

SURVEYORS PLANNERS ENGINEERS

Date: 8th February 2022 Our Ref: 14/351

Department of Planning, Infrastructure & Environment GPO Box 39
SYDNEY NSW 2001

Attention: Mr Chris King

Dear Sir,

Re: Epiq Lennox (Pacific Pines Estate), Lennox Head - MP 07_0026 MOD 7 Response to Submissions & Additional Information

Reference is made to the Department of Planning, Industry & Environment (**DPIE**) letter dated 6 December 2020, in relation to the proposed Modification to M007_0026, for Lot 5 DP 1239938 within the Epiq Estate Lennox Head.

Reference is made to further communication with DPIE in March 2021 relating to the lodgement of the requested modified subdivision layout. We advise DPIE, due to the impacts of Covid-19, the status of the project has been under review by Clarence Property. The decision was made by Clarence Property in the second half of 2021 to modify the subdivision layout to accord to the DPIE request. As a consequence, the project team has undertaken the re-design process to deliver the modified layout to accord with the DPIE letter of 6 December 2020.

As a result of detailed design process, NDC is now in a position to provide DPIE with the requested documentation, as outlined below.

Updated Document	Updates		
Plan of Subdivision & Development Footprint Prepared by: TVS Architects Reference: 5551.IS.02.BB Attachment 1	 Reduction in lots from 133 to 102 lots; Inclusion of the prescribed 20m corridor to be dedicated to Ballina Shire Council as road reserve (Lot 201 in NDC Plan 140351-S5-DS-SS-02); The 20m buffer width extends from the edge of the conservation area to the residential property boundary and contains a minimum 5m width of native mosquito repellent vegetation adjoining the conservation area; 		
	 The buffer area also contains a shared 4m wide footpath/cycleway linking Montwood Drive and Snapper Drive for the full perimeter of the site adjacent to the conservation zone; On-street parking increased from 55 spaces to 69 spaces; Each lot is able to house 2 garaged vehicles. 		
Plan of Subdivision & Preliminary Civil Design Prepared by: NDC Reference: 140351-SS-SA-00_SET_B	The civil design has been modified to reflect the TVS layout. The design has updated the internal road alignment, associated earthworks and infrastructure		

Attachment 2	 deliverables. The layout includes Lot 201 for the creation of a road reserve for the perimeter of the conservation zone (7,085m²). Stormwater modelling of the SL5 site has been previously undertaken by Gilbert and Sutherland. Stormwater will be treated and attenuated the within the greater Epiq Estate prior to discharge from the water quality control pond. The Gilbert and Sutherland modelling demonstrates the water quality objectives can be achieved for the developed site.
Design Specification Prepared by: TVS Architects Reference: Revision F Attachment 3	 The Design Specification has been updated to reflect the modified subdivision layout as illustrated within the NDC and TVS plans. As originally proposed, the Design Specifications are to be approved under the Concept Plan and will guide the development of the approved lots through the subsequent lodgement of a Development Application with Ballina Shire Council
Bushfire Assessment Prepared by: Bushfire Certifiers Reference: Bushfire Advice (07/02/2022) Attachment 4	 An assessment has been completed for the amended subdivision layout against the current Bush Fire Safety Authority (BFSA) dated 23 July 2020. Bushfire Certifiers have concluded, the building setbacks will now have a greater asset protection zone from the proposed hazard than that relating to the BFSA. In this regard, the proposed setback from the bushfire hazard to the south and east of the proposed lots will comply with the requirements of Planning for Bushfire Protection 2006 (and PBP2019) subject to amendments to the Bush Fire Safety Authority as recommended in this correspondence. Bushfire Certifiers have identified recommended changes to the BFSA to align with the current guidelines and modified subdivision layout.

We trust the amended documentation addresses the requested amendment to the subdivision layout as detailed in DPIE letter of 6 December 2020. Accordingly, we seek the Departments approval of the Concept Plan and Project Approval for the proposed subdivision of Super Lot 5 and associated Design Specification, pursuant to the documentation attached to this letter.

Should the Department have any questions relating to the contents of this letter, please do not hesitate contacting Damian Chapelle of this office on [02] 6622 1011.

Yours sincerely,

NEWTON DENNY CHAPELLE

DAMIAN CHAPELLETown Planner. BTP CPP.



