



Mariner Financial Ltd

**Proposed Redevelopment of the
Blue Dolphin Resort at Lots 1 and
2 DP 706628, Yamba Road, Yamba**

Bushfire Hazard Assessment Revised
Based on Concept Plan

October 2006



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1. Introduction

1.1 Purpose

GHD was engaged in 2005 by Mariner Financial Ltd to prepare a bushfire hazard assessment for the proposed future redevelopment of the Blue Dolphin Resort at Lots 1 and 2 DP 706628, Yamba Road, Yamba.

A bushfire assessment was required as the site is regarded as bushfire prone land and any proposed redevelopment would therefore be integrated development requiring a Bush Fire Safety Authority for the purposes of Section 100B of the Rural Fires Act, 1997.

A bushfire hazard assessment was prepared in accordance with, and addresses the issues identified, in the document 'Planning for Bushfire Protection' (PBP) and was provided to Mariner Financial Ltd in September 2005.

In March 2006 GHD was engaged to provide advice on bushfire requirements for the proposed Dolphin Blue Resort, Yamba given the anticipated changes to Australian Standard 3959 and the NSW Rural Fire Service (RFS) guidelines 'Planning for Bushfire Protection' that have been under review. This report is the result of a further review by GHD of the circumstances of the proposed development and a series of discussions with the RFS.

The report was reviewed in October 2006 to ensure bushfire related aspects for the concept plan available at that time (provided on 10th October 2006 by Jones Lang LaSalle) were considered. This allowed access, egress and water supplies to be more specifically identified.

1.2 Site Description

The subject site is legally referred to as Lots 1 and 2 DP 706628, within the Clarence Valley Local Government Area.

The site is located to the west of the Yamba Post Office along Yamba Road and has been developed as a tourist resort comprising manufactured homes and cabins, powered sites for caravans and camping areas for holiday accommodation. The caravan park is currently trading as the Blue Dolphin Resort. Figure 1 illustrates the regional location of the site.

The subject site extends from Clarence Estuary Nature Reserve in the north-west to the Moby Dick Motel in the south east. It is bound by the Clarence River on the north-east and Yamba Road in the south west. The site has an area of approximately 5.7 hectares and has direct frontage to Yamba Road and the Clarence River. An open natural drain containing water separates the subject site from the Clarence Estuary Nature Reserve.



The site is generally flat. The subject site contains no significant environmental features. However, the Clarence Estuary Nature Reserve lie between the Clarence River and directly adjacent to the site and are considered significant environmental features. The Clarence River Estuary Nature Reserve is approximately 120 hectares in area.

Services available at the site include reticulated water and sewerage, telephone, waste collection and electricity.

1.3 Proposed Development

The proposal, the subject of this report, involves the future redevelopment of the Blue Dolphin Holiday Resort, a combined accommodation resort on the banks of the Clarence River, into the Dolphin Blue Resort. The concept plan made available by Jones Lang LaSalle on October 10th 2006 is shown in Figure 2. This contains a combination of residential and tourist development.

1.4 Bushfire Prone Land

The site has been identified by Clarence Valley Council (CVC) to be bushfire prone land. Section 91 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and Section 100B of the *Rural Fires Act 1997* indicates the proposed development would require approval by the NSW Rural Fire Service.

However, because this development will be considered under Part 3A of the EP& A Act 1979 as amended the NSW Rural Fire Service is not a consent authority. Consequently the NSW Rural Fire Service will provide advice and recommendations to include in the development approval. The NSW RFS will provide advice at both the concept stage and the project stage.

This bushfire hazard assessment has been prepared to accompany the development application and addresses the issues identified in the document '*Planning for Bushfire Protection*' (PBP) prepared by Planning NSW (2001).



SOURCE: CMA MAPS YAMBA 9539-2-S



2. Methods

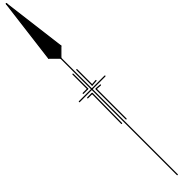
2.1 Field Investigation

Two site inspections assessed slope and vegetation types in accordance with the PBP. Vegetation type was assessed based on the vegetation structure, canopy height, canopy percentage cover, understorey height and understorey percentage cover. The vegetation type was assigned a classification using the PBP descriptions. Photographs were taken at representative sites.

Aspect North, Surveyors, have also taken some spot heights of the topography within the Clarence Estuary Nature Reserve.

2.2 Analysis

Field data was assessed in accordance with the PBP to determine the bushfire hazard and Asset Protection Zones (APZ) necessary to meet PBP requirements.



