



Neighbourhood Safer Places Plan

PLACES OF LAST RESORT DURING A BUSHFIRE

Introduction and Background

In its Interim Report, the 2009 Victorian Bushfires Royal Commission recommended that neighbourhood safer places, or 'NSPs', be identified and established to provide persons in bushfire affected areas with a place of last resort during a bushfire.¹

In response to this recommendation, the Victorian Government has introduced the *Emergency Services Legislation Amendment Act 2009* (Vic) ('**ESLA Act**') which amends the *Country Fire Authority Act 1958* (Vic) ('**CFA Act**') and the *Emergency Management Act 1986* (Vic) ('**EM Act**'). The effect of these amendments will be to require the Country Fire Authority ('**CFA**') to certify NSPs against the CFA's Fire Rating Criteria, and Victoria's Councils to identify, designate, establish and maintain suitable places as NSPs in their municipal districts.

NSPs are not community fire refuges or emergency relief centres. NSPs are **places of last resort** during the passage of a bushfire, and are intended to be used by persons whose primary bushfire plans have failed. NSPs are places of relative safety only. They do not guarantee the survival of those who assemble there. Furthermore, there may be serious risks to safety encountered in travelling, and seeking access, to NSPs during bushfire events. Depending on the direction of a particular fire, it may not be a safer place to assemble than other places within the municipal district. At that point in time it almost certainly will be a matter for the individual judgment and decision as to which if any NSP a person or persons should travel in the presence of fire.

NSPs will be assessed by the CFA as providing some protection from immediate risk of direct fire attack, but not necessarily from other risks, such as flying embers. Where a potential NSP which is used for an operational purpose at many times meets the CFA's criteria, then the CFA considers that those operational activities will be able to continue (to the extent practicable in the circumstances) while the place is being used as an NSP.

This Plan is a neighbourhood safer places plan for the purposes of the legislation, and contains guidelines which have been developed by the Municipal Association of Victoria ('**MAV**') to assist the Council in:

- identifying;
- designating;
- establishing;
- maintaining; and
- decommissioning

Places as NSPs within its municipal district.

This Plan also identifies other matters that should be taken into account in identifying, designating, establishing and maintaining NSPs within the municipality.

Structure of the Plan

This Plan has been divided up into four distinct sections.

Section 1 contains a flow chart which summarise the process for councils to adopt in identifying, designating, establishing and maintaining NSPs within their municipal district.

Section 2 contains a more detailed summary of the steps summarised in the flow chart found in Section 1.