Attachment 1

Site Plan

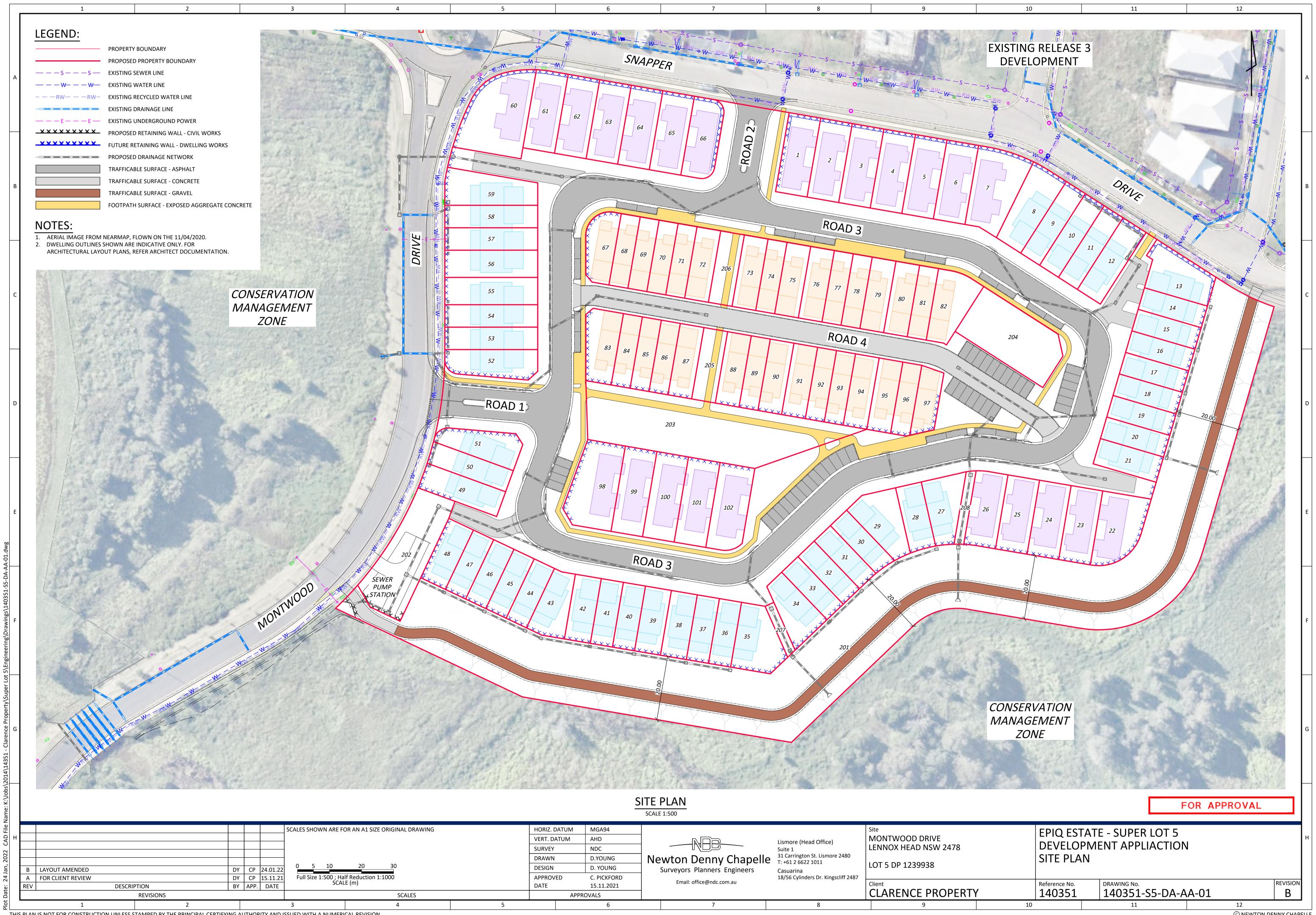


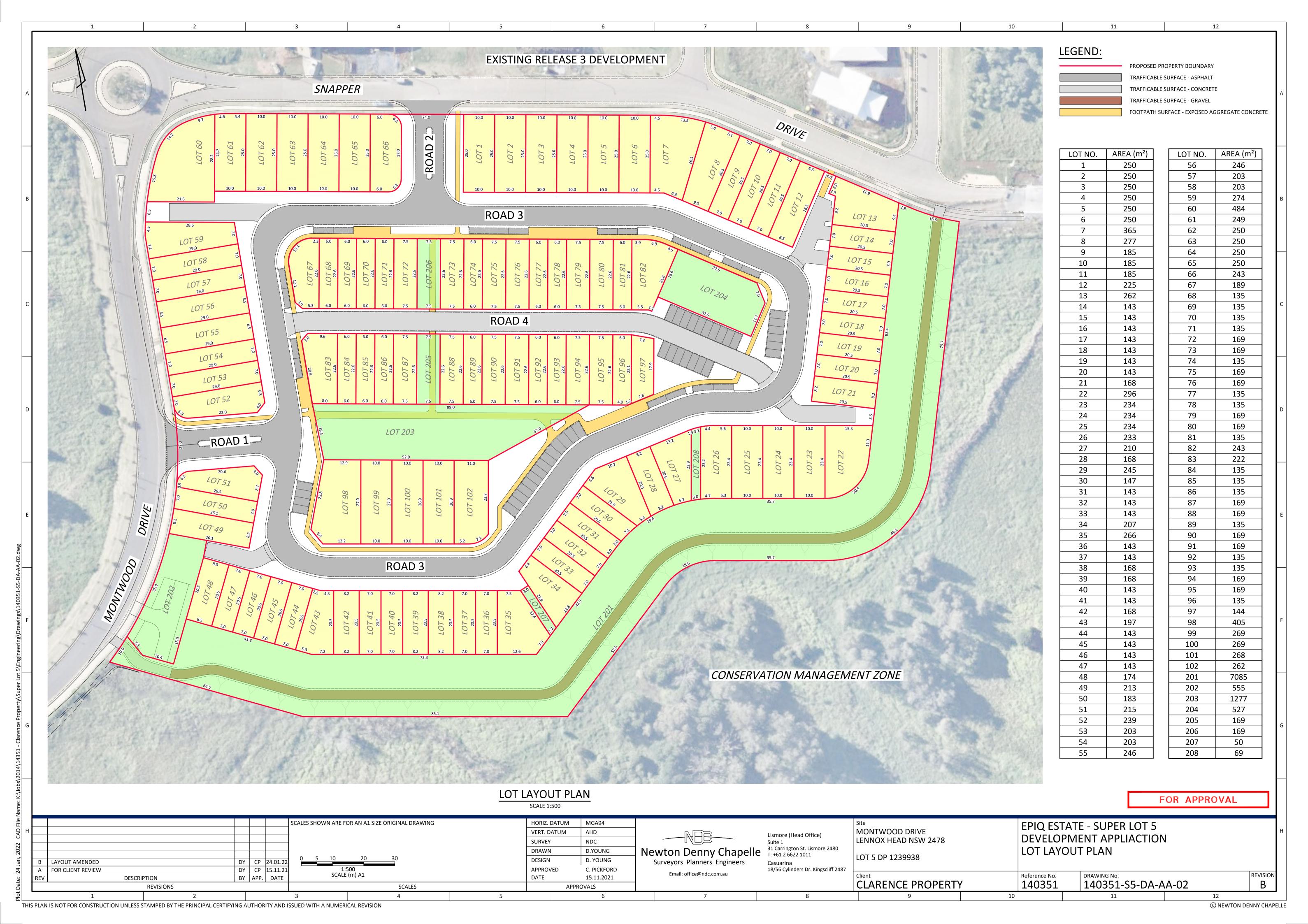
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