

21 August 2025

Ms. Kalpana Varghese
Supervisor Development Assessment & Planning
NSW Rural Fire Service

Email: Kalpana.Varghese@rfs.nsw.gov.au

Dear Ms. Varghese,

**Re: SPI20250216000032 – NSW Rural Fire Service Additional Information Request:
Amendment to The Hills Local Environmental Plan 2019**

Thank you for your letter dated 20 March 2025 regarding the NSW Rural Fire Service (NSW RFS) comments on the above Planning Proposal.

The following is provided in response to the NSW RFS comments:

1. Asset Protection Zones

"The proposal relies upon Asset Protection Zones (APZs) as identified in the Cumberland State Forest Fuel Management Plan (CSFFMP) 2020-2025, which is identified as an addendum to The Hills Shire Bush Fire Risk Management Plan 2024 to achieve compliance with Table 5.3a of Planning for Bush Fire Protection (PBP) 2019. However, section 2.6 of PBP 2019 identifies that the Bush Fire Risk Management Plans and similar strategies are designed to address bush fire protection for the community at a local government or regional level and these provisions are not to be considered as Bush Fire Protection Measures (BPMs) for proposed developments. As such, where APZs as identified in the CSFFMP 2020-2025, are to be considered to support the proposed rezoning, appropriate information which meets the requirements of section 3.2.5 and/or 3.2.6 of PBP 2019 must be provided to demonstrate that the offsite APZs will be managed for the life of the development."

Please see attached correspondence (Attachment 1), from Dr Ross Dickson, General Manager Governance and Assurance, Forestry Corporation of NSW. This provides that Forestry Corporation is committed to maintaining these APZ in Perpetuity, to ensure the safety of the community, the health of the forest and legislative compliance.

2. Effective Slopes

"Steeper effective slopes are assessed for the western and southern aspects for the northern site as compared to the slopes identified in the bush fire report, therefore modelling must be updated to reflect this unless justified with a survey plan prepared by a registered surveyor."

The slope of the land under the classified vegetation has a direct influence on the rate of fire spread, the intensity of the fire and the ultimate level of radiant heat flux. The analysis of the effective slope is consistent with PBP 2019, being based on the best available 2 metre contour data from NSW Spatial Services and the "Rise over Run" method.

The NSW RFS has raised concerns over the effective slope for the western and southern aspects which has been described in the report as:

"Northern (Castle Hill Road) site

South Fire Scenario – The reasonable worst-case scenario is a fire run from the south which burns through the North Coast Wet Sclerophyll Forest directly towards the site. An existing APZ exists between the proposed residential sites and the unmanaged vegetation. The effective slope in this area is 10.2 degrees downslope but has been rounded up to 11 degrees for radiant heat modelling purposes.

West Fire Scenario – The reasonable worst-case scenario is a fire run from the west which burns through the North Coast Wet Sclerophyll Forest directly towards the site. A fire from the west has a limited run. An existing APZ exists between the proposed residential sites and the unmanaged vegetation. The effective slope in this area is 10.2 degrees downslope but has been rounded up to 11 degrees for radiant heat modelling purposes."

The effective slope for the south and west was calculated as 10.2 degrees downslope, which was the slope measured from the edge of the APZ over the run towards the residential lots. This was considered the worst-case scenario.

Given no information was provided in relation to the NSW RFS assessment, it's difficult to provide comment. Notwithstanding, the site was further analyzed and the effective slopes in the SBS are considered representative of the reasonable worst case fire scenarios.

3. Elevation of Receiver

"The modelling undertaken in the submitted bush fire report has used a restricted elevation of receiver though no construction of dwelling is proposed as per of the proposal. Therefore, any future modelling proposed for the subject site (for subdivision purposes) must utilise default elevation of receiver."

The average eave height of a two-story house is typically around 4.7 to 5.8 meters. The elevation of receiver in the bushfire report was based on a maximum eave height of 8 metres, which far exceeds the typical height.

Under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the Codes SEPP), the maximum allowable building height is 8.5 metres (note: this is not eave height).

In stark contrast, the NSW RFS is suggesting adopting the default elevation of receiver of 19–21 metres for future single dwellings. This approach is not only inappropriate, but entirely unreasonable. It deliberately neglects the principle of site-specific design and is an unnecessary and inappropriate overreach that disregards what has been proposed and it a reasonable approach.

Accordingly, and based on this additional analysis, I confirm, acting as a person recognised by the NSW RFS as a qualified consultant, that the original Strategic Bushfire Study meets the relevant provisions of *Planning for Bush Fire Protection 2019*.

Considering the above, there is no impediment to the NSW RFS issuing support for the application consistent with the *Strategic Bushfire Study* (Version v1.0) dated 21 November 2024.

Should the NSW RFS not agree with the assessment outlined above or intend to not support the findings, we respectfully request that the matter be immediately escalated to Deputy Commissioner Kyle Stewart for independent review and a meeting with Forestry Corporation NSW.

If there are any questions or concerns, please don't hesitate to give me a call on 0418 412 118.

Yours sincerely



Corey Shackleton | Principal Bushfire & Resilience
Blackash Bushfire Consulting
B.Sc., Grad. Dip. (Design for Bushfire Prone Areas)
Fire Protection Association of Australia BPAD Level 3 – 34603



ATTACHMENT 1: Correspondence from Forestry Corporation

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20/08/2025

Mr Trent Curtin
Commissioner
NSW Rural Fire Service
4 Murray Rose Avenue
SYDNEY OLYMPIC PARK NSW 2127

Dear Commissioner

**Re: Forestry Corporation of New South Wales Planning Proposal -
Cumberland State Forest Management of Asset Protection Zones**

We refer to queries raised by NSW RFS in relation to the above planning proposal and specifically the ongoing management of Asset Protection Zones within Cumberland State Forest.

All NSW State forests are managed in accordance with the NSW Forest Management Framework which is regulated by DPIRD. The framework includes overarching policy and legislation, institutional and administrative arrangements, and associated planning and operational systems.

Under the framework, all State forests, including Cumberland State Forest, are required to have a Forest Management Plan. These Forest Management Plans are published on our website, as an integral component of the Forest Management System.

Further, the Rural Fires Act 1997 requires Forestry Corporation, as a public authority, to take steps to minimise the occurrence of and damage from bushfires in our forests.

A key requirement of the Cumberland State Forest, Forest Management Plan, is a Fuel Management Plan for the forest, which sets out how fuel levels will be managed to minimise the risk of damage by fire and maintain forest health.

The Cumberland State Forest Fuel Management Plan specifies Asset Protection Zones within the forest. The Fuel Management Plan and APZs are regularly reviewed to ensure they comply with current legislation and best practice management. These APZs are shown on the attached map, and are designed to protect all built assets within and adjoining the forest, including adjacent residential dwellings.

Forestry Corporation is committed to maintaining these Asset Protection Zones in perpetuity, to ensure the safety of the community, the health of the forest and compliance with all applicable legislation.

Should you have any further queries please contact Troy Darcy of our office on (02) 9872 0519.

Yours sincerely,



Dr Ross Dickson
General Manager Governance and Assurance
Forestry Corporation of NSW