



NSW RURAL FIRE SERVICE



The Secretary
NSW Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Your reference: MP 08_00167 (Mod 2)

Our reference: S08/0040
DA16102404406 PC

Attention: Amy Robertson

12 April 2017

Dear Ms Robertson,

MP 08_0167 (Mod 2) – Belle O'Connor Street, South West Rocks

I refer to your emails dated 19 October 2016 and 31 March 2017 seeking comments from the NSW Rural Fire Service (RFS) regarding the above application.

The NSW RFS notes that the proposed modification only relates to Stages 10 and 11 and seeks to:

- create 43 low density residential lots;
- amend the internal road network and create a new public road access;
- amend the bushfire asset protection zones; and
- amend the development staging to enable Stages 10 and 11 to occur independently of Stages 1 to 9 of the current Project Approval.

Following an assessment of the modification application and associated documents, the NSW RFS provides the following comments and recommended conditions. The following comments relate to the relevant proposed conditions outlined in Section 3 of the Section 75W Modification report prepared by Keiley Hunter Town Planning, dated September 2016.

A2 Project in Accordance with Plans

It is recommended that the proposed condition be amended to reference the following plan:

Design Drawings prepared by deGroot and Benson, Consulting Engineers and Planners titled 'General Arrangement & Lot Layout Plan', DWG No. L36-MOD02 (DA1), 8 February 2017.

B17 Asset Protection Zones

No objection is raised to the proposed amended condition.

E5 Registration of Easements / Restrictions to use / Right of carriageway

No objection is raised to the proposed conditions E5(d2) and E5(d3).

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The NSW RFS recommends the inclusion of additional conditions as follows:

E5 (1) (d4)

A Restriction as to User allowing for the creation of a 15 metre wide Asset Protection Zone, measured from the boundary of Lot 36 DP 1214499, shall burden Lot 35 DP 1214499.

The area shall be maintained as an inner protection area in accordance with *Planning for Bushfire Protection 2006* and the *RFS's Standards for Asset Protection Zones*. The Restriction as to User shall advise the landowner of the need to maintain this area as an Asset Protection Zone.

E5 (1) (d5)

A Restriction as to User allowing for the creation of a 6 metre wide easement for a fire trail, measured from the boundary of Lot 36 DP 1214499, shall burden Lot 35 DP 1214499. The fire trail shall be constructed and maintained in accordance with section 4.1.3(3) of *Planning for Bushfire Protection 2006*.

In addition to the proposed modified conditions outlined in the applicant's submission, the NSW RFS also recommends the following amendment to approval conditions to reflect relevant requirements for the modified subdivision layout. In particular, it is recommended that condition B9 be amended to include reference to 'Planning for Bush Fire Protection 2006' for public roads and the proposed fire trail. It is noted that the proposed plans show the fire trail easement as 4 metres wide with a 3.5 metre wide track. Section 4.1.3(3) of 'Planning for Bush Fire Protection 2006' requires fire trails to have a minimum 4 metre wide carriageway with an additional 1 metre clear strip either side. Accordingly, it is recommended that condition B9 be amended as follows:

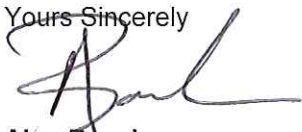
B9 Road Design

Kerb and gutter, stormwater drainage, full road width pavement and paved footpaths shall be constructed along the full length of all roads within the site. The roads shall be designed in accordance with the relevant requirements of Kempsey Shire Council's DCP No. 36, current applicable Australian Standards and 'Planning for Bush Fire Protection 2006'. Final road design plans shall be submitted and approved by Council prior to the issue of a Construction Certificate for each stage.

Fire trails shall comply with section 4.1.3(3) of 'Planning for Bush Fire Protection 2006'. The fire trail over Lot 35 DP 1214499 shall include a temporary 12 metre outer radius turning circle at its eastern termination or continue to provide through access to the public road network.

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

Yours Sincerely



Alan Bawden

**Team Leader - Development Assessment & Planning
Planning & Environment Services (North)**

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'.