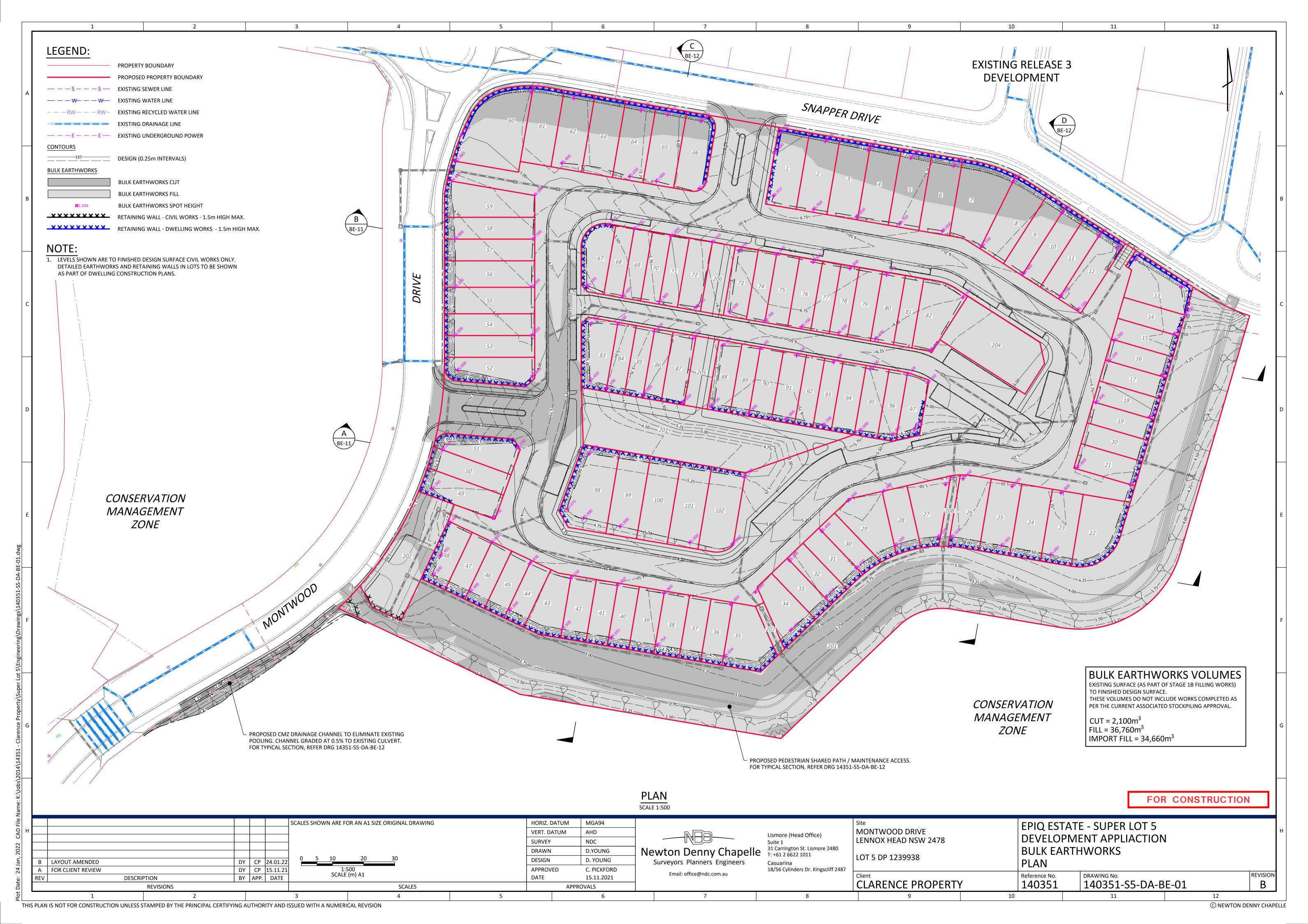


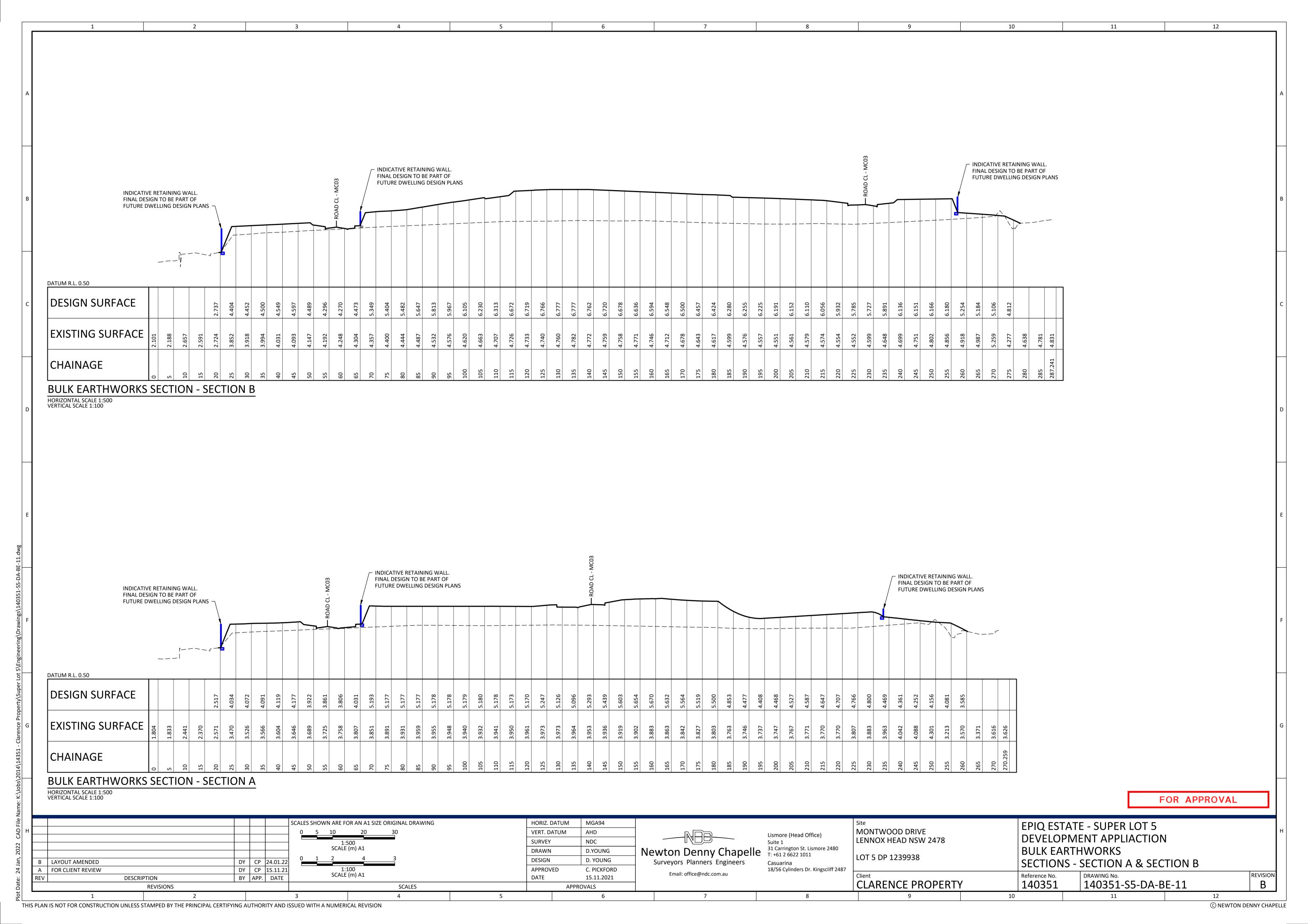
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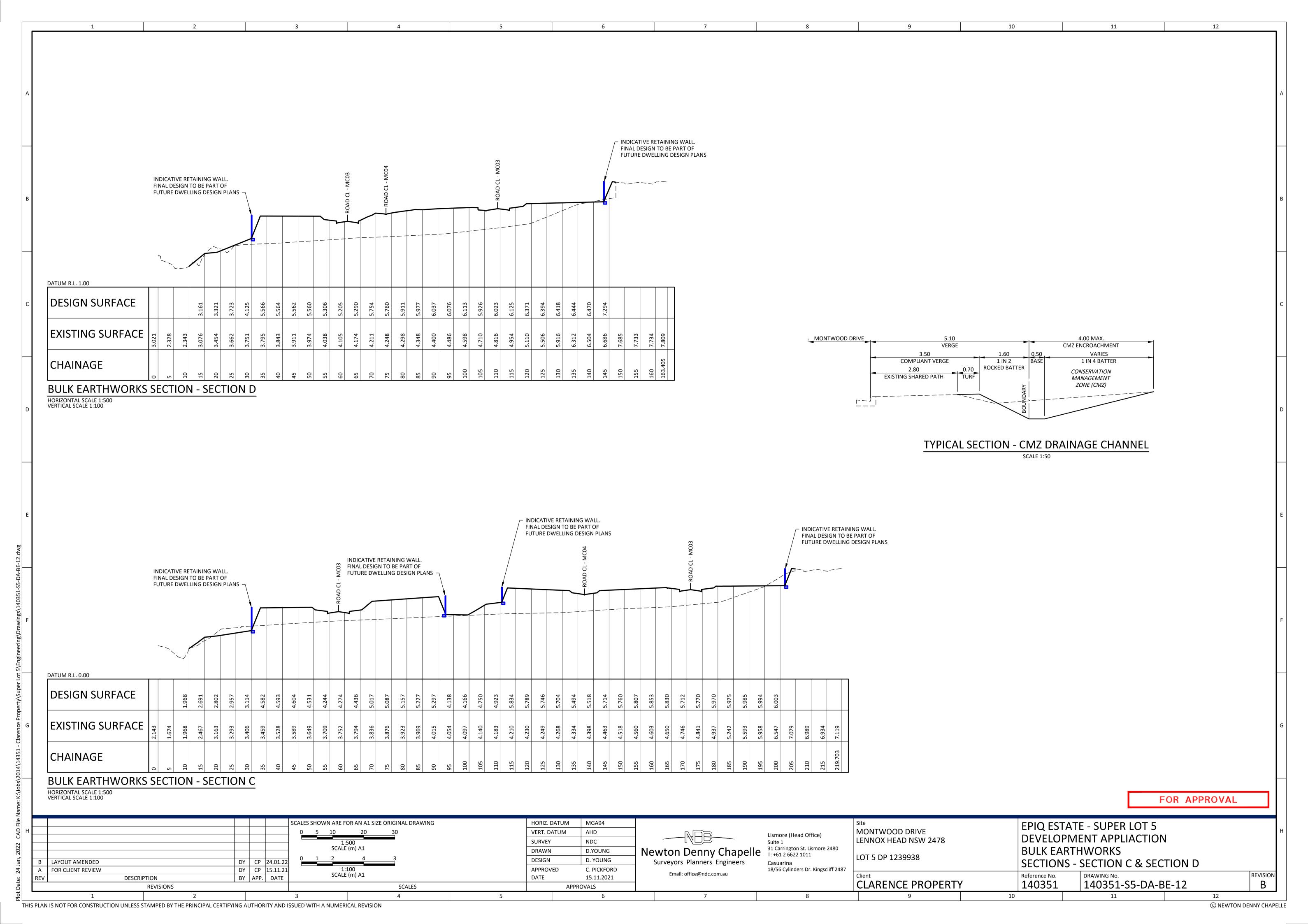
NDC Plan Set

