

**BUSHFIRE ASSESSMENT
PERFORMANCE BASED SOLUTION**

PROPOSED NEW GARAGE

**LOT 62 DP 635639
281 Fosterton Road, Fosterton**

Date: **06/07/2026**

Prepared for: **Rob Muscat**

NEWCASTLE BUSHFIRE CONSULTING

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I hereby declare that I am a BPAD accredited bushfire practitioner.		
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1.0 EXECUTIVE SUMMARY AND COMPLIANCE TABLES

This report has assessed the proposed new garage against the requirements of Section 4.14 of the Environmental Planning and Assessment Act 1979, AS3959 (2018) Construction of buildings in bushfire-prone areas and Planning for Bush Fire Protection (2019).

This report establishes that the new garage does not comply with the acceptable solutions of Planning for Bush Fire Protection (2019) and offers a Performance Based Solution to achieve the performance criteria.

TABLE 1 – PROPERTY DETAILS AND TYPE OF PROPOSAL

Applicant Name	Rob Muscat		
Site Address	281 Fosterton Road, Fosterton	Lot/Sec/DP	Lot 62 DP 635639
Local Government Area	Dungog	FDI	100
Bushfire Prone Land	Yes, mapped bushfire prone land		
Type of development	New Garage	Type of Area	Rural
Special Fire Protection Purpose	No	Flame Temperature	1090K
Application Complies with Acceptable Solutions	No. Performance Based Solution reviewing property access	Referral to NSW Rural Fire Service (NSW RFS) required	Council determination on referral

TABLE 2 – BUSHFIRE THREAT ASSESSMENT

	North	East	South	West
Vegetation Structure	Grassland	Grassland	Grassland	Grassland
Distance to Vegetation	32 metres	32 metres	32 metres	27 metres
Accurate Slope Measure	11 degrees downslope	9 degrees downslope	14 degrees downslope	8 degrees upslope
Slope Range	>10 to 15 degrees downslope	>5 to 10 degrees downslope	>10 to 15 degrees downslope	Level/Upslope
AS3959 (2018) Bushfire Attack Level (BAL)	BAL-12.5	BAL-12.5	BAL-12.5	BAL-12.5

The highest BAL, being BAL-12.5 applies to the entire building.

TABLE 3 – PLANNING FOR BUSH FIRE PROTECTION (2019) COMPLIANCE

Performance Criteria	Proposed Development Determinations	Method of Assessment
Asset Protection Zone	Asset protection zones have been determined in accordance with Planning for Bush Fire Protection (2019). The asset protection zone will be maintained for the life of development and defendable space is provided onsite.	Acceptable Solution
Siting and Design	Buildings have been designed to minimise the risk of bushfire attack.	Acceptable Solution
Construction Standards AS3959 (2018)	Bushfire Attack Levels have been determined in accordance with Planning for Bush Fire Protection (2019) and AS3959 (2018). The highest BAL, being BAL-12.5 applies to the entire building.	<u>Performance Based Solution</u>
Private and or Public Road Infrastructure	The public road system is not affected or changed as part of this application.	Acceptable Solution
Property Access	The property access shall comply with Planning for Bush Fire Protection (2019) Section 7, except for the provision of alternate egress.	<u>Performance Based Solution</u>
Water and Utility Services	Water, electricity and gas services offer compliance with Planning for Bush Fire Protection (2019) Section 7.	Acceptable Solution
Landscaping	Landscaping to comply with Planning for Bush Fire Protection (2019) Appendix 4.	Acceptable Solution

2.0 INTRODUCTION

2.1 PURPOSE OF REPORT

The purpose of this report is to establish suitable bushfire mitigation measures for the proposed new garage to be constructed at Lot 62 DP 635639, 281 Fosterton Road, Fosterton in order for the Council to make determination of the proposed development pursuant to the requirements of Section 4.14 of the Environmental Planning and Assessment Act 1979.

Features on or adjoining the site that may mitigate the impact of a bushfire on the proposed development

The vegetation surrounding the dwelling and garage is grazing pasture and mown grass.

Likely environmental impact of any proposed bush fire protection measures

No native vegetation removal is required for the development.

The recommendations within this report address the aims and objectives of Planning for Bush Fire Protection (2019) to reduce the risk of ignition of the new garage in a bushfire event.

2.2 PROPOSED DEVELOPMENT

The proposed development includes the construction of a new freestanding dwelling.

3.0 BUSHFIRE ATTACK ASSESSMENT

3.1 VEGETATION CLASSIFICATION

Potential bushfire hazards were identified from Dungog Council's Bushfire Prone Mapping as occurring within the investigation area. Aerial mapping and inspection of the site reveals that the bushfire prone land map is somewhat inaccurate in respect to the current bushfire hazard.

