



NSW RURAL FIRE SERVICE



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:

1. 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;

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NSW Rural Fire Service
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- 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.
3. 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:

6. 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'.