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Director General
Department of Planning and
Infrastructure
GPO Box 39
SYDNEY NSW 2001.

Your Ref: MP09_0088
Our Ref: S13/0014
DA13042487237 JM

4 June 2013

ATTENTION: Sarah Waterworth

Dear Sir/Madam,

Exhibition of Environmental Assessment for Concept Plan Approval – Mixed Use Subdivision, West Culburra (MP09-0088)

I refer to your letter dated 17 April 2013 inviting the N.S.W. Rural Fire Service to make a submission regarding the exhibition of the Environmental Assessment for Concept Plan Approval for the above major project in accordance with Clause 75H of the *Environmental Planning and Assessment Act 1979*.

In assessing and commenting on the application, the NSW Rural Fire Service (RFS) is taking into consideration relevant Section 117 directions from the *Environmental Planning and Assessment Act (1979)* and the Director-General's Environmental Assessment Requirements for the environmental assessment of the concept application.

Having considered the information provided in support of the application as exhibited by the Department of Planning and Infrastructure, the NSW RFS raises the following issues to be addressed.

1. The NSW RFS acknowledges the South Coast Regional Strategy, in particular the Appendix 2 Sensitive Urban Lands which identifies the site as suitable for limited urban development. It is within this strategic context that the NSW RFS assesses the development against the aims and objectives of Planning for Bush Fire Protection (PBP) (2006).

2. The mixed use subdivision contains two types of development in terms of PBP.
 - a. Residential subdivision; and
 - b. Special Fire Protection Purpose (SFPP) development (infill).

Aspects of the proposal are considered to be SFPP development, specifically the medium density component, where the Department has advised "*47 lots for the 55+ age group*" which fits the definition of SEPP Seniors Living and is therefore SFPP development. The Environmental Assessment prepared by the applicant also states that there will be "*47 lots for the 55+ age group*".

All other aspects of the development are assessed against the PBP provisions for 100B subdivision.

3. The SFPP development includes the following:
 - a. Stage 1 55+ age group housing;
 - b. Stage 3 55+ age group housing; and
 - c. Stage 4 tourist development.
4. In assessing against the aims and objectives of PBP, the following bush fire protection measures are considered:
 - a. Asset Protection Zones (APZ);
 - b. Construction Standard;
 - c. Access;
 - d. Services – water, electricity and gas;
 - e. Emergency and evacuation planning.

Asset Protection Zones

Comments:

Stage 1 – residential subdivision (21 x 2br 55+ single story villas (SFPP); 48 x 2br units)

APZ of 25m provided on the south and south west elevations. APZ of 20m on the north west boundary. Culburra Rd to the north and existing retirement village to the east. There is a discrepancy in the location of development in this stage between the concept plan map and the bush fire assessment map in the Eco Logical Australia report. APZs meet requirements of PBP table A2.4 for non SFPP development.

The SFPP component of the stage proposes APZs of 20m and 25m (east) and 25m (south). It is unclear where the SFPP component of this stage (55+ age group housing) is located. The boundary of stage 1 and therefore the APZ configuration differs between the concept plan (Allen Price Associates) with APZs and the APZ map in the Eco Logical Australia report. To ensure compliance with the requirements of PBP for SFPP development, specifically less than 10kW/m² radiant heat exposure, no part of the 55+ age group housing can be closer than 70 metres to the bush fire hazard (ie 70m APZ or 55+ housing located 70m away from the stage boundary).

Stage 2 – residential subdivision (single house lots, small residential lots, tourist site (T3 – to be used as a Cafe – not SFPP))

APZs include the Culburra Rd to the south, 20m to the south east, 25m to the east toward the sewage treatment plant (as a fire trail) and 25m to the north / north west. These APZs meet requirements of PBP table A2.4.

Tourist site, T3 (Cafe), has an APZ proposed of 10m. The proposed 10m APZ for "defendable space only" would result in any development on the site being exposed to a high bush fire attack level. Given the site is identified as a future tourist use, consideration should be given to an adequate APZ that reflects the vulnerability of the users. Alternatively resighting of the T3 precinct further toward the south east which would enable a continuous 25m APZ around the perimeter of the development may be appropriate.

Stage 3 – residential subdivision (single house lots and medium density site – including 26 x 2br 55+ single storey villas (SFPP))

APZs are 25m to the north and south of the stage, meeting the requirements of PBP table A2.4. The 25m APZ on the southern elevation of the medium density site is located outside the proposed property boundary, which would necessitate a section 88B instrument on the adjoining landowner, and clearing in the Lake Wollumboola catchment. PBP requires that APZs are wholly located within the boundaries of the development unless exceptional circumstances apply in accordance with Clause 3.3 of PBP. Currently it is not clear what exceptional circumstances apply. This is not supported, as all APZs should be contained within property boundaries.