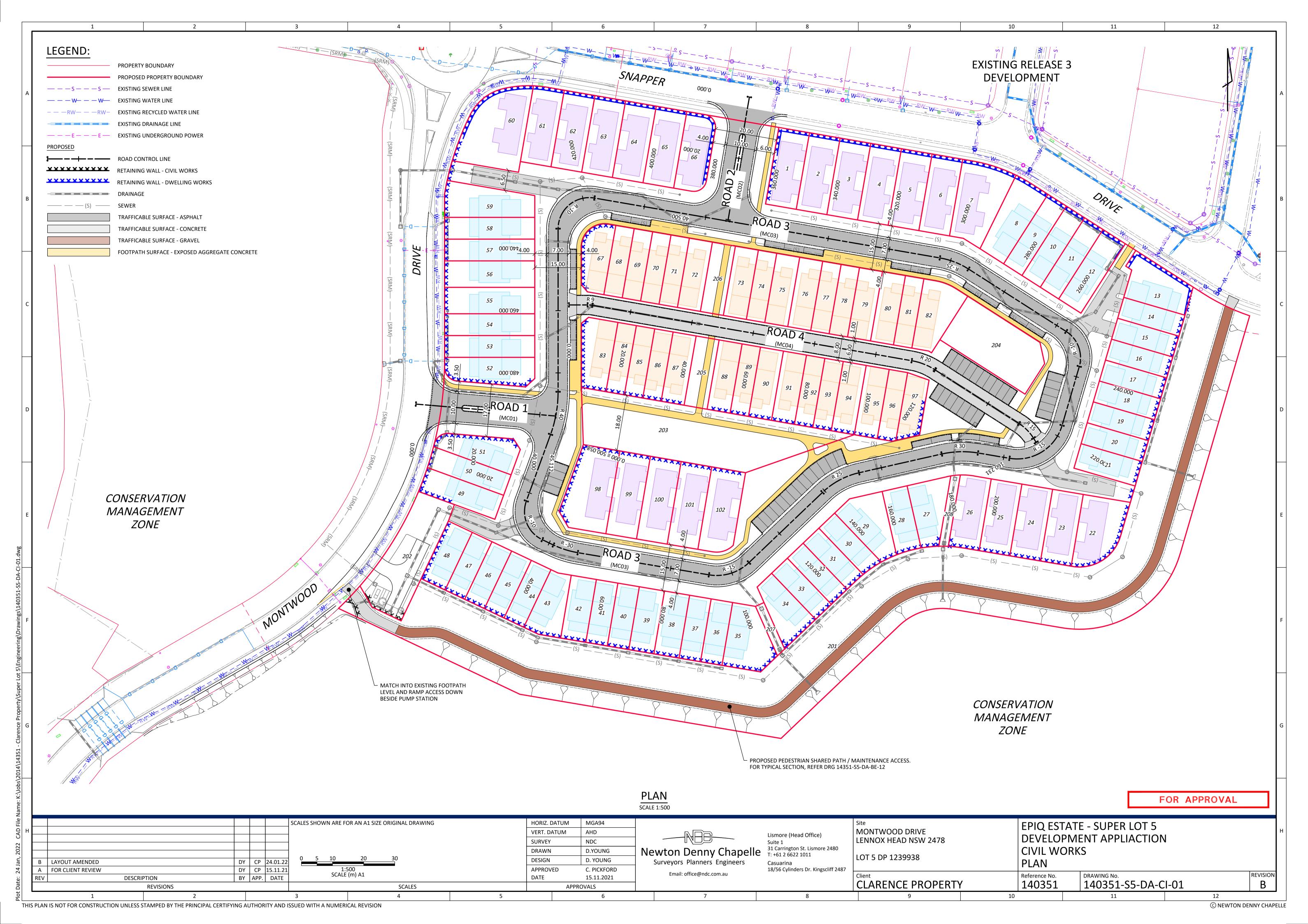


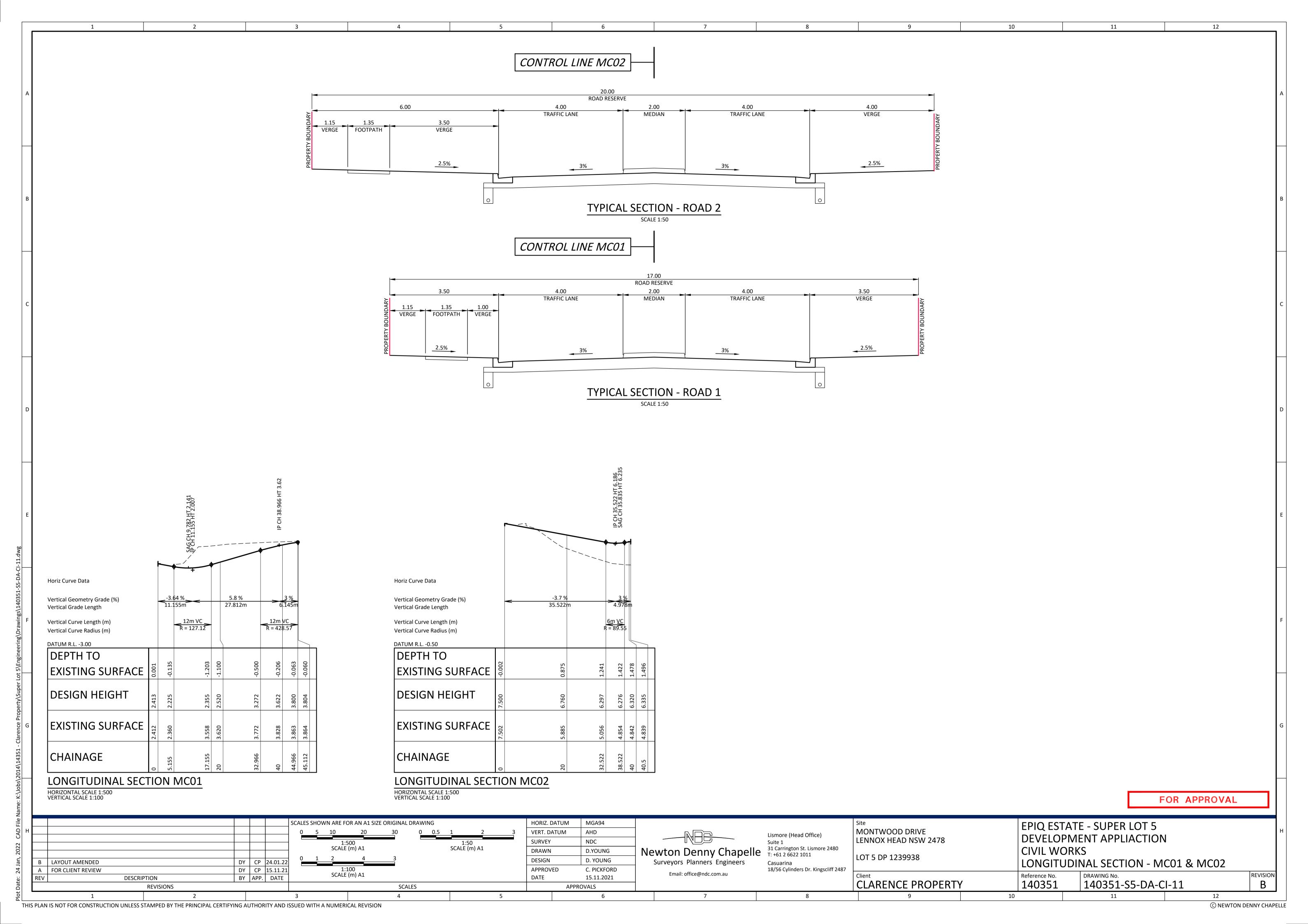


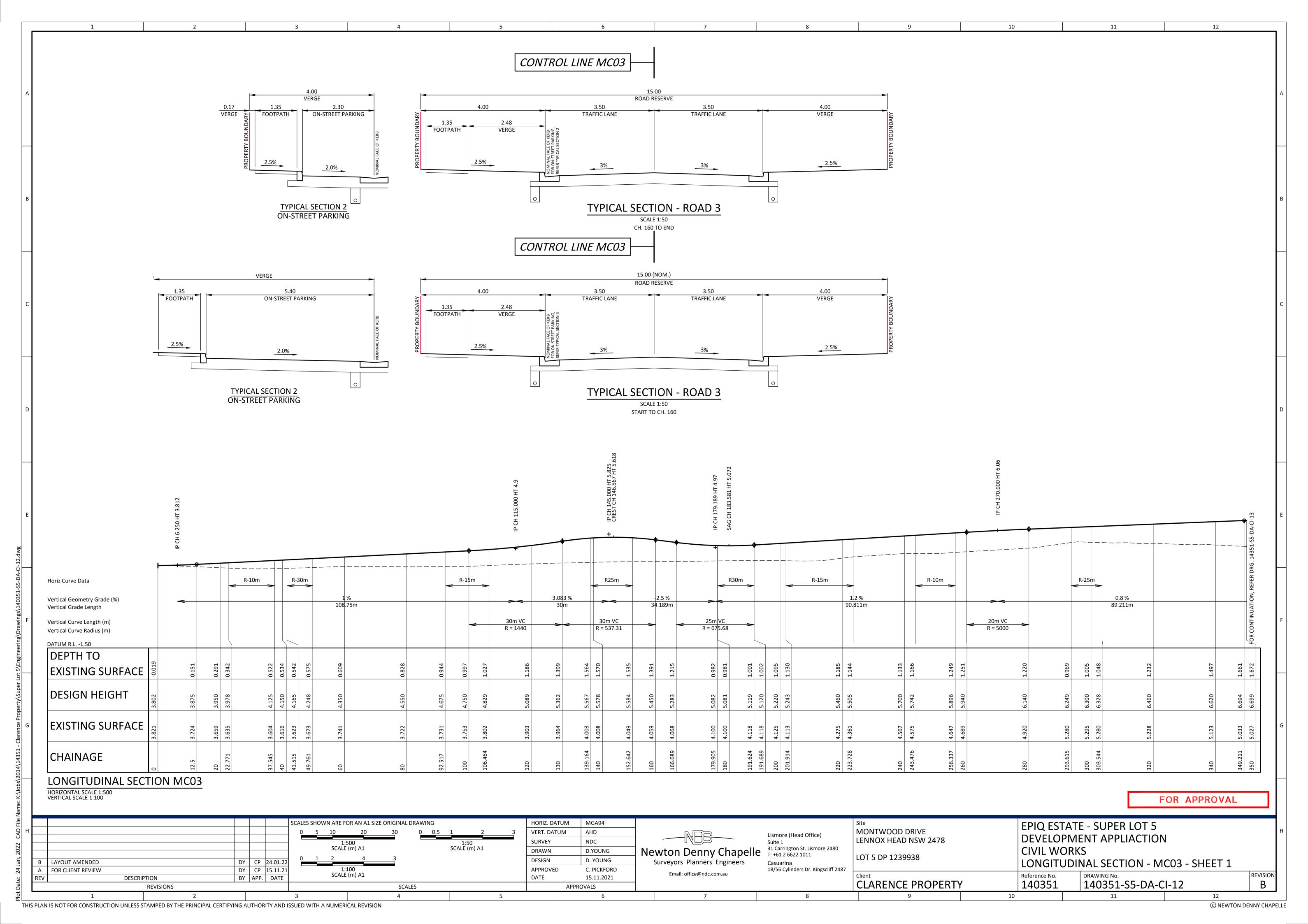


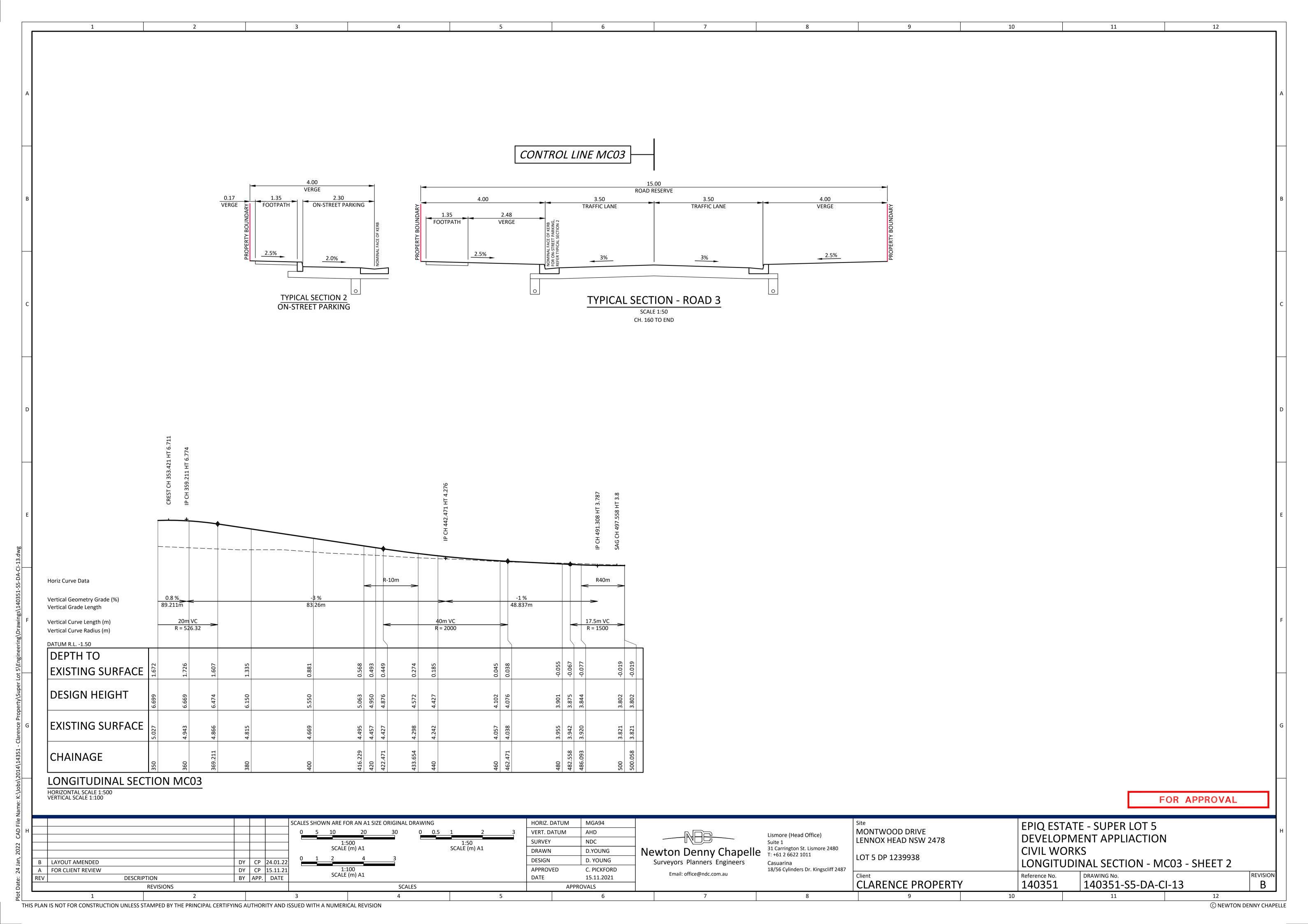


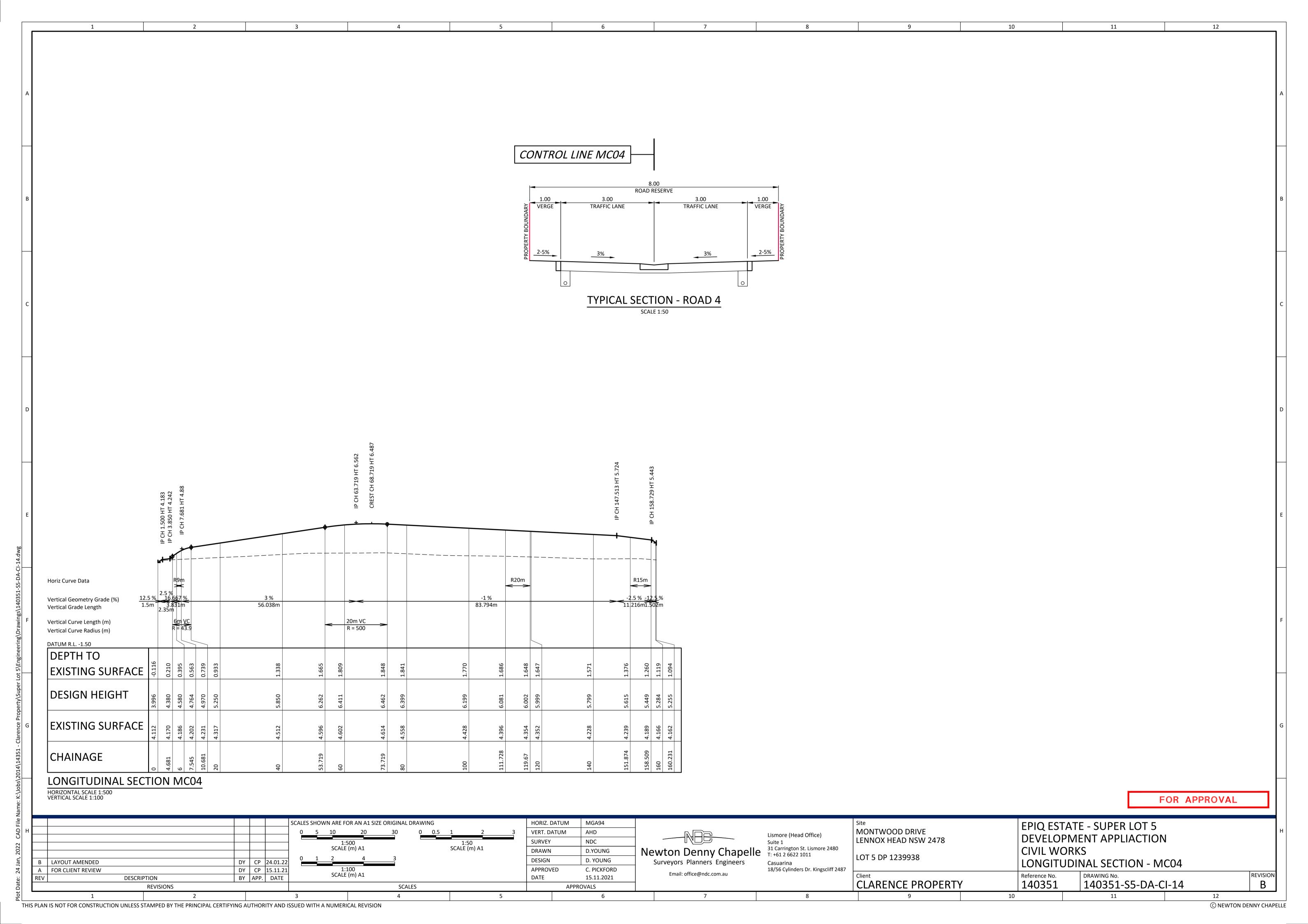


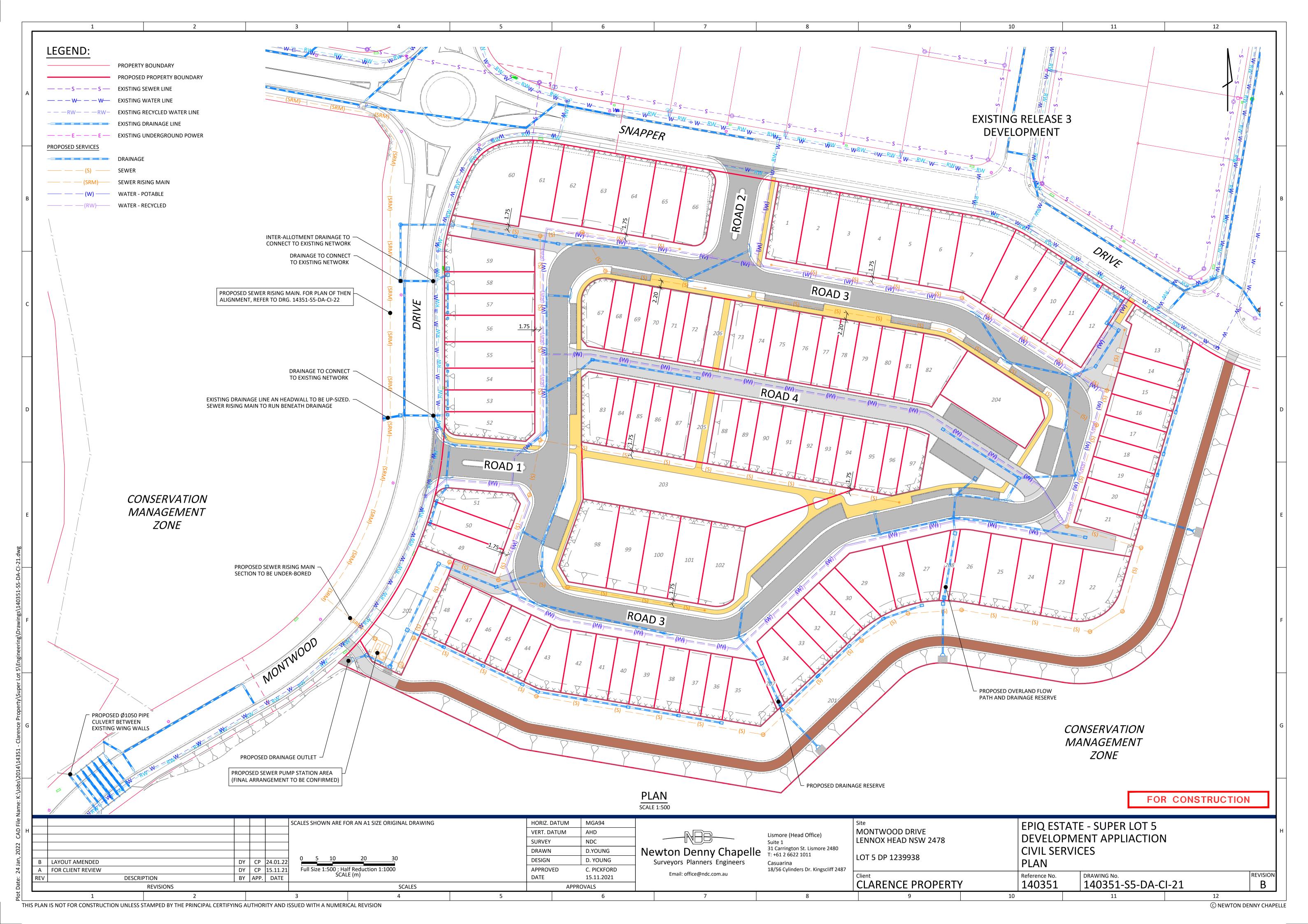


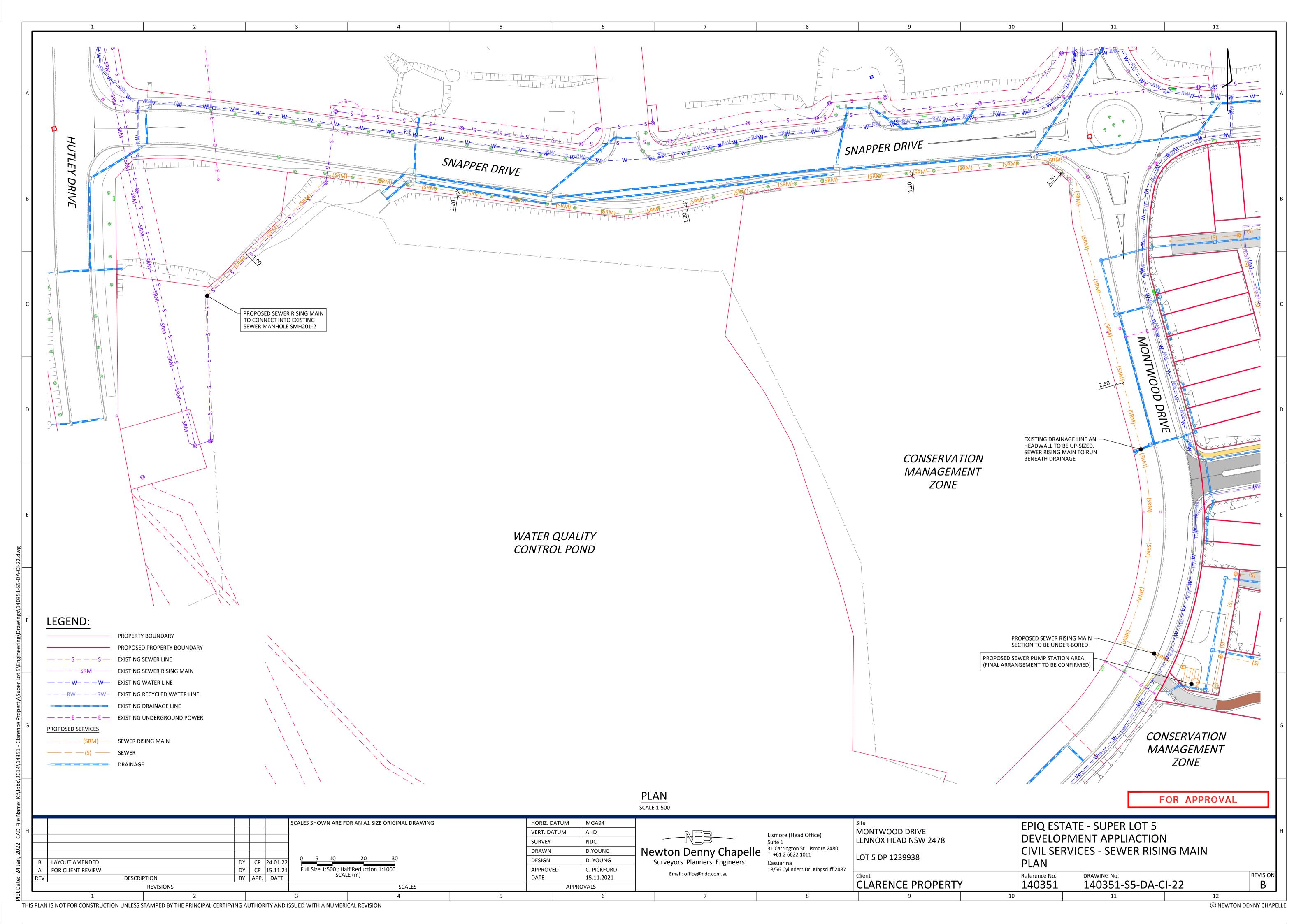














Attachment 3

Design Specifications

DESIGN SPECIFICATION INTEGRATED DEVELOPMENT SUPER LOT 5 EPIQ ESTATE





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INTRODUCTION

This Specification has been prepared to create a high quality, contemporary and environmentally conscious built environment, which will underpin the value of Epiq as a desirable place to live.

