



Tasmania Fire Service

Bushfire Risk Unit

File No: AD162-02

Executive Commissioner
Tasmanian Planning Commission
tpc@planning@tas.gov.au

Dear Sir/Madam,

RE: MODIFIED DRAFT TASMANIAN PLANNING POLICIES

I write in relation to the modified draft Tasmanian Planning Policies ('TPPs') that are currently being assessed by the Tasmanian Planning Commission.

Tasmania Fire Service (TFS)'s primary interest in the TPPs relates to the policy directions relevant to use and development in bushfire-prone areas. Land use planning has a critical role to play in relation to mitigating bushfire risks and supporting community resilience. The importance of planning in this context is discussed in more detail in TFS's submission to the TPP Scoping Paper.

The following comments on the modified draft TPPs are provided for the Commission's consideration.

GENERAL APPLICATION

The modified draft TPPs now includes a section titled 'General Application'. The section provides clarity with respect to the intended application of the TPPs and how competing objectives will be resolved.

Balancing competing policy objectives is an important and challenging aspect of land use planning. TFS considers the inclusion of the General Application section to be a worthwhile improvement that will support the future application of the TPPs.

SECTION 3.0 – ENVIRONMENTAL HAZARDS

TFS supports the contextual statements and key principles provided in relation to environmental hazards in sections 3.0.1 and 3.0.2. Importantly, the stated principles are broadly aligned with those developed by the Australian Institute for Disaster Resilience (2020), which represent contemporary best practice.

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Section 3.1 – Bushfire

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3.1.2 Objective

To prioritise the protection of human life and to support the resilience of settlements and communities by reducing the potential impacts of bushfire on life, property and infrastructure.

Land use planning that is focused on prioritising safety and supporting resilience is consistent with national and state policies pertaining to natural hazard risk reduction. TFS accordingly supports the inclusion of this objective.

3.1.3 Strategies

- 1. Identify and map land that is exposed to bushfire hazards, including consideration of the potential impacts of future bushfire conditions as a result of climate change, based on the best available scientific evidence.***

Identification of land that is exposed to natural hazards and associated regulatory controls is an important function of the planning system. It allows landowners, developers, and regulators to make informed decisions and supports compliance.

TFS and councils have worked to provide Bushfire-Prone Area overlays suitable for insertion into planning schemes for regulatory purposes. This mapping process has resulted in approximately 98% of the land area of Tasmania being affected and this is a valuable flag for considering bushfire as a planning constraint. This mapping does not deal with varying levels of hazard or risk exposures within the designated bushfire-prone area, although this may be a possible future advancement subject to appropriate methodologies being developed.

The previous draft version of strategy 1 (exhibited in 2022) had a narrower focus, whereas the current draft version has been expanded to include consideration of climate change. Following recent consultation with the State Planning Office, TFS understands the revision has been made to align the strategy with those provided for other environmental hazards.

It should be noted that future responses to climate change may not necessarily involve mapping (for instance, one potential policy response may be to modify the standard Fire Danger Index value used for Bushfire Attack Level assessment).

- 2. The protection of human life from harm caused by bushfire will be considered and prioritised at every stage of the planning process.***

Bushfire risk mitigation is multifaceted and reliant on a combination of integrated measures. Bushfire hazards (and natural hazards more broadly) should be considered when decisions are made regarding future settlement growth, zoning, when preparing structure plans, master plans and Specific Area Plans, at the development assessment stage as well as at the building approvals stage.

The earlier in the planning process that bushfire risk is considered, the more latitude exists to avoid or mitigate risk exposures to life and property. To this end, there has been an increased awareness and focus on strategic land use planning for bushfire risk across many Australian jurisdictions. Several states have invested resources in recent years to improve strategic planning for bushfire within their jurisdictions.

Whilst the protection of human life is undoubtedly the highest priority, the resilience of human settlements is a related outcome that will also be supported through consideration of bushfire risks throughout the planning process.

3. Avoid designating land for purposes that expose people, property and supporting infrastructure to risk arising from bushfire hazards, especially significant risks.

TFS supports risk avoidance as the preferred planning response where feasible alternatives exist, or where a location has an unacceptable level of hazard exposure for a particular land use. The approach is consistent with contemporary best practice.

Methodologies for evaluating bushfire risk at a strategic level will continue to evolve and will support future planning decisions. While there are limited objective risk quantification tools available, there are qualitative approaches which may be sufficient for strategic assessments.

4. Where it is not practical to avoid bushfire hazards, use and development is to:

- a) identify the risk of harm to human life, property and infrastructure caused by bushfire;***
- b) incorporate bushfire protection measures that manage the identified risk and reduce it to within a tolerable level; and***
- c) provide a higher level of risk mitigation for uses deemed particularly vulnerable or hazardous.***

It is acknowledged that risk avoidance is not always practicable. There are a range of social and economic factors that drive use and development and approximately 98% of the State's land area is within a designated bushfire-prone area. Use and development standards (in conjunction with building requirements) have an important role to play where bushfire hazards cannot reasonably be avoided.