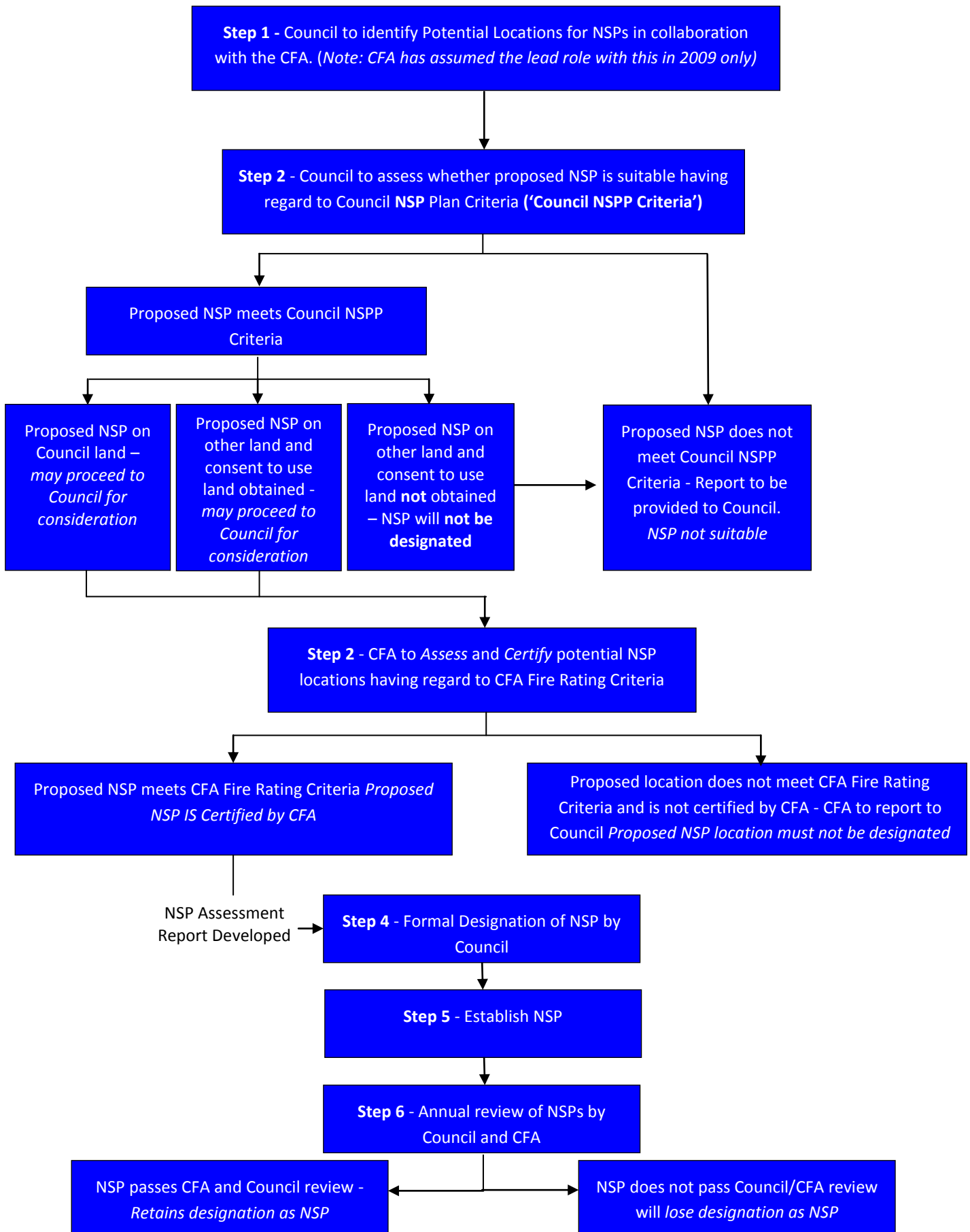
Section 3 contains an assessment tool for Council to utilise when considering potential NSP locations, prior to designation.

¹ Recommendation 8.5, 2009 Victorian Bushfires Royal Commission Interim Report

Section 1

Flow chart Showing Process for Identifying, Designating, Establishing and Maintaining NSPs.

Overview of the process for establishing and maintaining NSPs (from 1 January 2010)



Section 2

Detailed summary of steps for establishing NSPs.

Overview of the Steps Associated with NSPs

Identification of Potential NSP Locations

Responsibility for identifying places as potential NSPs

Melton Shire Council has undertaken identification and management of the NSP process through the Municipal Emergency Management Planning Committee. The Country Fire Authority ('CFA') has assumed the responsibility of assessing the proposed NSP locations.

Ideal Identification Timing

Melton Shire Council will attempt to identify any potential NSP's by 1 July 2010. This should allow sufficient time for:

- (a) **(CFA Certification) assessment** and certification of the potential NSP by the CFA;
- (b) **(Council Designation)** designation of the potential NSP location by the Council; and
- (c) **(Establishment)** and subject to the outcome of the assessment and designation process, establishing the NSPs, including the erection of signage and other steps by Council.

The process of NSP identification is ongoing. Following each fire season, Council should assess whether any additional potentially suitable NSP locations can be identified within the municipal district.