This Design Specification provides the development of a contemporary 'beach' style architecture that is environmentally friendly, emphasising a mixture of materials with a coastal colour pallete, and the use of native plantings to attract bird life and reduce the need for watering.

The Specification explains the design 'intent" and subsequent "solution" applied to this integrated housing project.

These design specifications have been adopted for the site pursuant to the Part 3A approval application to EPIQ. As such, the prescriptive requirements of the Ballina Local Environmental Plan and Ballina Development Control Plan do not have effect where inconsistent with these specifications.

THE DESIGN

LEGISLATION

All care has been taken to ensure the Specification complies with current building legislation.

DESIGN PROCESS

TVS Architects have been engaged to develop this design specification.

SITE PLANNING

Dwellings are designed to respond to the natural characteristics of the site and surroundings. The design has considered:

- Dwelling orientation;
- Topographic characteristics;
- Points of access;
- Solar access;
- Views and vistas;
- \bullet The relationship to adjoining allotments (existing or proposed).

APPROVAL BY PRIVATE CERTIFIER

The developer shall seek approval to construct from a private certifier.

DRAWINGS FOR CONSTRUCTION

a) Site plan

All site plans are to be at a scale of 1:400 at A1 or 1:800 at A3 and must show the following minimum information:

- North point;
- Excavation, fill & finished ground levels;
- Retaining walls (location, extent and type);
- Driveway location, finish, and parking provisions;
- Fencing (extent, location); and
- All setbacks and the location of all buildings and structures on the land.

b) Floor plans

All floor plans are at a scale of 1:100 at A1 or 1:200 at A3 and show the following minimum information:

- Lot numbers
- Internal layouts of rooms, windows, openings;
- Extent of roof overhangs; and
- Setback dimensions.

c) Elevations and sections

All elevations are at a scale of 1:100 at A1 or 1:200 at A3 and show the following minimum information:

- Existing natural and proposed ground level;
- Finished floor levels;
- Maximum building height extent;
- Roof form; and
- General materials and colour selections (including external walls, roofing and fencing).

d) Street front fencing details

- Plans show stepped dimensions of planters;
- Top of wall heights per retaining wall; and
- Fencing (extent, location, height and type).

DWELLING DESIGN

ARCHITECTURAL DESIGN

Intent:

Dwelling design shall consider the local climatic conditions, coastal location and be representative of 'contemporary beach architecture'.

Solution:

A contemporary approach to design for climate and environment has been created through the development of appropriate design for the coastal location incorporating:

- Architectural elements designed to capture the prevailing summer breezes;
- Eaves, overhangs and window shading for sun and rain protection;
- The inclusion of covered balconies, courtyards and / or walkways to provide streetscape variety;
- Open plan living, blending interior with exterior;
- A selection of materials to reflect coastal architecture and provide variation of facades; and
- A series of considered Architectural forms that employ careful articulation of walls, roof lines and materials to minimise building bulk.

EXTERNAL WALL FINISHES

Intent:

External wall finishes must be of a scale, form and material that is reflective of a 'contemporary beach architecture'.

Solution:

A balanced mix of materials has been used to provide a product reflective of contemporary beach architecture.

Wall cladding materials include:

- Masonry to planters & fences (honed/split face block, render & paint finish, coloured concrete breeze block);
- Horizontal cladding Weatherboards or similar(paint finish);
- FC cladding with timber battens;
- Vertical grooved fibre cement 'timber look' wall sheeting (paint finish or raw); and
- Aluminium 'timber look' cladding materials.

With a maximum of 70% of any one material used to support the scale, texture or form of the wall finishes to provide variation in scale, rhythm, elevation and appearance.

Colour selections include:

- Neutral, muted tones; and
- Contemporary coastal tones.

ROOFING

Intent:

Roofing is of a scale, form and construction that is reflective of 'contemporary beach architecture', including: pitch; materials; and design innovation.

Solution:

Roof form:

- Modern and contemporary forms with a variety of steeply and shallow pitched roofs
- Vertical articulation using changes in roof form and shape have been incorporated to add interest to the streetscape.

Roof materials:

- Colorbond roof sheeting;
- Translucent roof sheeting and
- Non-reflective.

Eaves:

- Buildings have a minimum eave width of 300mm where possible; and
- Where architectural style dictates suitability, a zero eaves line has been adopted and is complimented with appropriate sun shading devices to windows.

Gutters, parapet capping, flashings and downpipes:

- All gutters, parapet capping and flashings to match roof colour; and
- Downpipes to match the adjacent wall colour to complement the dwelling design and not be conspicuous.

BUILDING HEIGHT

Intent:

Buildings and structures must not cause significant loss of amenity to adjacent land and dwellings.

SITE COVER

Intent:

Dwellings must demonstrate variation in the development envelope, and must provide adequate opportunity for the absorption of stormwater within allotments.

SOLAR AND DAYLIGHT ACCESS

Intent:

Orientate buildings to maximise northern aspect and where possible, provide townhouses with direct winter sunlight into living areas, habitable rooms, balconies or external private spaces and yards.

Solution:

In general,

- The dwellings do not exceed 2 storey in form and 8.8m in height above the proposed ground line to the highest part of the roof; and
- The dwellings do not exceed two storeys.

Solution:

The maximum site cover of a dwelling on an allotment are as follows:

- Lot size smaller than 155m²: 95% overall site coverage.
- Lot size greater than 155m2: 85% overall site coverage.

- Aligning roadways parallel to the natural contours of the site enables safe, direct access to vehicles and maximises "on grade" pedestrian movement and maximises north aspect.
- Maximise yard spaces to properties with restricted northern aspect.
- Dwellings with south facing living areas have access to direct northern daylight to upper bedrooms.
- With bulk of units without side windows, aspect is aligned with front and back facades facing north/south - north for winter sun access. and south for even daylight

STREET ADDRESS

Intent:

Dwellings must address the public realm to contribute to the streetscape character and enable passive surveillance.



Entry gates and entrances

- Pedestrian entrances to the dwellings open on to the primary access street or public open space; or
- Letterbox location is integrated at the entry gate of each dwelling or alternatively to be located within 0.5m of front or back boundary.

FRONT SETBACKS

Intent:

Dwellings addressing the public streets must be setback from Montwood Drive & Snapper Drive street frontage as outlined adjacent.

Dwellings to have varying setbacks to neighbouring lots:

- To create a high quality streetscape; and
- To ensure acceptable access to dwellings from roadways;

Solution:

Dwellings comply with the following setbacks on site:

- Dwellings addressing Montwood Drive to have a minimum 3m setback;
- Dwellings addressing Snapper Drive to have a minimum 4m setback;
- Blocks 1-13 & 18 (excluding lots 13-16, 22-26 & 44, 46-48), to have a minimum setback of 5m from garage face to primary street to allow for 2 car vistor parking on driveway;
- Blocks 1-13 & 18, to have a minimum 1.0m front setback from garage face to front lot boundary;
- Blocks 14-17 to have a minimum setback of 1m from garage face to rear laneway;
- Blocks 14-17 (excluding lot 97) to have a minimum 2.0m front setback from covered terrace to front lot boundary.

SIDE SETBACKS

Intent:

Dwellings to have a setback from side, rear and secondary road boundaries to avoid overshadowing and to enhance privacy.

- In general, for lots at ends of blocks, the setback shall be a minimum of 900mm to side boundaries; and
- An average minimum of 900mm to secondary road boundaries.

REAR SETBACKS

Intent:

Structures must be setback from rear boundaries to facilitate a corridor of vegetation and to create a visual separation for privacy.

- Blocks 14 -17 minimum setback of 0m to rear boundary at laneway.
- Dwellings backing onto proposed Buffer Zone shall have a minimum 1m setback measured from the building line to the boundary of the Buffer Zone.
- Type C & E dwellings to have a minimum glazing setback of 3.0m; and
- Balcony setbacks of 2m minimum; and
- No hardstand to be within 1m of the rear setback to allow for a corridor of landscaping for additional privacy

VEHICLE ACCOMMODATION

Intent:

Residents' vehicles must be accommodated on-site with minimal visual obtrusiveness and adequate provision for vehicle manoeuvring. The location and treatment of garages, garage doors and carports must contribute positively to the primary streetscape.



Vehicle Accommodation

Solution:

Vehicle space provided:

- A minimum of two (2) on site car parking spaces shall be provided for all allotments;
- Type B, C & E dwellings Double garage to be provided

Materials:

- Garage door materials shall complement and incorporate the design details of the main dwelling and overall site, including materials, colour & design; and
- Garage door frames to be similar colour palette to the featuring wall colour surrounding it.