Importantly, the strategy refers to the concept of 'tolerable risk' and recognises that certain activities warrant a higher degree of risk mitigation. These concepts will be fundamentally important to consider when developing and reviewing planning responses to bushfire risk. It is noted that critical infrastructure and significant community investments have not always been provided with mitigation commensurate with the potential risk.

5. *Support the efficient and safe intervention of firefighting personnel and emergency evacuation.*

The spatial configuration of the built environment (including the location and design of firefighting infrastructure) directly influences the safety and efficiency of emergency intervention and evacuation. It is important that planning decisions are informed by consideration of this issue because they will have long-lasting and potentially significant implications for life and property. This is evident in existing settlement patterns that often present challenges for emergency intervention and additional risks to communities.

6. *Facilitate the provision of firefighting infrastructure and support emergency services and the community to prevent, prepare, respond and recover from bushfire events.*

Strategy 6 has some overlap with Strategy 5 but is broader in scope. Prevention, Preparedness, Response and Recovery (PPRR) refers to a well-established concept used in emergency management. Land use planning decisions can either support or hinder emergency management across the PPRR spectrum.

7. *Consider the cumulative effects of planning decisions so new use and development will not result in an unacceptable increase to bushfire risks for existing use and development.*

Planning decisions can exacerbate existing unacceptable risk exposures. For example, by allowing further densification in highly exposed areas or in areas that are already inadequately supported by water or access infrastructure.

Conversely, planning decisions may also have a positive cumulative effect on risk to an existing community. For example, by resulting in incremental removal of bushfire-prone vegetation or by providing an alternate public road access.

8. *When designating land for particular purposes and considering use and development in areas subject to bushfire hazards:*

- a) *priority should be given to minimising the impacts, associated with implementing future bushfire protection measures, on environmental values and on the cost to the community as a result of defending properties from bushfire; and***
- b) *where possible, avoid locations that require bushfire hazard management to be undertaken on land external to the site where that land is publicly owned and managed for conservation purposes.***

Proposed use and development must satisfy a range of planning objectives. Whilst it is considered inappropriate to compromise bushfire protection on account of other objectives, it is necessary to consider all relevant implications associated with bushfire protection as part of the planning process. The current wording of paragraph (a) could be interpreted to mean that impacts on natural values and cost to the community

should be prioritised over risks to life and property, which is unlikely to be the true intention. It is recommended that paragraph (a) be amended as follows:

- a) Consideration ~~priority~~ should be given to ~~minimising~~ the impacts, associated with implementing future bushfire protection measures, on environmental values and on the cost to the community as a result of defending properties from bushfire; and

In our experience, there is considerable pressure on private and public land holders to provide bushfire mitigation for the benefit of neighbouring developments. This is especially an issue where adjoining lands are managed for conflicting purposes, such as for conservation or for forestry. Avoiding these types of conflicts is considered an appropriate outcome of the land use planning process. These types of conflicts are not necessarily tenure-specific however and we therefore recommend amending paragraph (b) as follows:

- b) where possible, avoid locations that require bushfire hazard management to be undertaken on land external to the site where that land is designated or used for conflicting purposes. ~~publicly owned and managed for conservation purposes.~~

9. Allow the implementation of bushfire protection measures that are carried out in accordance with an endorsed plan, including hazard reduction burns.

Strategy 9 recognises that protection of life is paramount and supports the work conducted by government agencies to manage bushfire risks for the community's benefit. There are several programs seeking to reduce community risk by adoption of bushfire safe behaviours and implementation of mitigation measures.

For clarity, it is recommended Strategy 9 be amended as follows:

Allow the implementation of bushfire protection measures by public authorities, that are carried out in accordance with an endorsed plan, including hazard reduction burns.

CONSISTENCY WITH OTHER ELEMENTS OF THE TPPS

Planning policy for bushfire naturally intersects with a range of other planning objectives. In the context of the TPPs, policies provided in sections 1.1 Growth, 1.6 Design and 2.1.3 Environmental Values are particularly relevant. In our view, the strategies provided in these sections appear to be congruent with those provided in section 3.1 Bushfire.

The introduction of the TPPs will provide much needed policy direction on a broad range of planning objectives. In doing so, we anticipate they will be instrumental in guiding land use planning in a way that supports community resilience and safety. TFS is supportive of the draft TPPs albeit with some minor refinements to Section 3.1, strategies 8 and 9.

If TFS can provide any further advice or information to support the Tasmanian Planning Commission's assessment, please contact Tom O'Connor (Senior Planning & Assessment Officer) on 0438 101 367 or at tom.oconnor@fire.tas.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'JS' or 'J Smith', written in a stylized, cursive manner.

Jeremy Smith
A/CHIEF OFFICER

26 June 2023