

Submission to General Manager Planning Amendment 45 - Bushfire Prone Areas Overlay

The Bushfire Prone Areas Overlay agenda item presented to Council 20 December 2018 item 8.2 stated:-

The mapping provides an accessible and reliable source that will simplify the assessment of development applications to determine whether or not a site is located within a bushfire prone area. This will benefit landowners, the planning authority, and permit authority to provide certainty with respect to all regulatory controls"

The mapping will work in conjunction with the existing Bushfire-Prone Areas Code. It will become an overlay accessible by The Land Information System Tasmania (LIST) mapping system and will be publicly available. An owner will be able to determine, without the need for an accredited bushfire practitioner, whether or not a site is within a bushfire-prone area and if it requires assessment under the code. It is noted that the code is not changing, and under the statutory planning framework, only subdivision, vulnerable, or hazardous uses would require assessment against the code. Notwithstanding, it also allows building surveyors to determine whether or not bushfire assessment is required at the building stage.

There is no argument that anyone wanting to construct a residence within a rural bushfire prone area should have to comply with the appropriate standards to achieve a tolerable level of fire safety.

A real concern is that by introducing the Bushfire Prone Areas Overlay (BPAO) as proposed by the current planning scheme overlay it may have other unintended consequences:- firstly for those existing rural properties which already contain a residence and more particularly for those urban properties on the fringe of the BPAO.

As an example houses on Mt Stuart Drive back onto well managed farm land that is used for grazing purposes. The farm land is more than one hectare. There has been a decision to classify the existing houses in Mt Stuart Drive that back onto the farm land as bushfire prone. There are many other fringe properties similarly classed as bushfire prone.

Another interesting decision is to classify some intensively developed sites but not others. Eg some aged-care villages and various school sites / ovals (but not all).

Property owners in the urban area currently pay an "urban" fire service contribution as part of their rates and also pay water service charges to TasWater. It may come as a surprise to many owners to find that under the planning amendment as proposed that their property is suddenly classified as bushfire prone.

Perhaps there are matters not yet considered:-

1. For most of those properties on the fringe of the BPAO would it be a better solution to exclude those areas of the fringe that are serviced by TasWater with a reticulated water supply that is capable of reaching all parts of the building within reach of a 120m long hose (measured as a hose lay) connected to a fire hydrant with a minimum flow rate of 600 litres per minute and minimum pressure of 200 kPa in accordance with Table 2.2 and clause 2.3.3 of AS 2419.1 2005 - Fire hydrant installations? (This is assuming that all of Councils urban area meets the minimum flow & pressure requirements).

2. Is Council intending to contact property owners to advise them of the BPAO overlay and also to remind them of their obligation to discuss with their insurer the consequences of the BPAO overlay?
3. Is Council intending to contact insurance companies to facilitate adoption of the BPAO mapping?
4. Has Council had discussion with representatives of the Insurance industry to ascertain if there is a likely increase in insurance premiums for properties within the BPOA?
5. Has there been any discussion with representatives of the Real Estate and Valuation industries to ascertain if the likely outcome of the BPAO is going to have negative impact on the values of a BPAO affected property?
6. Has there been any discussion with representatives of the rural / farming sector to identify if BPAO is going to negatively impact on business development costs and property values.
7. Has there been any discussion with representatives of the construction and housing industry? It is understood that representatives of Housing Industry Australia have estimated that regulations relating to construction in bushfire prone areas result in additional \$60,000 construction expenses compared to non-bushfire category construction.
8. Is there an ability for the BPAO to be updated quickly to allow for changed circumstance such as where there is rapid subdivision construction or where neighbouring development occurs which reduces the risk?
9. Has there been any discussion with representatives of the natural resource management sector to identify if there are any un-intended consequences of the proposed mapping?
10. Given the decision to include properties on the urban fringe as well as vulnerable use properties is the label Bushfire Prone Area Overlay best fit the task? Is there some less onerous label eg Development Related Fire Risk Overlay or ????
11. Does the BPAO as presented stand the "pub test"; most likely no? Is it not reasonable for house owners/occupiers in a brick house in Launceston suburban street with a treated town water supply, fireplugs and an active 24 hour per day local fire brigade, to live there with the expectation that their house and family are reasonably safe from bushfires given Launceston's long-standing record of being reasonably free from major bushfire threat?



Robert Holmes
Senior Property Advisor

18 February 2019

Contact details
phone 63233336
email Robert.Holmes@launceston.tas.gov.au