



Planning circular

PLANNING SYSTEM

SEPP amendment - Alpine building fire safety

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Building fire safety measures for tourist and visitor accommodation in the Alpine Region

This circular advises consent authorities, agencies, applicants and certifiers of amendments to Chapter 4 of the *State Environmental Planning Policy (Precincts - Regional) 2021* and related fire safety standards for tourist and visitor accommodation in the Kosciuszko Alpine Region. These changes commenced on 1 October 2025.

Introduction

Under *State Environmental Planning Policy (Precincts - Regional) 2021* (Precincts SEPP), the Minister for Planning is the consent authority for development requiring consent in mapped areas within the Kosciuszko National Park (known as the 'Alpine Region'). The Department undertakes the assessment of proposed development on the Minister's behalf.

The Department has recently been working with government agencies, industry practitioners and other stakeholders to address building fire safety risks in the Alpine Region. This has included policy work to establish baseline fire safety standards for tourist and visitor accommodation, recognising that the region accommodates a high volume of visitors each year, and temporary occupants are more likely to be unfamiliar with the buildings they are staying in.

Following consultation on a proposed policy in March 2025, the 'Alpine Fire Safety Policy' package was finalised and commenced on 1 October 2025. The policy applies to development applications for new buildings, and certain existing buildings, for tourist and visitor accommodation in the Alpine Region.

The purpose of this circular is to explain the Alpine Fire Safety Policy to planning system users.

Alpine Fire Safety Policy package

The Alpine Fire Safety Policy package aims to provide clear and consistent fire safety standards for tourist and visitor accommodation in the Alpine Region to ensure adequate building fire safety for occupants in the event of a fire. The package comprises:

- amendments to the Precincts SEPP
- the *Alpine Tourist and Visitor Accommodation Fire Safety Standard* (published July 2025)

- introduction of the Alpine Building Fire Safety Register.

These aspects of the Policy are explained below.

Precincts SEPP amendment

Chapter 4 (Kosciuszko Alpine Region) of the Precincts SEPP was amended on 1 October 2025 to introduce a new provision for the consent authority to consider when assessing applications for tourist and visitor accommodation. The new provision (section 4.25A, Precincts SEPP) provides that:

- development consent must not be granted to development unless the consent authority is satisfied it will include adequate fire safety measures to ensure the safety of persons in the event of a fire; and
- in deciding whether the consent authority is satisfied the development will include adequate fire safety measures, the consent authority must consider the fire safety measures in the *Alpine Tourist and Visitor Accommodation Fire Safety Standard*.

The new fire safety considerations apply to development applications and modification applications for the following types of development:

- erection of a building for the purposes of tourist and visitor accommodation;
- change of use of an existing building to tourist and visitor accommodation;
- development that is likely to increase the occupant capacity of an existing building used for the purposes of tourist and visitor accommodation;
- development relating to an existing building used for the purposes of tourist and visitor

accommodation, if the proposed building work and previous building work together represent more than half the total volume of the building (note: *previous building work* and *total volume* have the same meanings as in section 64 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation));

- development for the purposes of tourist and visitor accommodation that involves alterations to existing fire safety measures that differ from, or are additional to, the fire safety measures in the FS Standard.

Note: The Policy does not make changes to where tourist and visitor accommodation is permitted in the Alpine Region or to other assessment considerations or development controls under the Precincts SEPP.

Fire Safety Standard

The *Alpine Tourist and Visitor Accommodation Fire Safety Standard* (FS Standard) was published by the Department in July 2025.

Firstly, the FS Standard establishes a set of baseline fire safety measures to assist the consent authority in determining whether a proposed development for tourist and visitor accommodation includes adequate provision for fire safety. The baseline measures are set out in Part 2 of the FS Standard and are grouped into building classification types under the *National Construction Code - Building Code of Australia* (BCA). The measures include:

- standard fire safety requirements of the BCA that would normally apply to a building based on its building class;
- consistent fire safety measures for Class 1 buildings, including supplementary measures beyond BCA requirements for some buildings (e.g. additional smoke alarms, evacuation lighting, exit maintenance);
- kitchen fire blankets, fire extinguishers and evacuation signs in bedrooms and at entrances for Class 1, 2 and 4 buildings;
- requirements that fire safety measures in buildings be maintained and annually reported on.

Secondly, the FS Standard (Part 3) includes advisory information relating to proposed development of existing buildings for tourist and visitor accommodation in the Alpine Region. The information provides advice on how to apply the FS Standard for:

- consent authorities for the purposes of section 62 and section 64 of the EP&A Regulation; and
- certifiers for the purposes of section 14(3) of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* (DCFS Regulation).

Note. The advice in Part 3 of the FS Standard does not limit or replace the consent authority's or certifier's

responsibilities to consider fire safety and other building matters in full under the relevant regulations.