The SFPP component of the stage proposes APZs of 25m to the south. It is unclear where the SFPP component of this stage (55+ age group housing) is located. To ensure compliance with the requirements of PBP for SFPP development, specifically less than 10kW/m² radiant heat exposure, no part of the 55+ age group housing can be closer than 70 metres to the bush fire hazard (ie 70m APZ or 55+ housing located 70m away from the stage boundary). The APZ to the south of this component of this stage is not contained within the stage boundary but pushes into the Lake Wollumboola catchment. The APZ should be located within the stage (property) boundary.

Stage 4 – residential subdivision (single house lots, tourist sites (T1 & T2 - SFPP))

APZs are 25m to the north east, north west and south / south east elevations; 20m to the south / south west and 10m to the western elevation. These meet the requirements of PBP table A2.4

Vegetation to the north of T1 and T2 (SFPP) is forest with a run of less than 50m and has been classified as remnant in the bush fire assessment report. Accordingly a 40m APZ is proposed. The east / south east of T2 is exposed to a longer run of vegetation which has not been classified as remnant, therefore a 70m APZ is proposed. This meets the requirements of PBP table A2.6.

Stage 5 – industrial development (28 x industrial lots)

The perimeter of stage 5 has a 20m APZ proposed, with a fire trail on the north eastern elevation. The north eastern elevation requires a 25m APZ to comply with the requirements of PBP table A2.4, not 20m as proposed.

General – The proposal provides perimeter roads around the majority of the site, with some fire trails in place of perimeter roads. There is a significant inconsistency between the Allen, Price and Associates plan and the bush fire report plan. The bush fire report shows a 25m APZ to the south, outside the property boundary and a perimeter road, seemingly on the perimeter boundary. It is recommended that the department confirm that this perimeter road is actually proposed which is the NSW RFS preference.

Recommended Conditions:

APZs be maintained around the perimeter of the development, within the property boundaries as proposed with the following exceptions:

- T3 to be provided with a 25m APZ;
- North eastern elevation of stage 5 (industrial) be provided with a 25m APZ;
- APZs around the medium density developments in stages 1 and 3 be revised depending upon the location of the 55+ age group developments to ensure all 55+ age group housing is located at least 70m away from bush fire hazard to ensure radiant heat levels are no greater than 10kW/m^2 ; and
- Community areas adjacent to lots within 25 metres of lots to be maintained as IPAs.

Construction Standards

Comments:

Assessment and provision of APZs has been in accordance with table A2.4 of PBP, ensuring radiant heat level less than 29kW/m^2 , except where commented previously. Assessment of specific buildings not required at this stage.

Assessment and provision of APZs has been in accordance with table A2.6 of PBP for T1 and T2, ensuring radiant heat level less than 10kW/m^2 . See previous comments (APZ) for 55+ age group housing. 55+ age group housing should be located at least 70m away from bush fire hazard to ensure radiant heat level less than 10kW/m^2 .

Recommended Conditions:

All proposed SFPP development (T1, T2 and 55+ age group housing in stage 1 and 3) should be located an adequate distance away from bush fire hazard to ensure radiant heat level less than 10kW/m^2 .

Access

Comments:

Access to the development is via one point off Culburra Rd. In consideration of the scale of the development and the location adjacent to large areas of forest vegetation, all components of development should have through road and two points of access or dead end roads that are not more than 200 metres in length where appropriate. In addition public roads from the proposed lot to the main roads should meet public road access requirements. The Allen Price Associates concept plan show a "Possible Future Extension to Collector Road" on the south west of the development, linking to Culburra Rd, to the south east of the proposed access point onto Culburra Rd. It is recommended that this second access to Culburra Rd be provided.

The medium density component of stage 3 is shown as having a perimeter rd in figure 3 of the bush fire assessment report, but not in the Allen Price Concept Plan. This perimeter should be provided.

Recommended Conditions:

- To ensure the intent of this measure is met, a second point of access to Culburra Rd be provided.
- A perimeter rd be provided around the medium density component of Stage 3.

Services - Water, Electricity and Gas

Comments:

The proposal is deemed to be able to comply with the PBP requirements for water, electricity and gas.

Emergency and Evacuation Planning

Comments:

Emergency / evacuation planning is required for the SFPP components of the development.

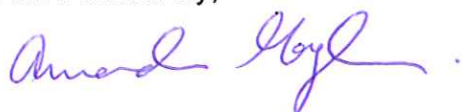
Recommended Conditions:

- An emergency/evacuation plan should be prepared consistent with the RFS Guidelines for the Preparation of Emergency/Evacuation Plan.
- Compliance with AS 3745-2002 'Emergency control organisation and procedures for buildings, structures and workplaces' for residential accommodation'.

Overall, there is a fairly high level of compliance with the requirements of PBP however there are a number of significant non-compliances relating to adequacy of APZs and access. The application did not enable the accurate identification of the location of the 55+ age group housing (SFPP) and therefore adequacy of proposed APZs. Access is from one entry off Culburra Rd, which is considered inadequate and a through road should be provided. The proposed development can be supported provided the NSW RFS concerns are addressed.

For any queries regarding this correspondence please contact Jeff Morgan on (02) 44 720600.

Yours Sincerely,



Amanda Moylan

Team Leader Development Assessment and 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'.