The major vegetative threats have been determined using Keith (2004) to derive vegetation structures listed in Planning for Bush Fire Protection (2019).

Primary vegetation structures have been identified in Figure 1 – Site Constraints Map and separation distances shown in Table 2 – Bushfire Attack Assessment.



PHOTO 1 - GARAGE LOCATION LOOKING SOUTH

View of the proposed garage location looking south. The existing dwelling is visible.



PHOTO 2 - WESTERN GRASSLAND

View of grazing pasture located west of the site. The vegetation could represent limited ember attack in a grassfire.

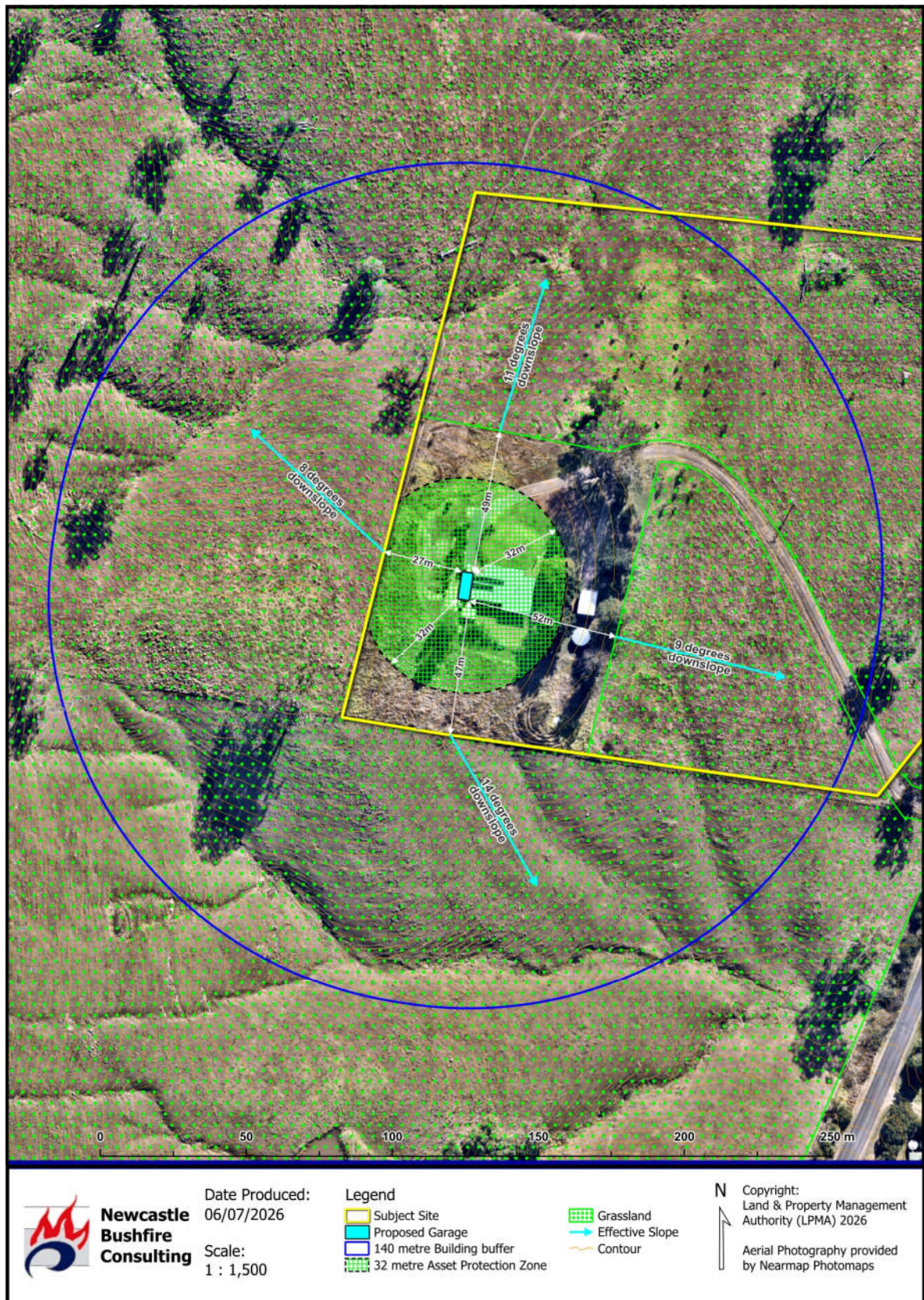


FIGURE 1 – SITE CONSTRAINTS MAP

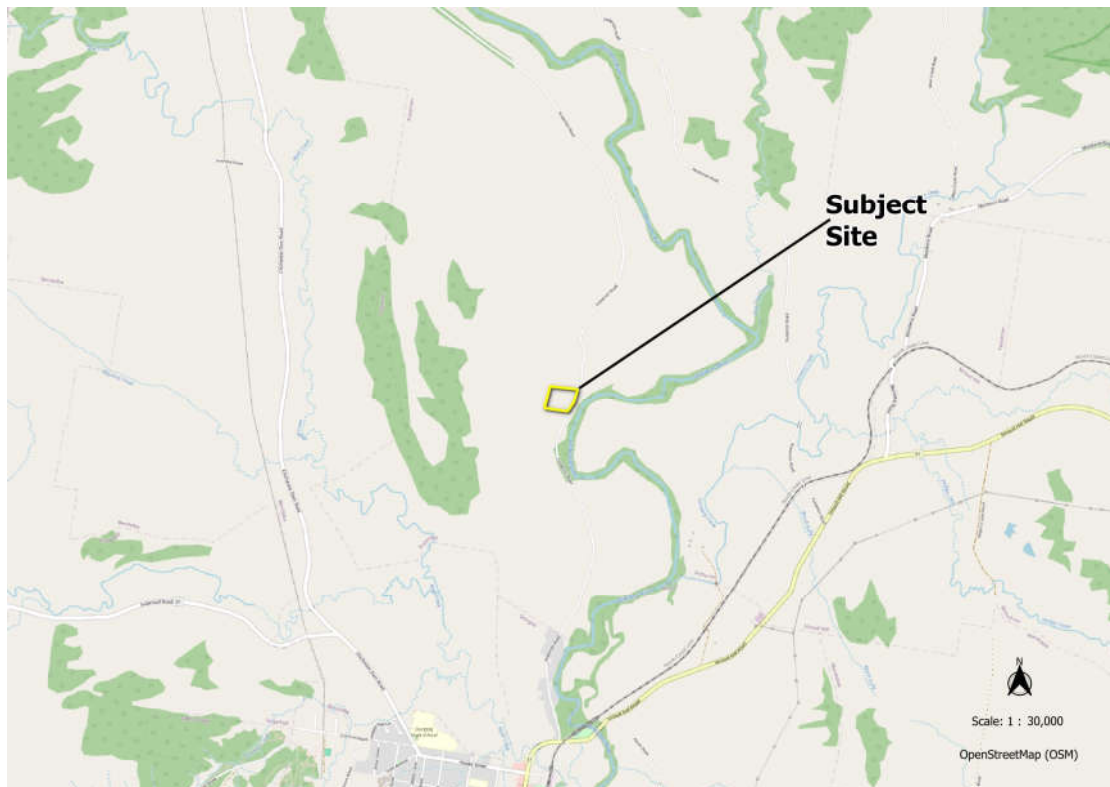


FIGURE 2 – LOCALITY MAP
Courtesy of OpenStreetMap

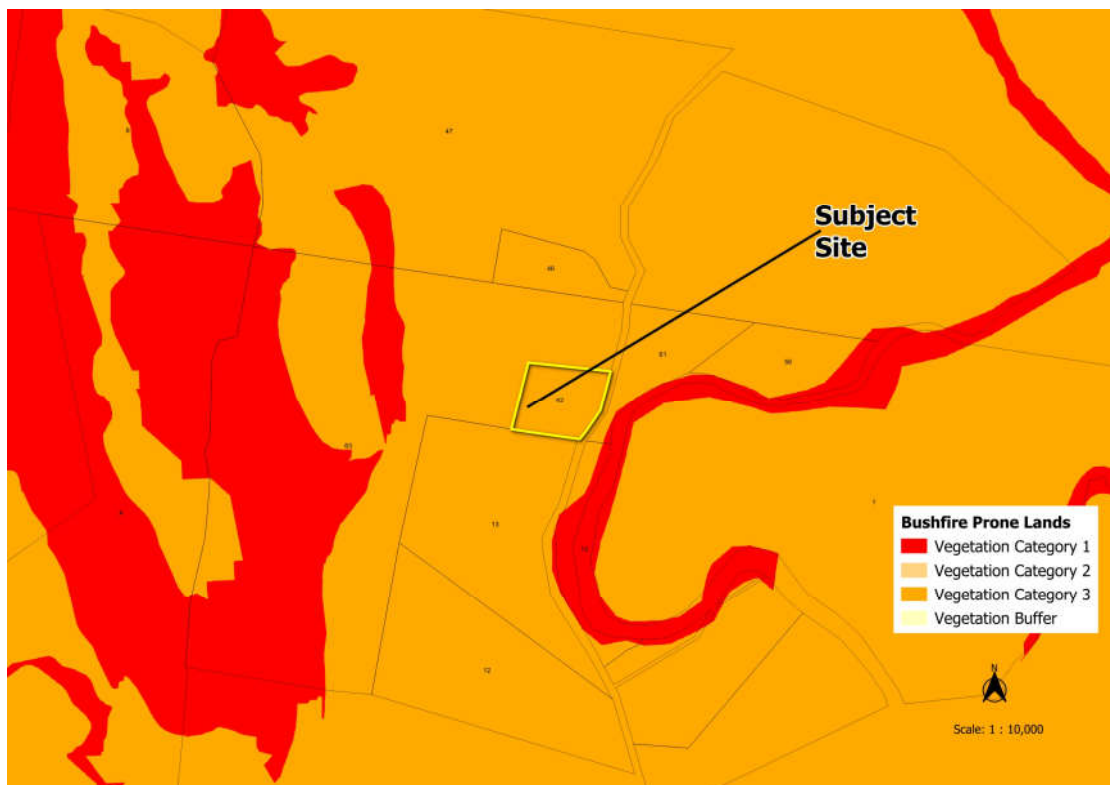


FIGURE 3 – COUNCIL'S BUSHFIRE PRONE LAND MAP

3.2 EFFECTIVE SLOPE

Effective Slope was measured using 2-metre contour data obtained from the Department of Lands and verified by a laser hypsometer on site. The laser hypsometer