Criteria to be considered when identifying potential NSP locations

When identifying potential NSP locations, Council should consider matters such as:

- (a) the environment surrounding the potential NSP;
- (b) what other uses are made of the potential NSP, and whether or not those uses could be inconsistent with its designation as an NSP;
- (c) whether the land on which the potential NSP is located is Council-owned or non-Council owned land;
- (d) whether there are clear means of access and egress to and from the potential NSP; and
- (e) whether the potential NSP is in close proximity to population centres.

Council's identification of potential NSP locations should be undertaken by the Municipal Emergency Resource Officer ('MERO') and the Municipal Fire Prevention Officer ('MFPO'), with input from other Council personnel (such as Infrastructure Services Managers, or equivalent) as appropriate.

Council Assessment of Potential NSP locations

Factors applied by Council in assessing the suitability of a location as a potential NSP

Council must assess the place in accordance with the factors outlined below to determine whether it is suitable to be designated as a NSP. Unless a potential NSP satisfies each of the criteria outlined below, it should not be designated by Council as a NSP.

The Neighbourhood Safer Places subcommittee will be responsible for coordinating the inspection process utilising the membership's expertise with the Municipal Emergency Management Planning Committee and the Municipal Fire Prevention Committee to assist with the audit and assessment of potential NSPs.

The factors to determine the suitability of the place as an NSP are as follows: ('**Council NSPP Criteria**')

(a) **Consents and rights of access**

There must be appropriate land access and tenure arrangements so that Council has the right to:

- use the place as an NSP;
- access the site and surrounding areas for maintenance; and
- erect appropriate signage at the NSP, including the OESC signage and additional NSP information signage.

Council Land

If the potential NSP is on land owned or controlled by Council, appropriate rights of land access and tenure are unlikely to be an issue. However, Council will need to ensure that where Council land is leased or licensed to a third party, it must be possible to put in place appropriate arrangements on reasonably satisfactory and acceptable terms with the tenant or licensee permitting Council to use the land as a potential NSP. In taking these matters into account, Council should consider what alternative uses or arrangements may be made, whether temporarily or semi-permanently, of land under Council control or management.

Crown Land

If the potential NSP is on Crown land not owned or controlled by Council, then the consent of the Crown land manager is required. If the land has been leased or licensed to a third party, such as a caravan park operator, then the consent of the tenant or licensee to use the place as a potential NSP will also be required. In obtaining the consent of the relevant Crown land manager, it will be necessary to consider whether or not the Crown Grant or reservation authorises the place to be used as a potential NSP.

Private Land

Where it is proposed that a place on privately-owned land is to be used as an NSP, then the consent of the relevant landowner (and, where applicable, occupier) for the place to be designated and used as an NSP is required. If the landowner (or occupier) does not consent to the place being designated and used as an NSP on terms which are reasonably satisfactory and acceptable to the Council, it must not be so designated and used.

Deed of Consent

Where a potential NSP is located on non-Council land, with the result that consent and rights of access need to be negotiated with the owner and (where necessary) occupier, Council officers responsible for negotiating such consent and rights of access should provide a draft form of consent to the owner/occupier for their consideration. The form of consent will be required to be approved either by Council (through a formal resolution), or by the CEO acting under delegation.

Any amendments to the form of consent which may be requested by the landowner or occupier would need to be thoroughly considered before they are agreed to by Council. If it is not possible or appropriate for Council to agree on amendments that may be requested to the consent document, then the proposed NSP should not be designated by Council.

The form of consent may require a contractual licence. This licence may need to address issues such as responsibility for damage, and maintenance of the NSP.

(b) **Access and Egress**

Council must assess whether there is sufficient access to the potential NSP which will allow:

- anticipated potential numbers of people to move to and from the place; and
- the CFA and other emergency services to attend the place for asset and personnel protection activities and operations.

Council must assess potential access and egress routes, bearing in mind the fact that NSPs are **places of last resort**.

As people may be seeking access to an NSP in a rushed or panicked state, a number of people could be seeking access in a relatively short time and visibility could be affected by smoke, easily navigable routes to and from an NSP are crucial.

