

From: [Martha Dotter](#)
To: kerry@allenprice.com.au; [Necola Chisholm](#)
Subject: DA277-112004 - Island Point Road St Georges Basin
Date: Tuesday, 18 August 2015 9:58:30 AM
Attachments: [image001.gif](#)
[CopyofRFS GTAs.pdf](#)

Dear Kerry and Necola

Further to my discussion with Kerry on the telephone this morning, I raise the following points for your response prior to the RFS progressing the assessment of the above S75W Modification:

1 - No reference is made in the documentation to modification of the existing applicable General Terms of Approval issued by the RFS. These currently form Part I3 of the Determination dated 7/11/2006 (as amended). I suggest that your client would be seeking to amend the GTAs in line with the proposed modifications. I have attached a copy of the current GTAs for your review. Please advise which GTAs (if any) you seek to modify as part of this application and how you propose to modify them.

2- The RFS requires some legal mechanism over lots within Stage 2 of the proposal (as modified) to ensure that the required APZs (which are proposed to be located off the subject property to the south), will be achieved prior to any release of Stage 2 of the development. Please advise what legal mechanism is proposed to ensure no development of Stage 2 occurs until such time as the APZs required are in place, or are legally obtainable (this should be an 88B instrument, or an easement over the adjoining land for the purpose of an APZ, or a deferred commencement condition for Stage 2 etc).

3 - Lot 9 in Stage 1 of the amended plan does not show that the required APZs can be achieved within the Stage 1 boundaries and/or the subject site. Please provide dimensions on a plan demonstrating that the required APZs for a future dwelling on Lot 9 can be lawfully achieved.

The RSF will recommence assessment of the proposed modification upon receipt of the abovementioned information. Should you have any further queries please contact me on the details below.

Thank you
Martha



Martha Dotter | Development Assessment and Planning Officer | Customer Service & Support Centre Batemans Bay
NSW RURAL FIRE SERVICE
Locked Bag 17 Granville NSW 2142
P 02 4472 0600 **F** 02 4472 0690 **E** Martha.Dotter@rfs.nsw.gov.au
www.rfs.nsw.gov.au | www.facebook.com/nswrfs | www.twitter.com/nswrfs
PREPARE. ACT. SURVIVE.

The consultant is to certify that the traffic control plan complies with the current RTA manual 'Traffic Control at Work Sites'. Copies of records of inspections of traffic control layouts must be sent to Council after completion of works.

Reason: To ensure works within the road reserve are carried out safely and in accordance with the requirements of the RTA and Council and the integrated development provisions of the Act.

12 Approval required for work within the Road Reserve – Section 138 Roads Act

Prior to undertaking any works within the road reserve, the contractor must obtain the approval of Council under Section 138 of the Roads Act, 1993. The following details must be submitted to Council in order to obtain the s.138 approval:

- Pavement design
- Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the RTA's manual – "Traffic Control at Work Sites". Warning and protective devices shall comply with the provisions of AS 1742.3 – 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate RTA accreditation, a copy of which is to be submitted with the plan.
- Insurance details

Should the Traffic Management Plan require a reduction of the speed limit, a Direction to Restrict shall be obtained from the relevant road authority (Council or the RTA - Traffic Operations Unit).

Rural Fire Service

13 Bushfire Safety Authority

The New South Wales Rural Fire Service has granted a Bushfire Safety Authority subject to the following conditions:

1. There shall be a minimum of 40 metres to the south with 30 metres maintained as an Inner Protection Area and 10 metres as an Outer Protection Area as outlined within Section 4.2.2(b) in Planning for Bushfire Protection 2001. An Asset Protection Zone to the south must be provided by way of an easement on the adjoining land or the adjoining land to the south is cleared and developed.
2. A Section 88B restriction as to user shall be placed on all lots within the subdivision that the lots cannot be sold until they are hazard reduced so that all proposed lots have the vegetation managed as an Outer Protection Area as outlined within Section 4.2.2 in Planning for Bushfire Protection, 2001. The Section 88B restriction to users shall also include that the land is to be maintained as an Outer Protection Area until development occurs.
3. A Bushfire Management Plan is to be prepared for the Linear Corridors shown on the Proposed Residential Subdivision Plan prepared by Allen, Price, and Associates (REF. No. 24285-01 REVISION 'D' Dated 8 June 2006 to ensure that these vegetated areas are not able to generate into a bushfire hazard.
4. The location of fire hydrants shall comply with the distances detailed in Section 6.4.3 of Planning for Bushfire Protection 2001. Locations of fire hydrants are to be

delineated by blue pavement markers offset 100mm from the centre of the road. The direction of offset shall indicate on which side of the road the hydrant is located.

5. All roads 8 metres wide shall located services outside of parking reserves to ensure accessiblility to reticulated water for fire suppression.
6. All roads between 8 metres and 7 metres wide shall be No Parking on one side with services (hydrants) located opposite parking sides to ensure accessibility to reticulated water for fire suppression.
7. All roads between 7 metres and 5.5 metres wide shall provide parking within parking bays and locate services outside of the parking bays to ensure accessibility to reticulated water for fire suppression.
8. Two way roads shall be a minimum of 5.5 metres wide.
9. Parking bays shall be a minimum of 2.6 metres wide from kerb edge to road pavement. No services or hydrants are to be located within the parking bays.
10. All roads directly interfacing the bushfire hazard vegetation shall provide layback kerbing to the hazard side of the road.
11. All provisions detailed within Section 4.3.1 of Planning for Bushfire Protection 2001, other than those modified by the above provisions, shall be complied with.
12. Property access to proposed Lot 9 shall comply with the road with, curve and grade requirements of Section 4.3.2 of Planning for Bushfire Protection 2001.
13. Two way roads shall be a minimum of 5.5 metres wide.
14. Parking bays shall be a minimum of 2.6 metres wide from kerb edge

Details must be provided on the Construction Certificate plans.

Reason: To ensure the proposed subdivision complies with the requirements of 'Planning for Bushfire Protection' and the integrated development provisions of the Act.

ADVISORY NOTES

AN1 Requirements of Public Authorities for Connection to Services

The Applicant shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Applicant. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the PCA prior to the issue of the Construction Certificate.

AN2 Excavation – Aboriginal Relics

Should any Aboriginal relics be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the National Parks and Wildlife Service shall be informed in accordance with Section 91 of the *National Parks and Wildlife Act, 1974*.

AN3 Excavation – Historical Relics