Streetscape:

 Where allotments have two access roads, garages are rear loaded onto laneways and secondary road frontages

DRIVEWAYS

Intent:

Safe, functional and attractive vehicle access is vital for access and egress to the home and presentation and amenity of the adjacent streetscape.

Solution:

Driveway widths are:

- Double driveways: 4.8m maximum at the property boundary; and
- Single driveways: 3.0m maximum at the property boundary.
- Crossover to comply with council regulations.

Driveway material to be:

• Concrete finish, exposed aggregate or coloured asphalt.

CORNER ALLOTMENTS

Intent:

Dwellings are to address primary streets, secondary streets, and adjoining public spaces. The primary and secondary facades are to have complementary elements.

- Windows, balconies, verandas, and/or screening devices shall be incorporated into elevations facing street frontages and public spaces to articulate building form;
- All walls facing primary and secondary street frontages shall have windows, change in material and/or feature elements to provide interest and articulation; and
- Laundries and clothes drying facilities, shall not be located along the primary or secondary street frontages except where it is the dwellings only private open space.

ANCILLARY STRUCTURES

Intent:

Ancillary structures must be visually attractive and blend with the building and landscape design.

- Garden sheds shall not be visible from the street and shall be no larger than 10 square metres;
- External antennae if required, shall be located at the rear of the dwelling and extend no more than 2.0m above the roof ridgeline;
- Roof, wall and window mounted air conditioning units will not be visible from the street or public areas; and
- Air conditioners to be located in designated enclosures at dwelling lower floor and screened from public view; and
- Clotheslines, hot water and gas systems, shall be located where they are not visible from the street or public areas.
- Garbage bins shall be located where possible within a screened enclosure.

FENCING - PRIMARY STREET FRONTAGE

Intent:

Front fences must not dominate the streetscape amenity. Residences must be visible from the street through fences with medium height and semipermeable structure.



Semi-transparent vertical battens

Solution:

Fencing shall only be incorporated in the front yard for the following reason:

• To provide privacy around outdoor living spaces located in the front yard or side yard in the case of corner lots.

Front fences are to be a combination of the following finishes:

- Painted and rendered masonry, honed or split faced masonry
- Powder coat finish to aluminium horizontal or vertical battens or similar;
 and
- Gates to complement adjacent fencing types.

Fences facing the street are constructed to compliment the overall street frontage, retaining walls, planters and the dwelling design and shall not exceed 1.65m in height from the higher of either street level or top of retaining wall.

Fencing to front yard can run the full length of the front boundary line providing the following solutions are met:

- Vertical articulation through planter boxes or change in stepped retaining walls; and
- Colour and material finishes must complement the design and detailing of the dwelling.
- Overall fence design should be visually permeable with a minimum of 25% visual permeability of the total length of the front boundary.
- Front street fencing shall be either a minimum of 1.0m for fall prevention; or maximum 1.5m on top of retaining wall for articulation and privacy.

FENCING - SECONDARY STREET FRONTAGE

Intent:

Fences used in conjunction with landscaping shall provide necessary screening of living areas and allow passive surveillance of the street scape.

FENCING - SIDE AND REAR BOUNDARY

Intent:

Side boundary fencing must provide privacy for private open space and service areas as well as demarcation of lot boundaries.

Solution:

Raw masonry, metal or timber are not incorporated along the boundary line of secondary street frontages.

Fencing is constructed to compliment the overall street frontage, retaining walls, planters and the dwelling design and shall not exceed 1.65m in height from the higher of either public street level or top of retaining wall.

Soft landscaping designed to provide screening, individuality and privacy to the dwellings.

- Where allotment has a front fence, the side and rear fence where facing the street shall have similar fencing design; and
- Provide a visual change in height, fence orientation, stepping in material or introduction of another material at least once very 12m.
- All other internal yard fencing along boundary between lots are to be 1.8m high and shall provide privacy to adjacent lots. Construction to be either solid masonry, lapped timber paling fence, hebel power fence or similar; and
- Side fences shall not extend past the front face of the adjacent corresponding building unless in conjunction with an approved front or rear fence.
- Lots backing on to Conservation Management Zone to have fences with open type palings or similar and to be designed in a way that provides casual surveillance of the path from both ground and first floor levels of the dwellings.

RETAINING WALLS

Intent:

Wherever possible, retaining walls should be terraced and / or landscaped to not appear overbearing. Retaining walls shall have a level of detail that reflects the design and construction of the dwelling.

Solution:

Retaining wall requirements:

- Retaining walls over 1.2m high at public street frontages may be terraced or stepped to coordinate with architectural design as required;
- Where possible, retaining walls shall not exceed 1.5m in height from public street level, even though retaining wall could be visually higher within private courtyard.
- Retaining walls can align to boundary line; and
- Where fencing is required on top of retaining walls the design of the fencing and retaining wall shall be integrated; and
- Where possible, retaining walls to be aligned with lot boundaries with provision for landscaping on private lots.
- Shared retaining walls between two or more dwellings shall be constructed solely within the boundary line of the dwelling at the higher level (fences to be centred on the retaining wall).

SUSTAINABILITY

WATER EFFICIENCY

Intent:

To reduce reliance on existing Council water supply.

NATIVE PLANTING

Intent:

To attract wildlife, reduce watering and garden maintenance and avoid adding to the spread of "environmental weeds".

PHOTOVOLTAIC SOLAR PANELS

Intent:

To reduce load demand on electrical supply infrastructure.

Solution:

- All shower heads, taps and toilets shall be a minimum AAA rating.
- All dwellings are plumbed to the council dual reticulation water supply network.

Solution:

- Include a minimum 3 native plant species in garden plantings from the attached planting list.
- Limiting plantings to those on the attached planting list is encouraged but is not mandatory.

Solution:

• The inclusion of Photovoltaic solar panels on dwellings is encouraged.

DEFINITIONS

Ancillary Structures Out buildings including sheds of no more than 10m² and pools.

Building Height The measured height of a dwelling from the proposed ground line to the highest part of the roof. Each dwelling has a maximum

height of 8.8m and a maximum 2 storey build.

Corner Allotment Any allotment bounded by two or more roadway frontages where the roads intersect or join, dedicated parkland or

unconstructed road reserve.

Outermost Projection The extremity of a building including roof overhangs and facia, but excluding gutters and downpipes.

Primary Street Frontage The frontage of an allotment or corner allotment determining the allotment address.

Rear Boundary Any boundary line or part thereof which coincides with another allotment and is generally paralleled with the nominated 'frontage

boundary'.

Secondary Street Boundary The frontage of a corner allotment, which abuts a second street, not the frontage determining the allotment address.

Setbacks The minimum distance from any allotment boundary to a building. Refers to a line or lines, parallel to a boundary of a lot beyond

which a building shall not encroach. Setbacks are measured to the solid building wall. Setback does not apply to eaves, gutters,

overhangs, screens, lightweight pergola and roof structures and/or feature elements.

Site Cover The portion of an allotment which is covered by a building or other structure having an impervious roof, excluding balconies,

sunshades, eaves, entry gate structure, landing and stairs.

RECOMMENDED PLANT SPECIES

RECOMMENDED PLANT SPECIES – STREETSCAPE TREES

Trees
BUCKINGHAMIA celsissima
CUPANIOPSIS anacardioides
HARPULLIA pendula
LIVISTONA australis
LOPHOSTEMON confertus
WATERHOUSEA floribunda
XANTHOSTEMON chrysanthus

RECOMMENDED PLANT SPECIES - PRIVATE YARDS

Trees	Hedges	Shrubs & Ground Covers	Shrubs & Ground Covers
ACMENA smithii	BAECKEA linifolia	AUSTROMYRTUS dulcis	METROSIDEROS 'Fiji Fire'
ATRACTOCARPUS fitzalanii	BANKSIA robur	BANKSIA 'Coastal Cushion'	MYOPORUM ellipticum
BANKSIA integrifolia	ERIOSTEMON myoporoides	BAECKEA virgata 'Compacta'	MYOPORUM parvifolium
BACKHOUSIA citriodora	GREVILLEA 'Robyn Gordon'	CAREX appressa	SCAEVOLA calendulacea
BUCKINGHAMIA celsissima	LEPTOSPERMUM polygalifolium	CARPOBROTUS glaucesens	VIOLA hederacea
CUPANIOPSIS anacardioides	MELALEUCA 'Claret Tops'	CASURINA 'Cousin It'	WESTRINGIA 'Jervis Gem'
ELAEOCARPUS reticulatus	METROSIDEROS 'Fiji Fire'	CALLISTEMON 'Better John'	
HARPULLIA pendula	METROSIDEROS 'Little Dugald'	CALLISTEMON 'Green John'	
HIBISCUS tiliaceus 'Rubra'	SYZYGIUM 'Bush Christmas'	CRINUM pedunculatum	
METROSIDEROS excelsa	SYZYGIUM 'Resilience'	DORYANTHES excelsa	
PANDANUS tectorius	WESTRINGIA 'Wynyabbie Gem'	DORYANTHES palmeri	
TRISTANIOPSIS laurina 'Luscious'		GREVILLEA 'Bronze Rambler'	
CUPANIOPSIS anacardioides		LEPTOSPERMUM 'Pacific Beauty'	
ELAEOCARPUS reticulatus		LOMANDRA hystrix	
WATERHOUSEA floribunda		LOMANDRA longifolia	
XANTHOSTEMON chrysanthus		MELALEUCA thymifolia	



Attachment 4

Bushfire Correspondence



7th February 2022

t: 02 6687 7461 f: 02 6687 6295

4/57 Ballina Street / PO Box 375 Lennox Head NSW 2478

info@bushfirecertifiers.com.au www.bushfirecertifiers.com.au

ABN: 95 104 451 210 BCA Check Pty Ltd trading as Bushfire Certifiers

Attn: James Fletcher Clarence Property Level 1 Suite 4-5 Cnr Hutley & Snapper Drive LENNOX HEAD NSW 2478

Dear James,

SUBJECT PROPERTY: Lot 5 DP 1239938, Montwood Drive Lennox Head **RE**: Amendment to site plan – Bushire Advice – MP 07_0026 Modified.