In considering whether access and egress routes are adequate, consideration should be given to issues such as:

- (i) the condition of the road surface;
- (ii) the proximity of the NSP to major roadways and population centres;
- (iii) the type and amount of vegetation along any access routes, and whether that vegetation could be affected by fire and pose a risk of harm to those seeking access to the potential NSP, or otherwise block access to the NSP;
- (iv) the capacity of access routes to accommodate potentially large numbers of vehicles, and to accommodate potential vehicle break-downs;
- (v) parking at the place, taking into account that a separate area or adequate space may need to be available to ensure pedestrians can move away from areas where vehicles may enter or park;
- (vi) any hazards that may exist for persons accessing the place by foot, including in the buffer zone; and
- (vii) any relevant matter contained in Council's Road Management Plan prepared pursuant to the Road Management Act 2004 (Vic)

If appropriate and satisfactory access and egress routes are not available, then the proposed NSP should not be designated by Council.

(c) **Maintenance of potential NSP in accordance with CFA assessment criteria**

Council must ensure that the potential NSP can be maintained in accordance with the criteria taken into account by the CFA in arriving at its fire rating assessment.

If additional information is required from the CFA to understand the criteria they have considered in arriving at their fire rating assessment, Council should seek this information from the CFA. If necessary, Council may request the CFA to undertake a further assessment to provide Council with additional information.

(d) **Opening of the NSP**

Council must consider

- (i) whether it will be possible or practicable to open the potential NSP or otherwise make it available for use on a 24 hour basis during the declared fire danger period;
- (ii) the potential for damage to the place during times that it is open and available for use, but is not being used as an NSP;
- (iii) the potential costs to Council associated with (i) and (ii) above; and
- (iv) the possibility that a potential NSP could be used for unintended purposes, such as an emergency relief centre.

(e) **Defendable space and fire suppression activities**

CFA have advised that there is no guarantee that fire units will attend an NSP, and that individuals who use NSPs are doing so at their own risk. There should be no expectation that fire units or other emergency services personnel will attend an NSP during a bushfire.

Despite this, the potential NSP should be surrounded by sufficient open space to enable the CFA and other fire services to conduct asset protection and fire suppression operations around the place.

Any open space should be reasonably free of obstacles which could hinder fire suppression activities. Obstacles may include, amongst other things:

- fences;
- buildings and sheds;
- steep inclines in close proximity to the potential NSP;
- vegetation, particularly large trees;
- other land formations, including rocks, boulders or knolls which could substantially hinder fire suppression operations.

If necessary, advice should be sought from the CFA about their defendable space and fire vehicle access requirements.

When assessing the defendable space factor, Council must consider whether or not approval to clear or disturb flora and/or fauna could be required, whether under legislation such as the Environment Protection and Biodiversity Conservation Act 1999 (Cwlth) ('EPBC Act'), Flora and Fauna Guarantee Act 1988 (Vic) ('FFG Act') or the Planning and Environment Act 1987

(Vic) ('PE Act'). If such approval is required, then it must be obtained before the potential NSP location is designated.

If the proposed NSP does not have adequate defensible space around it, or if approval to clear or disturb flora and/or fauna is required but cannot be obtained before the NSP is required to be established, or cannot be obtained on reasonably satisfactory conditions, it should not be designated as an NSP by Council.

(f) **Dependability of Buildings**

If the potential NSP is a building, Council must consider whether or not it is likely to be subject to risk from ember attack.

As the CFA is not required to assess the risk of ember attack to a building in undertaking the CFA fire rating assessment when certifying NSPs, the Council should consider this issue. In considering this issue, Council may need to seek expert advice from appropriately-qualified CFA personnel.

If there is an appreciable risk of the proposed NSP being compromised by ember attack which cannot be satisfactorily defended, then the building is unlikely to be suitable as an NSP and should not be designated by Council.

(g) **Signage**

Council must assess whether it will be possible to have signage at the entry to, and in the vicinity of, the potential NSP. Such signage must generally be in accordance with the Signage Template, which is at **Section 4** of this Plan.