verified slope within the vegetation, calculating effective fire run slope from 5 separate measurements in each dominant direction.

Effective Slopes have been identified in Figure 1 – Site Constraints Map and slope ranges are shown in Table 2 – Bushfire Threat Assessment.

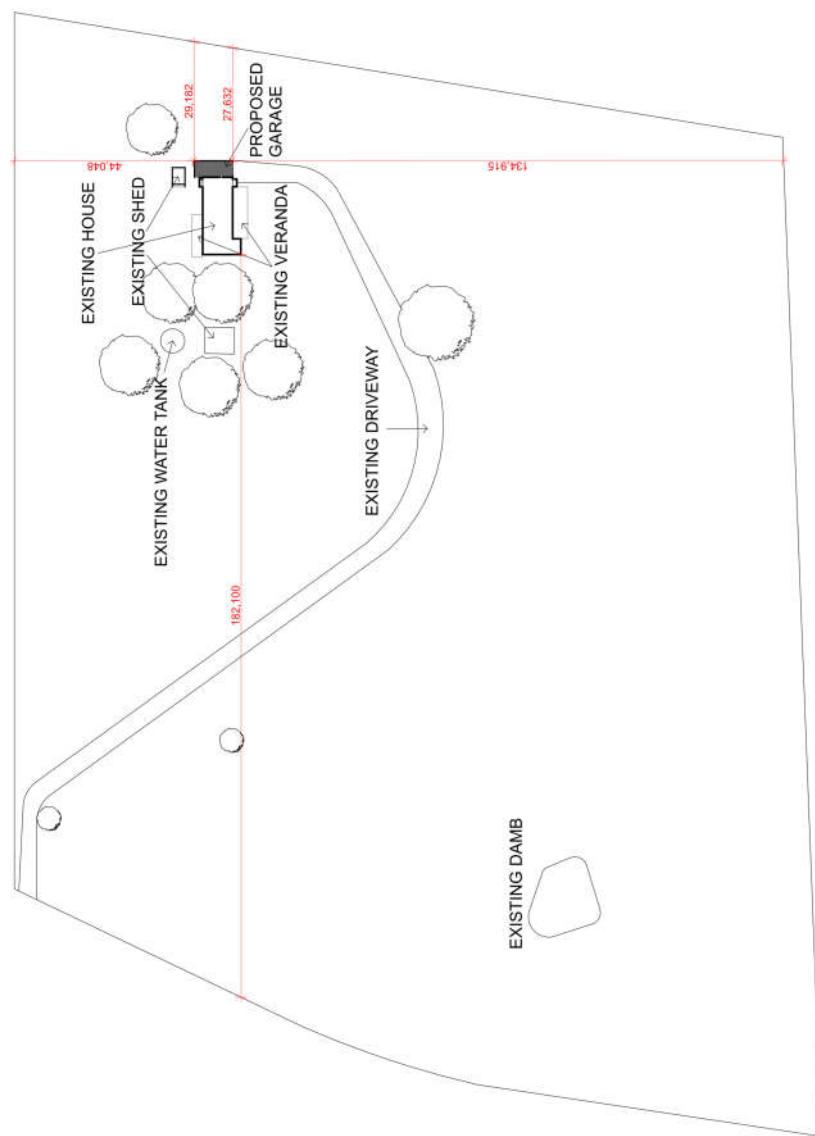
3.3 BUSHFIRE ATTACK LEVELS

BALs and relevant construction levels in accordance with Planning for Bush Fire Protection (2019) have been demonstrated in Section 1 Executive Summary and Compliance Tables.