CLIENTS | PEOPLE | PERFORMANCE

MARINER FINANCIAL
PROPOSED REDEVELOPMENT
BLUE DOLPHIN RESORT

SITE LOCATION

scale | 1:20 for A4 date | OCTOBER 2006

job no. | 22-12732
rev no. | A

Figure 02



3. Field Survey Results

3.1 Vegetation

The subject site is predominantly open, mown and maintained grassland as it has been developed as a tourist resort. The vegetation that does exist within the resort is mainly scattered trees and shrubs that have been planted by the owners for landscaping and aesthetic purposes.

The adjacent vegetation of the Clarence Estuary Nature Reserve is predominantly of *Melaleuca* and *Casuarina* species. This vegetation was assessed by a qualified environmental scientist and is classed as Vegetation Group 2 under PBP.

The remaining boundaries of the site are free from vegetation.

3.2 Slopes

The slope of the subject site and surrounding land is 0-5°.

This is supported by the survey conducted by Aspect North, which indicates little or no change in elevation across the site and 70m into the Clarence Estuary Nature Reserve.



4. Consultation

4.1 NSW Rural Fire Service

The review has confirmed a requirement for an APZ of 40m. GHD was advised that an APZ of 40m potentially compromises the development in its current concept where the APZ is 30m.

To investigate the potential for consideration of the APZ for Dolphin Blue, the circumstances of the proposed development were discussed informally with the NSW Rural Fire Service on a number of occasions including a meeting on Wednesday 31st of May. The points made by GHD about the proposed development included:

- » The proposed development is on Lot 1 & Lot 2, DP706628;
- » The site is bounded by the Clarence River, a motel, the Yamba Road and the Clarence Estuary Nature Reserve;
- » The site at present is a caravan park with cabins within 2-4 metres of the boundary with the Clarence Estuary Nature Reserve, powered sites and camping areas;
- » The development proposal is for a mix of permanent residential dwellings and tourist accommodation;
- » The development proposal includes construction of a road along the edge bordering the Nature Reserve;
- » The initial Bushfire Assessment identified an Asset Protection Zone (APZ) of 30 metres. Local government consider the development to be 'residential';
- » The development is consistent with being "tourism accommodation" under 100B of the Rural Fires Act and hence "special fire protection development" requiring an APZ of 40m.
- » The recommended construction standard is Level 3 AS 3959
- » The Clarence Estuary Nature Reserve has had 'a couple of fires' in living memory, being individual trees burned in the nature of vandalism
- » The site is virtually flat with slight to no slope
- » There is an open natural drain, about 2 metres wide along the boundary between the Clarence Estuary Nature Reserve and Lot 1.

The Rural Fire Service confirmed that if the buildings closest to the hazard are residential and meet the APZ requirements for residential buildings (30m) the 'tourism' buildings could be on the same site as long as they meet the APZ requirements that apply to them (40m). In other words if the two types of building were treated independently, as though they were the only type of building on the land, and provided the APZ for each was implemented as required by Planning for Bushfire Protection (PBP) and other requirements are also met (access, water supply, building standards), this would be acceptable to the RFS.



In a meeting with Mariner Property Partnerships and Rider Hunt Terotech it was identified that:

- ▶ The Rural Fire Service will require a 40m APZ for a 'tourism' development as it is 'special protection' specified in Section 100B of the Rural Fires Act;
- ▶ The APZ of the current concept, at 30m, is suitable for residential development;
- ▶ In terms of the buildings themselves it was indicated that there was very little difference between the strata title units and the units of the tourism development in terms of floor plan or construction;
- ▶ If the buildings more than 30m but within 40m of the Clarence Estuary Nature Reserve were all non-residential use, or residential but not tourism, the concept would meet the requirements identified by application of the PBP guidelines – an APZ of 30m;
- ▶ Planning for Bushfire Protection and the Building Code of Australia (BCA) are being reviewed. The revised PBP was released for comment in October 2006 and is Scheduled to be finalised before the end of 2006.
- ▶ Indications are that the revised PBP will be more, but not totally, performance based. This suggests the possibility of negotiated APZ based on performance when the revised PBP is finalised.

The stage of the development closest to the Clarence Estuary Nature Reserve is not scheduled for approximately 18 months. This timing is likely to allow further consideration of the APZ in the context of the revisions to PBP and the BCA.

A meeting with the NSW Rural Fire Service is suggested to discuss the potential for review of the APZ in the context of the measures proposed and the context of the site with respect to the overall bushfire risk of the site.