Council must refer to the Signage Template when considering whether or not appropriate signage can be erected. Council may also wish to provide further signage and information at the location to inform and support potential users of the NSPs.

If signage must be placed on private land, then the consent of the landowner will be required.

(h) **Maintenance and maintainability**

Council must assess whether ongoing maintenance of the proposed NSP, and the surrounding area, is both possible and practical, having regard to the resources reasonably available to the Council. This factor should be considered by the Council not only in relation to the suitability of a proposed NSP, but also as to the total number of proposed NSPs that can be reasonably maintained within the municipal district. This is needed to ensure that the place remains suitable for use as an NSP during each fire season.

Specifically, the place must be capable of being maintained so as to ensure continuing compliance with the CFA Fire Rating Criteria and the Council NSPP Criteria. It is Council policy that if it is not possible to maintain a potential NSP, then it must not be designated as such.

When assessing the maintainability of the potential NSP, both the NSP and the surrounding areas may require various maintenance activities to be undertaken on a periodic basis. The potential introduction of hazards into the surrounding areas, such as structures, animals and vehicles, should be taken into account.

There may be cases where maintenance activities can only be undertaken by, or with the consent of, an adjoining landowner. This may, in turn, require assurances from such landowners that the place, and areas surrounding it, will be maintained to a satisfactory level.

When assessing the maintainability of a potential NSP, Council must consider whether or not approval to clear or disturb flora and/or fauna could be required, whether under legislation such as the EPBC Act, FFG Act or the PE Act. If such approval is required, then it must be obtained before the potential NSP location is designated.

If the proposed NSP is not capable of being satisfactorily maintained, then it should not be designated by Council.

(i) **Disabled access**

Council must consider whether or not there are clear means of access for disabled and mobility-impaired persons to the potential NSP.

In considering this issue, regard should be had to such matters as whether or not it would be necessary for cars or other vehicles to enter the NSP area to allow persons with disabilities to be dropped off within the place.

(j) **Alternative Uses of potential NSP**

Council must consider what other uses may be made of the potential NSP which could impact upon its ability to properly function as an NSP.

Where a potential NSP which is used for an operational purpose at many times has been assessed by the CFA as meeting the criteria in the CFA Fire Rating Guidelines, and has been certified by the CFA, then the CFA has advised that those operational activities will be able to continue (to the extent practicable in the circumstances) while the place is being used as an NSP.

If the place is used for other uses which could compromise its ability to be used as a NSP, then it should not be designated as a NSP by Council.

(k) **Communication with the community**

Council must be able to communicate the location of the potential NSP to the community. There should be good community awareness of the location of the place, together with the risks that relate to the use of the potential NSP, and the risks associated with travelling to the potential NSP in the event of a bushfire.

(l) **Public liability insurance**

As a matter of prudent risk management, Council should have regard to:

- (i) any additional factors which are relevant to Council's maintenance of insurance coverage for legal claims relating to the identification, designation, establishment, maintenance and decommissioning of a place as an NSP, as well as travel to an NSP;
- (ii) any indemnity provided by the State of Victoria; and
- (iii) any statutory defences to claims.

Responsibility of Council assessment of potential NSPs

A report prepared by the Municipal Emergency Resource Officer(MERO) and Municipal Fire Prevention Officer detailing whether or not the potential NSP meets the above criteria should be prepared and provided to:

- (a) the Municipal Emergency Management Planning Committee(MEMPC), where it is practicable for the MEMPC to be involved in the Council assessment process; and
- (b) the Council.

The MEMPC must assess the potential NSP, taking into account the MERO's report, and make a recommendation to Council as to whether or not to designate the potential NSP.

Council assessment timeframe for potential NSP locations

Any potential NSPs certified by the CFA should be assessed by Council no later than 30 June each year, so as to allow time for the places to be designated and established as NSPs by Council, and for any appropriate amendments to be made to the MEMP and MFPP prior to the commencement of the bushfire season.

This timing is obviously subject to the CFA assessing and certifying the potential NSP location in a timely manner.