PHOTO 3 - NORTHERN GRASSLAND

View of mown grass onsite with grazing pasture visible to the north. The vegetation has conservatively been assessed as grassland.



Site Plan 1:1000



Drawn Checked	Isaac Labella
Plot Date:	11/05/2026
Project NO:	229
Project Status	Concept
Client	Rob Muscat
Site:	281 Fosterton Rd Fosterton

DRAWING TITLE :

Site Plan

PROJECT NAME :

Muscat Residence

DRAWING NO.

1.2

REVISION NO.

FIGURE 4 – SITE PLAN

4.0 UTILITY SERVICES AND INFRASTRUCTURE

4.1 WATER SERVICES

The site is greater than a hectare in size with no hydrant access. A static water supply, with provision for a minimum 20,000 litres should be provided. The 20,000 litre water supply may be either a tank or pool, providing that the 20,000 litres is available for firefighting purposes. The following requirements should be adhered to for the water supply:

- a) a connection for firefighting purposes is located within the Inner Protection Area (IPA) or non-hazard side and away from the structure; 65 millimetres Storz outlet with a ball valve is fitted to the outlet;
- b) ball valve and pipes are adequate for water flow and are metal;
- c) supply pipes from tank to ball valve have the same bore size to ensure flow volume;
- d) underground tanks have an access hole of 200 millimetres to allow tankers to refill directly from the tank;
- e) a hardened ground surface for truck access is supplied within 4 metres;
- f) above-ground tanks are manufactured from concrete or metal;
- g) raised tanks have their stands constructed from non combustible material or bushfire resisting timber (AS3959 (2018) Appendix F);
- h) unobstructed access can be provided at all times;
- i) underground tanks are clearly marked;
- j) tanks on the hazard side of the building are provided with adequate shielding for the protection of firefighters;
- k) all exposed water pipes external to the building are metal, including any fittings.

4.2 ELECTRICITY SERVICES

The existing electrical supply to the local area is via overhead electrical transmission lines. No part of a tree shall be closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.

4.3 GAS SERVICES

- Reticulated or bottled gas to be installed and maintained in accordance with AS1596 (2002) and the requirements of the relevant authorities. Metal piping is to be used.
- Fixed gas cylinders to be kept clear of flammable material by a distance of 10 metres and shielded on the hazard side of the installation.
- Gas cylinders close to the dwelling are to have the release valves directed away from the building and be at least 2 metres from flammable material with connections to and from the gas cylinder being of metal.
- Polymer-sheathed, flexible gas supply lines to gas meters adjacent to the buildings are not to be used.

