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Director General
Department of Planning and
Infrastructure
GPO Box 39
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Your Ref: 06_0135
Our Ref: S08/0031
DA08062652115 LC

12 December 2012

Dear Sir/Madam,

RE: Exhibition of Environmental Assessment for Integrated Residential and Tourist Development, Comberton Grange, Nowra

I refer to your letter dated 23 October 2012 inviting the N.S.W. Rural Fire Service to make a submission regarding the exhibition of the Environmental Assessment for the above major project in accordance with Clause 75H of the *Environmental Planning and Assessment Act 1979*.

Having considered the information provided in support of the application as exhibited by the Department of Planning and Infrastructure, the following issues should be addressed:

The bushfire assessment report submitted as part of the application prepared by Conacher Environmental Group, dated August 2012 and referenced 2025 does not currently provide adequate information to determine whether the proposed development can comply with the requirements of *Planning for Bush Fire Protection 2006*. It is recommended that an amended bush fire report be prepared by a suitably qualified person. Currently the N.S.W. Rural Fire Service recognises BPAD qualified consultants certified by Fire Protection Association Australia.

In particular, an amended bush fire report should address the following issues:

1. Classification of Buildings

The proposal includes various types of developments which require different types of assessment under *Planning for Bush Fire Protection 2006* (PBP). PBP identifies development as either a *Residential Subdivision* (in accordance with Clause 4.1 of PBP), a *Special Fire Protection Purpose* (in accordance with Clause 4.2 of PBP), or *Infill Development* (in accordance with Clause 4.3 of PBP). Clause 100B of the

Rural Fires Act 1997 and Clause 46 of the *Rural Fires Regulation 2008* further define Residential Subdivisions and Special Fire Protection Purposes (SFPPs). In addition, Clause 4.2.6 of PBP requires most Class 9 buildings to be assessed as if they were an SFPP, and Clause 4.3.5 of PBP requires that Multiple Unit Occupancies be assessed as if they were to be subdivided.

Currently the use and class of all components/buildings within the development is not clear. In addition it appears that some components of the development have not been addressed in the bush fire report, such as the Chinese Gardens and Heritage Precinct.

In consideration of the above requirements of PBP, an amended bush fire report should include:

- (i) a list of all buildings and components proposed as part of the development; and
- (ii) the use of each component or building; and
- (iii) the class of each buildings as identified by the *Building Code of Australia*; and
- (iv) which section of PBP the building/component has been assessed under.

2. Asset Protection Zones

- (a) Currently it is not clear whether the proposed development complies with the requirements of PBP with regards to Asset Protection Zones (APZs). The proposal does not identify APZs for all components of the development. In some instances the APZs are only proposed on one elevation of a building. It appears that the assessment has been based on adjoining land being managed. However, there is no detailed information about how the vegetation management will occur initially and in perpetuity. To ensure compliance with PBP – Asset Protection Zones, the amended Bush Fire Report should provide the following information:
 - (i) Proposed APZs for all elevations of all components of the proposed development. Where APZs are not proposed, adequate justification should be provided.
 - (ii) Details of proposed vegetation management on community land, including whether this will be managed through a Plan of Management for the site or through some other means. It should be noted that for land to be considered part of an Asset Protection Zone, it should meet the requirements of PBP and the RFS *Standards for Asset Protection Zones*. Alternatively, Appendix 2 of PBP identifies areas that can be included in an APZ such as golf courses and sporting fields.
- (b) Many of the proposed APZs for the residential subdivisions are located outside the lot boundaries. 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. Please provide further information demonstrating how the proposal complies with APZ requirements of PBP. Where APZs are proposed

outside of individual lot boundaries, information should be submitted demonstrating how this land will be managed in perpetuity.

3. Access

- (a) Currently it is not clear whether the proposal can meet the requirements of PBP with regards to access. It appears that all roads will be accessible to the public and therefore should meet the requirements of *Clause 4.1.3 – Access (1) – Public Roads*. An amended bush fire report should clearly outline whether the proposed roadways can meet the acceptable solutions for public road access.
- (b) 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. Please submit further information demonstrating access and egress compliance for all components of the proposed development.
- (c) Clause 4.1.3 of PBP recommends providing a perimeter road to provide for a separation between buildings and hazards. In addition a perimeter road can accommodate vehicles for hazard reduction activities and property protection in the case of a fire. Currently it appears that most of the development will not include a perimeter road. In lieu of a perimeter road, it is recommended that a perimeter private trail be provided for the residential subdivisions which can accommodate fire trucks in the case of an emergency. Please provide additional information demonstrating how the proposal can achieve access to public areas in lieu of a perimeter road system.

4. Services – Water, Electricity and Gas

Currently the proposed water, electricity and gas services for the development are not clear. The submitted bush fire report has not identified whether the proposal can comply with the requirements of PBP with regards to services. An amended report should clearly identify whether the proposal can meet the requirements of *Clause 4.1.3 – Services – Water, electricity and gas* of PBP. In particular, the report should identify whether the proposed development will be entirely supported by a reticulated water system and whether the fire hydrant system can comply with AS2419.1-2005 with regards to spacing, sizing and pressures. In addition any static water supplies that may be used in the case of a fire should be identified.

5. Emergency and Evacuation Planning

The submitted bush fire report recommends creating an Evacuation Plan for the site. However it is not clear as to whether the proposed development will comply with *Clause 4.2.7 – Emergency Evacuation and Planning* of PBP. In particular it has not been identified as to whether the proposed evacuation plan will apply to the entire site or to individual components of the development. In

order to demonstrate compliance with PBP, it is recommended that the amended bush fire report address all components of the development with regards to emergency and evacuation planning. In particular, proposed emergency and evacuation techniques should be outlined for the SFPP components of the development.

6. Construction

The bush fire report recommends a minimum construction level of 12.5 for all residential buildings within the development. It is not clear whether construction levels are proposed for other buildings within the development. Please provide additional information that shows consideration of construction of all buildings in the development with regards to AS3959-2009. Where construction levels are not proposed, justification should be provided. It should be noted that separation distances used to determine construction levels should be consistent with proposed APZs for each building.

For any queries regarding this correspondence please contact Lauren Cole 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*'.