CFA Assessment and Certification of potential NSP locations

Responsibility for assessing potential NSPs against guidelines issued by the CFA ('CFA Fire Rating Guidelines')

Under the *Emergency Services Legislation Amendment (Bushfire response & Other Matters) Bill 2009*, the CFA is responsible for assessing potential NSP locations against the CFA Fire Rating Guidelines. This will be done by appropriately qualified and experienced CFA personnel.

Council is not responsible for the assessment and certification of potential NSPs by the CFA.

CFA Assessment Criteria

In assessing potential NSP locations which have been identified by the CFA (for the 2009-2010 fire season), or by Councils (from 2010-onwards), the CFA must consider the criteria and other considerations as set out in the CFA's Fire Rating Guidelines as issued from time to time by the CFA.

The key matters to be considered by the CFA under the current CFA Fire Rating Criteria are:

- (a) For Open Spaces
 - (i) the appropriate separation distance between the outer edge of the potential NSP and the nearest fire hazard ('Buffer Zone') should be at least 310 metres; or
 - (ii) an alternative Buffer Zone distance may be prescribed by the CFA, which will ensure that the maximum potential radiant heat impacting on the site is no more than 2 kw/m².
- (b) For Buildings
 - (i) The Buffer Zone between the outer edge of the building and the nearest fire hazard should be at least 140 metres; or
 - (ii) an alternative Buffer Zone distance may be prescribed by the CFA, which will ensure that the maximum potential radiant heat impacting on the building is no more than 10 kw/m².

Notification to CFA of potential NSP locations

Following identification of a place which may be deemed suitable as a NSP by Council, the potential NSP is sent to the CFA for assessment. This is likely to occur shortly after identification.

Notification of CFA Assessment Results to Council

Once the assessment of a potential NSP is completed by the CFA, the CFA will certify the potential NSP if the place meets the CFA Fire Rating Criteria. The CFA will provide a copy of the CFA certification in relation to a potential NSP to Council upon completion of certification, and a summary of the criteria and assumptions upon which the assessment is based.

Council should ensure that the boundaries of both the potential NSP as certified by the CFA, and any Buffer Zone surrounding it, are clearly defined in the CFA assessment.

For reasons of community safety, it is a requirement of the CFA Act, and it is also Council policy, that only those places assessed and certified by the CFA may be considered for designation as NSPs by the Council. The Council must not designate a place as an NSP unless it has CFA certification.

Council designation of NSPs

A NSP audit and assessment report prepared by the Neighbourhood Safer Places Subcommittee detailing whether or not the potential NSP meets NSP criteria should be prepared and provided to Council.

Prior to any finalisation of a NSP designation by Council and if practicable to do so the Municipal Emergency Management Planning Committee and the Municipal Fire Prevention Committee (or Municipal Integrated Fire Management Planning Committee) should have endorsed the NSP.

Once such endorsement has been received Council must formally determine whether or not to designate a place as a NSP. Council should not designate a place as a NSP unless it is satisfied that the place is suitable, having regard to the Council NSPP Criteria and the CFA assessment guidelines.

A NSP may only be designated by a resolution of the council.

Establishment and Maintenance of NSPs following designation

Establishing NSPs

Following designation, Council will establish all designated NSPs within the municipal district.

To establish a NSP after its designation, Council must:

- erect appropriate signage at and near the NSP, Consideration should also be given if appropriate directional signage may be needed to assist in directing public to the site;
- undertake any necessary preparatory works, including the construction or establishment of any required infrastructure and the clearance of vegetation, so as to enable the area to be used as an NSP;
- publish the location of the NSP on the Council website; and
- update Council's Municipal Emergency Management Plan and Municipal Fire Prevention Plan to include the location of the NSP.

The MFPO must provide an up-to-date list of NSPs to the CFA no later that 30 September each year.