As requested, this office has reviewed the proposal amended site plan prepared by Newton Denny Chapelle Drawing No. 140351-S5-DA-AA-01, Rev B dated 04.02.22 (*see Attachment A*) for the residential subdivision of Lot 5 DP 1239938, Montwood Drive Lennox Head against the current Bush Fire Safety Authority (BFSA) dated 23 July 2020 (*see Attachment B*).

The site plan has been amended primarily due to a requirement to increase the southern boundary setback of the proposed allotment to the bushfire hazard being the Conservation Management Zone (Lot 104 DP 1241817). The amended plans now show a 20m setback located on an adjoining allotment understood to be future Ballina Shire Council land.

The assessment assumes there are no changes to the vegetation classifications described in the previous bushfire report prepared by this office, culminating in the issue of the current BFSA. This assessment provides comments against each condition of the Bush Fire Safety Authority (BFSA).

BFSA Condition No. 1

The first paragraph to be amended to state -

At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bushfire fires, the entire area of the residential allotments and open space on the adjoining lot to the south and east up to the boundary of Lot 145 DP 1241817 must be managed as an inner protection area (IPA). In this regard a Vegetation Management Plan will be required for the proposed Council owned allotment supporting the access road adjacent to the hazard.

Note - all IPA dot points of the current BFSA are to remain unchanged.

BFSA Condition No. 2

No changes recommended.

BFSA Condition No. 3

Amend plan references to reflect current proposed plan.

BFSA Condition No. 4

It is recommended the public roads condition be amended to reference the internal public road requirements of *Planning for Bushfire Protection 2019 Table 5.3b – Non-Perimeter Roads*. This is in recognition that Planning for Bushfire Protection 2019 has established the requirements of PBP2006 for non-perimeter public roads as being onerous having regard to some specification relating to width.

BFSA Condition No. 5

No changes recommended. Plans to detail compliance.

BFSA Condition No. 6

No changes recommended.

The building setbacks will now have a greater asset protection zone from the proposed hazard than that relating to the Bush Fire Safety Authority. In this regard, the proposed setback from the bushfire hazard to the south and east of the proposed lots will comply with the requirements of Planning for Bushfire Protection 2006 (and PBP2019) subject to amendments to the Bush Fire Safety Authority as recommended in this correspondence.

This report is not to be construed as a complete assessment of the road specifications, only an assessment against the current conditions of the Bush Fire Safety Authority dated 23rd July 2020.

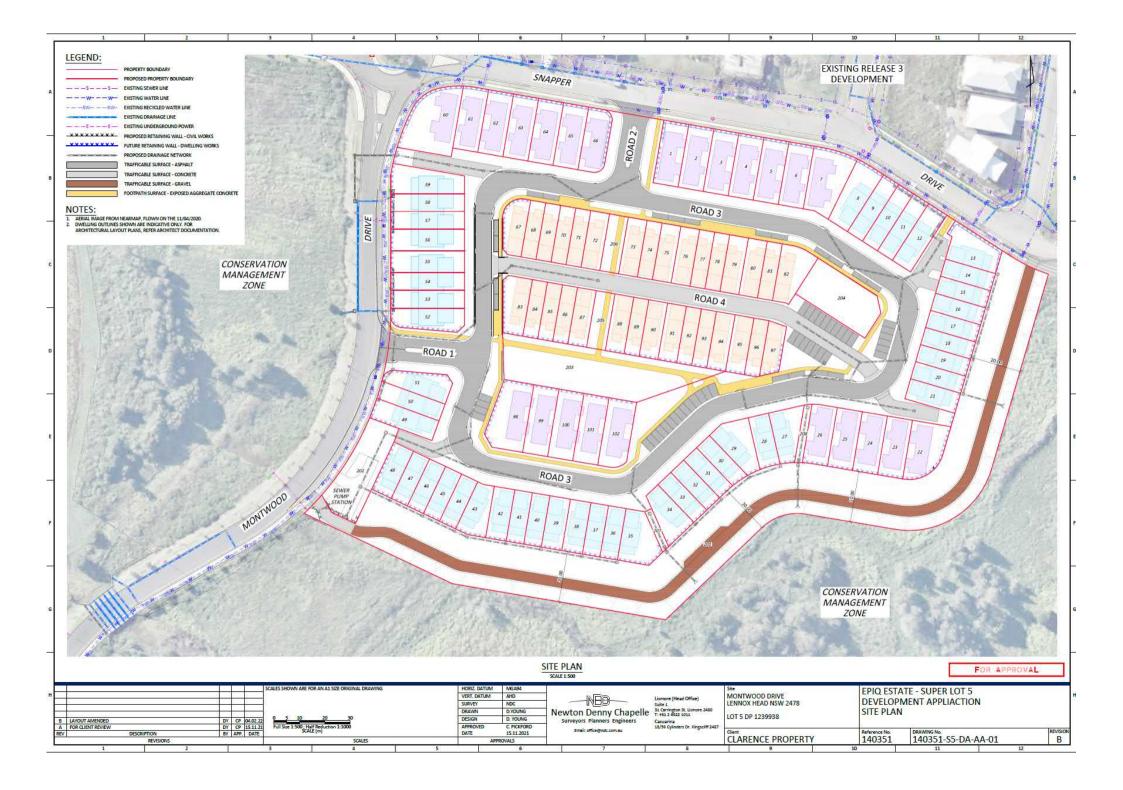
Should there be any further detail or clarification required, please do not hesitate to contact me on 0414 873 207.

Yours faithfully,

Peter Thornton MFireSafeEng Building Surveyor MAIBS

BPAD-L3 Accredited Bush Fire Practitioner (FPAA)

ATTACHMENT A – Site plan



ATTACHMENT B – Bushfire Safety Authority 23.07.2020





The Secretary NSW Planning & Environment 4 Parramatta Square PARRAMATTA NSW 2150 Your Ref: MP 07_0026 MOD 7 Our Ref: DA-2017-05411-S4.55-1

ATTENTION: Lillian Charlesworth

23 July 2020

Dear Ms Charlesworth,

Lot 5 DP 1239938, Montwood Drive, Lennox Head - MP 07_0026 MOD 7

I refer to your correspondence dated 1 July 2020 seeking comments from the NSW Rural Fire Service (RFS) with respect to the Applicant's response to submissions for the above application.

The NSW RFS has reviewed the information provided and understands that the key elements of the proposed modification are to:

- amend the development concept from a retirement community to a 145 lot integrated housing development;
- · establish design guidelines for the subdivision and development; and
- · amend the lot layout and road network.

The NSW RFS recommends the following conditions be included in any approvals granted for the project:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

- At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire area of the proposed residential lots and the full 5 metre width of the access track adjacent to the Conservation Management Zone must be managed as an inner protection area (IPA). The IPA must comprise:
 - · minimal fine fuel at ground level;

Postal address

Records NSW Rural Fire Service Locked Bag 17 GRANVILLE NSW 2142

Street address

NSW Rural Fire Service Planning and Environment Services (North) Suite 1, 129 West High Street COFFS HARBOUR NSW 2450 T (02) 6691 0400 F (02) 6691 0499 www.rfs.nsw.gov.au Email: pes@rfs.nsw.gov.au



- grass mowed or grazed;
- trees and shrubs retained as clumps or islands and do not take up more than 20% of the area;
- trees and shrubs located far enough from buildings so that they will not ignite the building;
- garden beds with flammable shrubs not located under trees or within 10 metres of any windows or doors;
- · minimal plant species that keep dead material or drop large quantities of ground fuel;
- tree canopy cover not more than 15%;
- tree canopies not located within 2 metres of the building;
- trees separated by 2-5 metres and do not provide a continuous canopy from the hazard to the building; and,
- lower limbs of trees removed up to a height of 2 metres above the ground.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

- 2. At the issue of a subdivision certificate, a suitably worded instrument(s) shall be created over the proposed lots pursuant to section 88 of the Conveyancing Act 1919. The instruments shall require future dwellings to be constructed to not greater than BAL 29 in accordance with the methodology outlined in Planning for Bush Fire Protection 2019. Construction shall be in accordance with Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas 2014 as appropriate and Section 7.5 of Planning for Bush Fire Protection 2019. The name of authority empowered to release, vary or modify the instrument shall be Ballina Council.
- The document titled 'Design Specification Integrated Development, Super Lot 5, EPIQ Estate', prepared by TVS (Rev. D, dated 24.06.2020) shall be amended to include reference to:
 - the requirements of Section 7.6 of Planning for Bush Fire Protection 2019 with respect to fences and gates; and
 - the requirements of Section 8.3.2 of Planning for Bush Fire Protection 2019 with respect to Class 10a ancillary structures.

Access

The intent of measures is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

- 4. Public roads must comply with of section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.
- 5. The access track adjacent to the Conservation Management Zone must include:
 - · a minimum carriageway width of 4 metres;
 - a minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches;
 - a minimum trafficable width of 6 metres at the maintenance bays to provide an area for vehicles to pass;
 - any gates, bollards or similar being provided with a key / lock system authorised by the local NSW RFS.

Water & Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

The provision of water, electricity and gas must comply with section 4.1.3 of Planning for Bush Fire Protection 2006.

General Advice

The above recommendations are based on the plan titled 'EPIQ State – Super Lot 5 Lot Layout' prepared by Newton Denny Chapelle (Ref: 14351-S5-IN-PL-01, Rev. A), dated 26 June 2020.

For any queries regarding this correspondence please contact Paul Creenaune on 6691 0400.

Yours sincerely

Alan Bawden

Team Leader - Development Assessment & Planning

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.