5.0 PROPERTY ACCESS

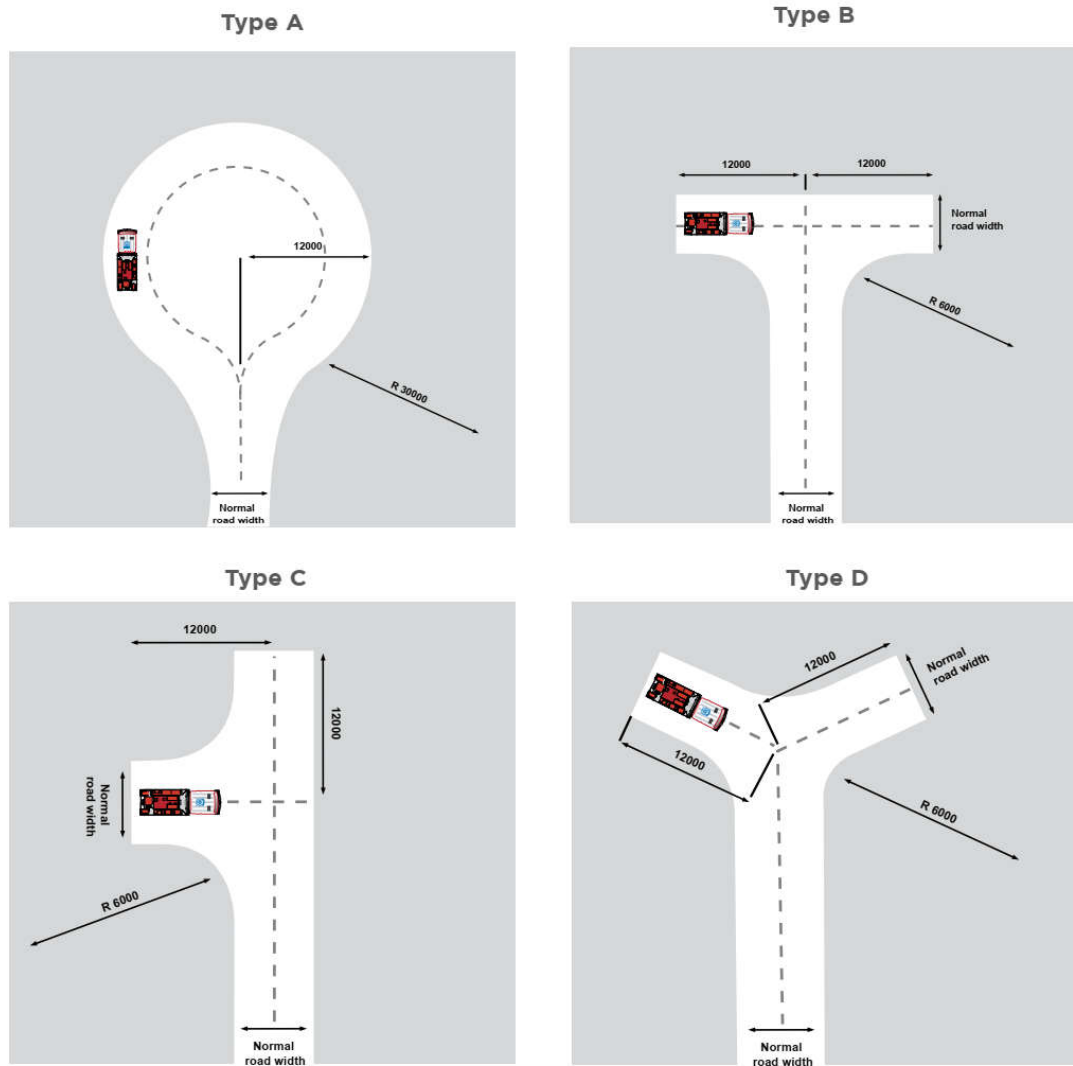
Property access is by way of Fosterton Road providing access from the public road system directly to the private land, giving firefighters access to the building.

Property access roads shall comply with Section 7 of Planning for Bush Fire Protection (2019) excepting the provision of alternate egress.

The Property Access Road should comply with the following conditions:

- minimum 4m carriageway width;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- provide a suitable turning area in accordance with Appendix 3;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6m;
- the crossfall is not more than 10 degrees;
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads;

Multipoint turning options.



6.0 LANDSCAPING MAINTENANCE

It is recommended that landscaping is undertaken in accordance with Planning for Bush Fire Protection (2019) Appendix 4 and be maintained for the life of the development.

Trees should be located greater than 2 metres from any part of the roofline of a building. Garden beds of flammable shrubs are not to be located under trees and should be no closer than 10 metres from an exposed window or door. Trees should have lower limbs removed up to a height of 2 metres above the ground.

The landscaped area should be maintained free of leaf litter and debris. The gutter and roof should be maintained free of leaf litter and debris. Landscaping should be managed so that flammable vegetation is not located directly under windows.

Ground fuels such as fallen leaves, twigs (less than 6 millimetres in diameter) and branches should be removed on a regular basis, and grass needs to be kept closely mown and, where possible, green.

7.0 PERFORMANCE BASED SOLUTION

At the request of the client, I have been asked to provide an unbiased safety model for the proposed development. The proposed Performance Based Solution achieves compliance with the objectives of Planning for Bush Fire Protection (2019).

Proposed Performance Based Solution

The proposed Performance Based Solution examines the lack of alternate egress and uses additional construction levels to offset a single property access more than 200 metres from the public road for grassland vegetation.

Methodology of Assessment

Pursuant to Section A2.4(c) of Appendix 2 in Planning for Bush Fire Protection (2019), the assessment method used by the performance solution to demonstrate compliance with the nominated performance criteria, is a comparative analysis with the acceptable solutions of Planning for Bush Fire Protection (2019) relating to property access.

The assessment will be consistent with Planning for Bush Fire Protection (2019) which the performance criteria for the property access of the development are “firefighting vehicles can access the dwelling and exit the property safely.”