Maintaining NSPs

NSPs within the municipality need to be maintained by Council. Maintenance activities must include vegetation management, hazardous tree removal and the maintenance of infrastructure required for the satisfactory functioning of the place as an NSP. If additional works have been required to establish the NSP, then those works should be subject to periodic review.

The fuel load in the vicinity of the NSP must not increase so as to affect the fire rating of the NSP.

Council must ensure that defensible spaces, the Buffer Zone and access and egress routes are appropriately maintained.

Council must inspect the NSP, Buffer Zone and access and egress routes on a periodic basis, and in any event not less than once every month during the declared fire danger period, to ensure that the NSP continues to be capable of functioning as an NSP.

If Council identifies issues that may impact upon the functioning of the place as an NSP, then Council must:

- (a) address the issue;
- (b) take reasonable steps to have the issue addressed, such as requesting the owner of the land on which the NSP or Buffer Zone is located to address the issue; or
- (c) consider decommissioning the NSP and revoking the designation of the place as an NSP.

Annual Inspections of NSPs

Responsibilities for the annual review of NSPs

Council must undertake an annual review of all designated NSPs within the municipality.

Council must also request the CFA to undertake an assessment against the CFA Fire Rating Criteria of each NSP within the municipality on an annual basis.

These reviews are intended to ensure that each NSP remains suitable for use as an NSP during the upcoming fire season.

Considerations when undertaking inspections

NSPs should be assessed annually against the Council NSPP Criteria. The CFA will assess NSPs against the CFA Fire Rating Criteria.

If an NSP no longer meets:

- (a) the CFA Fire Rating Criteria, then it must be decommissioned; and
- (b) the Council NSPP Criteria, then Council must determine whether or not it wishes to address any of the identified non-compliances. If it does not, then the NSP must be decommissioned.

Inspection timelines

NSPs must be inspected prior to 31 August each year under. Council will also undertake fire hazard inspections of the site prior to and during the fire danger period to ensure the site is being managed appropriately.

Decommissioning of NSPs

By Council resolution:

- Council must decommission a designated NSP if the CFA assessment of the site determines it is no longer suitable.
- The Council may decommission a NSP even though it has CFA certification, if the Council is satisfied on reasonable grounds that it is not appropriate for the place to continue to be designated as a NSP.
- The Council will decommission a NSP that is not on council owned land if the occupier or the person in control of the land has withdrawn consent to the designation of the site as a NSP.

Section 3

Assessment tool Council may use in assessing potential NSP locations.

NSP Criteria – Assessment Tool

Assessment Details

Day:		Date:	/	/	Time:	a.m. / p.m.
Auditors' Names:						
Auditors' Signatures						
Agency						

Location

Place name & Specific location: Example:		Map Reference:	
Distance from nearest town centre (km):			
Controlling (Owner) authority:			
Owner Details:			
Contact: Name / Position			
Organisation:			
Postal Address:		Post code:	
Phone:	W:	M:	
Email:			

Tenant Details:			
Contact: Name / Position			
Organisation:			
Postal Address:			Post code:
Phone:	W:	M:	
Email:			
Tenant 2 Details:			
Contact: Name / Position			
Organisation:			
Postal Address:			Post code:
Phone:	W:	M:	
Email:			
Location Description			
		(Open Area or Building)	
Population of Township / Locality			
Estimated NSP Site Capacity			
Reference Material Sited			

