bushfire Protection*.
- (2) In this clause, a reference to *Planning for Bushfire Protection* is a reference to the document so entitled, ISBN 0 9585987 89, prepared by Planning & Environment Services, NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2001.