

c/o online submission

13 November 2018

Dear Sir/Madam

**Explanation of Intended Effect – Short Term Rental Accommodation Planning Framework**

Thank you for the opportunity to comment on the Explanation of Intended Effect for the Short Term Rental Accommodation (STRA) Planning Framework.

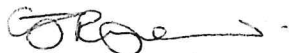
The NSW RFS has reviewed the EIE. The NSW RFS would like to make the following comments regarding Section 4.2.3 of the EIE:

- The bush fire safety requirements will only apply to STRA where the host is not present. This provision is difficult to enforce and places too much reliance on the presence of the host for situations where there would be excessive bush fire risk. The provisions for bush fire protection need to be independent of whether the host is present or not.
- The EIE state that "where a property exceeds BAL-29 bushfire risk, it is proposed that a development application would be required to undertake STRA". Planning for Bush Fire Protection 2018 (PBP 2018) does not allow for a STRA to be exposed to radiant heat levels exceeding 29kW/m<sup>2</sup>. This means that the maximum BAL a STRA can achieve is BAL-29 and therefore approval for BAL-40 or BAL-FZ would not be obtainable.
- The criteria for STRA on bush fire prone land is limited to BAL ratings. There is no reference to other bush fire protection measures. There could be numerous instances where the existing dwelling may meet the BAL requirements on site but still be in a high bush fire risk area with regard to existing access constraints not supporting safe evacuation. Access and water supply provisioning should therefore be specified similar to that contained in the Exempt and Complying Codes SEPP applying to bush fire prone areas.
- There is a performance criteria for STRA in PBP 2018 which states that an emergency and evacuation management plan is prepared and made available to all occupants of the building. This is an important requirement given that tourists will be using the property and may be unaware of the bush fire risk or what to do in a bush fire emergency. This should be incorporated into the complying development codes and the Code of Conduct for the Short-term Rental Accommodation Industry.

It is important to ensure that the planning framework can provide appropriate bush fire protection for STRA. We look forward to working with NSW Department of Planning and Environment further in this regard.

Should you have any questions or require any further information please do not hesitate to contact me.

Yours faithfully



Catherine Ryland  
**Supervisor Development Planning and Policy**  
Community Resilience