Quantitative Analysis

Property Access

The site is a rural property with a single shared right of way property access 250 metres in length from Fosterton Road.

Based on a smoke shrouded environment a 20 km/h vehicle speed is nominated. A vehicle will traverse 200 metres in 36 seconds or 250 metres in under 1 minute to a public managed road via grazing pasture.

Qualitative Analysis

1. The driveway traverses grassland and managed land and therefore the risk of the access being cut by falling trees etc are significantly minimised.
2. There are no passing bays required through grassland which gives an indication of the lesser bushfire risk relating to property access.

3. Grassfires have a fire front residence of 5-15 seconds which allow for adequate evasion if impacting the property access.

4. Further to point No. 3 - The short fire front residence time in conjunction with an asset protection zone and landscape requirements will not have the same impact on the asset as a forest or heath fire and less likelihood of the occupants feeling like they need to evacuate the site when the fire front is in the vicinity of the APZ interface.

8.0 COMPLIANCE WITH PERFORMANCE REQUIREMENTS OF PLANNING FOR BUSH FIRE PROTECTION (2019)

The compliance with performance requirements of Planning for Bush Fire Protection is listed below.

Performance Criteria	Acceptable Solution	Performance Based Solution
In relation to APZ:		
APZs are provided commensurate with the construction of the building; A defensible space is provided.	An APZ is provided in accordance with Table A1.12.2 or A1.12.3 in Appendix 1.	The site has defensible space. The owner will be able to prepare the house for fire and extinguish small spot fires, and the firefighters will be able to shelter within the property if fire impacts.
APZs are managed and maintained to prevent the spread of a fire to the building.	APZs are managed in accordance with the requirements of Planning for Bush Fire Protection (2019) Appendix 4.	Complies with acceptable solution.
The APZ is provided in perpetuity. APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.	APZs are wholly within the boundaries of the development site. APZs are located on lands with a slope less than 18 degrees.	Complies with acceptable solution.
In relation to construction standards:		
The proposed building can withstand bush fire attack in the form of embers, radiant heat and flame contact.	BAL is determined in accordance with Tables A1.12.5 to A1.12.7; and construction provided in accordance with the National Construction Code 2019 and as modified by Section 7.5.	Complies with acceptable solution.
Proposed fences and gates are designed to minimise the spread of bushfire.	Fencing and gates are constructed in accordance with Section 7.6.	Shall comply with acceptable solution.
Proposed Class 10a buildings are designed to minimise the spread of bushfire.	Class 10a buildings are constructed in accordance with Section 8.3.2.	Not applicable.

In relation to access requirements:		
Safe, operational access is provided (and maintained) for emergency service personnel in suppressing a bushfire while residents are seeking to relocate in advance of a bushfire (satisfying the intent and performance criteria for access roads in Section 7).	Compliance with Section 7 for property access roads.	Complies with acceptable solution excepting the provision of alternate egress.
In relation to water supplies:		
An adequate water supply is provided for firefighting purposes.	Reticulated water is to be provided to the development, where available.	Complies with acceptable solution.
Water supplies are located at regular intervals; and The water supply is accessible and reliable for firefighting operations.	Fire hydrant spacing, design and sizing comply with the relevant clauses of AS2419.1:2005; Hydrants are not located within any road carriageway; and Reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads.	Complies with acceptable solution.
The integrity of the water supply is maintained.	All above-ground water service pipes external to the building are metal, including and up to any taps.	Can comply with acceptable solution.
In relation to electrical services:		
Location of electricity services limits the possibility of ignition of surrounding bushland or the fabric of buildings.	Where practicable, electrical transmission lines are underground.	Complies with acceptable solution.
In relation to gas services:		
Location and design of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.	Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used; All fixed gas cylinders are kept clear of all flammable materials to a distance of 10 metres and shielded on the hazard side; Connections to and from gas cylinders are metal; Polymer-sheathed, flexible gas supply lines are not used; and Above-ground gas service pipes are metal, including and up to any outlets.	Can comply with acceptable solution.

In relation to landscaping:		
Landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.	Compliance with the NSW RFS Asset Protection Zone Standards (see Appendix 4); A clear area of low cut lawn or pavement is maintained adjacent to the house; Fencing is constructed in accordance with Section 7.6; and Trees and shrubs are located so that: the branches will not overhang the roof; the tree canopy is not continuous; and any proposed windbreak is located on the elevation from which fires are likely to approach.	Can comply with acceptable solution.