Alpine Building Fire Safety Register

The FS Standard includes provisions for fire safety measures in all tourist and visitor accommodation buildings to be checked and maintained each year. Under Part 12 of the DCFS Regulation, most BCA building classes already require an annual fire safety statement, which effectively achieves this.

For tourist and visitor accommodation buildings that do not require an annual fire safety statement however, the FS Standard sets out a process for registering the building and certifying each year that the required fire safety measures for the building are being maintained and operating correctly:

- the owner or property manager is to apply to the Planning Secretary to register the building on the Alpine Building Fire Safety Register on the NSW Planning Portal. The application for registration is to be in an approved form and may require information on the building type and its intended use, as well as a list of the required fire safety measures provided in the building.
- the building is to be listed on the Register before the building is occupied by tourists and visitors.
- the owner or property manager must apply to renew the building's registration each year. Renewal of registration includes providing notice of any changes to the registration information, and certifying that the building's required fire safety measures are maintained and operating correctly.

The Alpine Building Fire Safety Register is similar to the short-term rental accommodation (STRA) Register that applies elsewhere in NSW. As with the STRA Register, a key function of the Alpine Building Fire Safety Register is to ensure that building fire safety measures remain operational and effective over time.

Development consent conditions

Where a development application has been assessed under section 4.25A of the Precincts SEPP and development consent has been granted, the consent authority may condition the consent to require that certain fire safety measures be included as part of the proposed development. This may include a condition requiring that the approved development provide fire safety measures set out in the FS Standard (either in full or in part), and may also identify exceptions or variations to the measures in the FS Standard.

Building Classification

The Alpine Fire Safety Policy package does not enable or authorise tourist and visitor accommodation to be classified differently from what is required under the BCA. Buildings must be assigned an appropriate building class in accordance with the BCA's Governing Requirements. Building classification is a technical assessment conducted by certifiers at the point of

issue of a construction certificate or complying development certificate.

When assigning a building class, certifiers must consider the purpose for which the building is designed, constructed or adapted to be used, and the risks associated with the building's use.

Under section 19 of the DCFS Regulation, a certifier must not issue a construction certificate for building work unless:

- the design and construction of the building, as described in the relevant building work plans and specifications and in other relevant information given to the certifier, is consistent with the development consent, and
- the building will comply with the relevant requirements of the BCA.

Certifiers are encouraged to seek further professional guidance from relevant professional bodies if they are unsure what building class might apply to a given building proposal.

Application of BCA fire safety provisions

The Alpine Fire Safety Policy will not disapply or otherwise affect the application of the BCA, including relevant performance requirements and deemed-to-satisfy provisions related to fire safety.

Under section 69(1) of the EP&A Regulation, it is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the BCA.

As a result of implementing the FS Standard, some tourist and visitor accommodation in the Alpine Region may require supplementary fire safety measures as part of an approved development. Any requirement to include supplementary measures will be outlined in development consent conditions, along with the requirement to comply with the BCA.

National Parks and Wildlife Service (NPWS) requirements still apply

The Alpine resorts operate under a system of leases granted in accordance with the provisions of the *National Parks and Wildlife Act 1974*. NPWS is responsible for managing the leases and other commercial agreements in the Alpine Region.

The Alpine Fire Safety Policy does not affect existing requirements under national parks legislation or any NPWS commercial agreements, leasing arrangements, or related subleasing arrangements in the Alpine Region. Resort operators and leaseholders are still required to meet their lease or contract obligations. This includes complying with any requirements relating to the provision, maintenance and/or reporting on building fire safety measures.

Other agency approvals, concurrence and referrals still apply

The Alpine Fire Safety Policy does not alter any other provisions under planning or other legislation, including integrated development approvals under section 4.47 of the *Environmental Planning and Assessment Act 1979*, concurrence requirements or other agency referrals. This includes NPWS consultation under the Precincts SEPP and Rural Fire Services Commissioner consultation on development on bush fire prone land for a special fire protection purpose (e.g. tourist accommodation).

Savings & transitional provisions

The changes to the Precincts SEPP in relation to building fire safety in Alpine tourist and visitor accommodation commenced on 1 October 2025. The SEPP provisions and related FS Standard apply to relevant development applications or modification applications made on or after 1 October 2025.

The amended Precincts SEPP and related FS Standard do not apply to development applications or modification applications that were made but not finally determined before 1 October 2025.

Further information

For further information on the Alpine Fire Safety Policy visit the Department's [Alpine Assessments webpage](#).

The Precincts SEPP may be viewed on the NSW Legislation website at www.legislation.nsw.gov.au

Authorised by:

David Gainsford

Deputy Secretary, Development Assessment and Sustainability

Department of Planning, Housing and Infrastructure

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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