Factors to consider in assessing potential NSPs

Council NSPP Criteria	Issues to consider	Comments	Satisfied? Yes / No
Consents and rights of access <i>See section 3.2(a)</i>	If the potential NSP is located on Council-owned land, can Council use the land as an NSP if required? Consider whether or not Council allows the land to be used for potentially inconsistent purposes, such as for farmers' markets, fetes, circuses etc.		
	If the potential NSP is on private land, or public land under the control of a Crown Land Manager (other than Council), can Council enter into arrangements which allow it to use the land as a potential NSP on reasonably satisfactory terms? Also consider whether Council has the right to: <ul style="list-style-type: none"> • access the site and surrounding areas for maintenance; and • erect appropriate signage at the NSP. 		
Access and egress <i>See section 3.2(b)</i>	Do access routes to the potential NSP allow for: <ul style="list-style-type: none"> • the anticipated potential number of people to move to and from the place; and • the CFA and other emergency services to attend the place for asset and personnel protection activities? 		
	Are access routes easily navigable, bearing in mind they could be affected by smoke? Consider the condition of the road surface, proximity to population centres and major roads, capacity of access routes to accommodate large numbers of vehicles, the availability of car parking at the place and any other relevant matters.		
Maintenance of NSP in accordance with CFA assessment <i>See section 3.2(c)</i>	Can Council maintain the potential NSP in accordance with the criteria taken into account by the CFA in arriving at its fire rating assessment? <i>If the CFA have not provided sufficient information in relation to the criteria it has taken into account in arriving at its fire rating assessment, it may be necessary for Council to seek further information from the CFA.</i>		

Opening of the NSP <i>See section 3.2(d)</i>	<p>Will it be possible and practicable to make the potential NSP available for use on a 24 hour basis during the declared fire danger period? This is a particular issue where the potential NSP is a building.</p> <p>Consider the potential for damage to the NSP which could result during times that it is open and available for use, but is not being used as an NSP.</p>		
	<p>What costs could be incurred by Council in making the potential NSP available on a 24 hour basis during the declared fire danger period? Are these costs reasonable, and capable of being borne by Council?</p>		
	<p>Could the potential NSP be used for an unintended purpose which could impact upon its use as an NSP (such as an emergency relief centre)?</p>		
Defendable space and fire suppression activities <i>See section 3.2(e)</i>	<p>Is the potential NSP surrounded by sufficient open space to enable the CFA to conduct asset protection and fire suppression operations? Is that open space reasonably free of obstacles (such as fences, buildings, steep gradients, vegetation and other land formations)?</p> <p><i>Council should seek CFA advice concerning the defendability of the potential NSP and the Buffer Zone, including in relation to fire vehicle access requirements.</i></p>		
	<p>Will approval be required under legislation such as the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwth), <i>Flora and Fauna Guarantee Act 1988</i> (Vic) and the <i>Planning and Environment Act 1987</i> (Vic)? Can such approval be obtained before the NSP is established?</p>		
Defendability of buildings <i>See section 3.2(f)</i>	<p>If the potential NSP is a building, has Council has sought expert advice from the CFA to determine whether the NSP is likely to be subject to risk from ember attack? If it is subject to such a risk, can that risk be safely managed?</p>		

Signage <i>See section 3.2(g)</i>	Can appropriate signage be erected at the entry to the potential NSP, and in its vicinity?		
	If signage needs to be placed on private land, can Council obtained the consent of the relevant landowner to the erection of the signage?		
Maintenance and maintainability <i>See section 3.2(h)</i>	<p>Is the potential NSP capable of being maintained to ensure continuing compliance with the CFA Fire Rating Criteria and the Council NSPP Criteria?</p> <p>Where relevant, consider whether adjoining land owners and occupiers will provide Council with an assurance that both the potential NSP and the Buffer Zone can be maintained to a satisfactory level.</p>		
Disabled access <i>See section 3.2(i)</i>	Are there are means of access for disabled and mobility-impaired persons to the potential NSP, including vehicle access to drop off people with disabilities?		
Alternative uses of potential NSP <i>See section 3.2(j)</i>	<p>Can Council manage alternative uses which may be made of the potential NSP so as to ensure that those uses will not compromise the function of the place as a potential NSP?</p> <p><i>The CFA has advised that where a potential NSP which is used for an operational purpose at many times meets the CFA Fire Rating Criteria, then the CFA considers that those operational activities will be able to continue (to the extent practicable in the circumstances) while the place is being used as an NSP.</i></p>		
Community Communication <i>See section 3.2(k)</i>	Will it be possible to ensure that there will be good community awareness of the location of the potential NSP, and the risks associated with using the potential NSP?		