9.0 RECOMMENDATIONS

Based upon an assessment of the plans and information received for the proposal, it is recommended that development consent be granted subject to the following conditions:

1. The proposed building works shall comply with Sections 3 and 5 (BAL-12.5) in accordance with AS3959 (2018) Construction of buildings in bushfire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas - 2014 as appropriate and the additional construction requirements of Planning for Bush Fire Protection (2019) Section 7.5.2.
2. At the commencement of building works and in perpetuity, the property for the below distances, shall be managed as an inner protection area (IPA) where onsite and to the western property boundary as outlined within Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document Standards for Asset Protection Zones.
 - North and South for a distance of 32 metres
 - East for a distance of 50 metres
 - West for a distance of 27 metres
3. Water, electricity and gas are to comply with Section 7 of Planning for Bush Fire Protection (2019).
4. The property access shall comply with Section 7 of Planning for Bush Fire Protection (2019), except for the provision of alternate egress.
5. Landscaping is to be undertaken in accordance with Planning for Bush Fire Protection (2019) Appendix 4 and managed and maintained in perpetuity.
6. It is recommended that the property owner and occupants familiarise themselves with the relevant bushfire preparation and survival information provided by the NSW RFS.

10.0 CONCLUSION

The final recommendation is that the proposed development offers compliance with Planning for Bush Fire Protection (2019). There is potential for bushfire attack at this site, and a list of recommendations has been included in the above assessment to reduce that risk.

11.0 APPENDIX 1.0 – ASSET PROTECTION ZONES SUMMARY

Below is a summary of Asset Protection Zones outlined in appendix 4 of Planning for Bush Fire Protection (2019) and the NSW Rural Fire Services “Standards for Asset Protection Zones”. The property owner(s) should obtain these two documents and familiarise themselves with their content.

Generally

Asset Protection Zones (APZ) refer to the area between the bushfire threat and the asset (i.e. building). The APZ may contain two areas; the Inner Protection Area (IPA) and the Outer Protection Area (OPA). Some areas should be managed entirely as an Inner Protection Area (IPA). Refer to the plans for locations of APZ and distances from Assets.

Inner Protection Area (IPA)

The inner protection area is located adjacent to the asset and is identified as a fuel-free zone.

A. Shrubs (consisting of plants that are not considered to be trees)

1. Create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided;
2. Shrubs should not be located under trees;
3. Shrubs should not form more than 10% ground cover; and
4. Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.

B. Trees: Maintain a minimum 2-5 metre canopy separation.

1. Tree canopy cover should be less than 15% at maturity;
2. Trees at maturity should not touch or overhang the building;
3. Lower limbs should be removed up to a height of 2m above the ground;
4. Tree canopies should be separated by 2 to 5m; and
5. Preference should be given to smooth barked and evergreen trees.

Outer Protection Area (OPA)

The Outer Protection Area (OPA) is located adjoining the vegetation. The OPA should be maintained as a fuel-reduced area. This assumes trees may remain but with a significantly reduced shrub, grass, and leaf litter layer. In many situations leaf litter and the shrub layer may not require maintenance at all.

A. Shrubs:

1. Shrubs should not form a continuous canopy;
2. Shrubs should form no more than 20% of ground cover.

B. Trees:

1. Existing trees can be retained.
2. Tree canopy cover should be less than 30%; and
3. Canopies should be separated by 2 to 5m.

Grass (throughout the entire asset protection zone)

Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and leaves and vegetation debris should be removed.

12.0 REFERENCES AND DISCLAIMER

References

Standards Australia AS3959 (2018) Construction of buildings in bushfire-prone areas.

Keith D. "Ocean Shores to Desert Dunes", Department of Environment and Conservation, Sydney, (2004).

Environmental Planning and Assessment Act 1979.

New South Wales Rural Fire Service Planning for Bush Fire Protection (2019).

Disclaimer

Despite the recommendations in this report, it is impossible to remove the risk of fire damage to the building entirely. This report assesses the risk and provides recommendations to reduce it to a community-accepted level. It is of paramount importance that the recommendations be adhered to for the life of the structure and that all maintenance be performed to ensure a level of protection is provided to the building occupants and firefighters.

Planning for Bush Fire Protection (2019) states that, notwithstanding the precautions adopted, it should always be remembered that bushfires burn under a wide range of conditions and an element of risk, no matter how small, always remains.

AS3959 (2018) Construction of buildings in bushfire-prone areas states that the standard is designed to lessen the risk of damage to buildings occurring in the event of the onslaught of bushfire. There can be no guarantee, because of the variable nature of bushfires, that any one building will withstand bushfire attack on every occasion. External combustible cladding is not recommended.