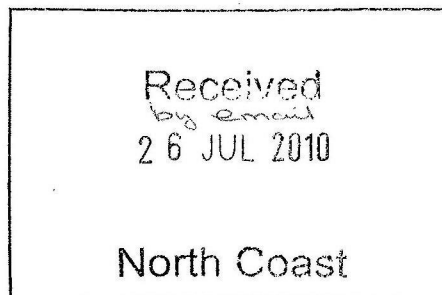




BSC File No: PLN560025/#988253
Contact: Matt Walker

26 July 2010

Mr Jim Clark
Department of Planning
Locked Bag 9022
Grafton NSW 2460



Dear Jim,

Planning Proposal to Rezone Land at Lot 193 DP 755695 Cemetery Road, Byron Bay

Council at its meeting of 8 October 2009 resolved (09-814) that various sites being considered in the draft Shire-wide Local Environmental Plan be progressed under the new gateway process. Council conceded that the draft Byron Shire-wide LEP, which Council has not yet received a Section 65 certificate for, will still be a number of years to gazettal, yet some local issues are pressing and need more urgent amendment. In particular, this parcel of land on Cemetery Road was identified for potential rezoning. The Council resolution was as follows:

09-814 (relevant extract only)

4. That Council confirm that sites 1a to 1h (as below) and identified in the report be progressed under the new LEP Gateway process.
 - 1a - Byron Hospital
 - 1b - Bangalow
 - 1c - dwelling entitlements - 17 properties
 - 1d - Cemetery Road**
 - 1e - Ocean Shores
 - 1f - Jonson St commercial
 - 1g - Sandhills
 - 1h - Ewingsdale Road - sporting fields

This letter and the attached planning proposal relate to site 1d - Cemetery Road of the above resolution. In Accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*, Council submits the enclosed planning proposal.

Rezoning of this land is supported by the *Byron Shire Local Environmental Study, 2008 (relevant extracts included within the report)* which confirmed the potential for rezoning part of the land to 2(a) Residential with the remainder zoned 7(a) Wetlands. As a result of their consideration for rezoning in these studies and the *draft Shire-wide LEP*, extensive investigations and reports have been conducted.

It is intended that the planning proposal be progressed as an amendment to the *Byron Local Environmental Plan 1988*. Should you have any enquiries please contact Matt Walker on 02 6626 7169.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'R. E. Darney'.

Ray Darney
Executive Manager Environment and Planning
Enc: Gateway Planning Proposal - Rezone specific land on Cemetery Road, Byron Bay #976376

MALCOLM SCOTT B.A. & D.U.R.P. (UNE) M.P.I.A. C.P.P.
CONSULTANT TOWN PLANNER

8 Beardow St Lismore 2480 NSW (ABN 37 057 633 138)
Ph/Fax 0266 246 051 Mobile Ph 0427 202170 Email mscott@spot.com.au

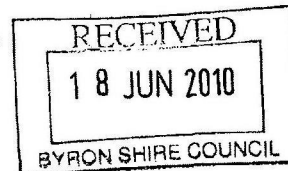
General Manager
Byron Shire Council
PO Box 219
Mullumbimby NSW 2482

16 June 2010

Att Sharon French
Manager Community Planning and Natural Resources

Dear Ms French

Re Proposed Land Rezoning 'Gateway Process'
Lot 193 DP 755695 Cemetery Rd Byron Bay NSW



I am the Consultant Town Planner on behalf of the Applicants and Landowner's, Mr M & Mrs C Lloyd, in regards the above.

The purpose of this letter is to request that Council commence the rezoning of Mr & Mrs Lloyd's land using the 'gateway process'.

Please find enclosed 3 copies (2 bound + 1 unbound) of the Planning Proposal prepared in accordance with the Department of Planning guidelines 'A Guide to Preparing Planning Proposals' and 'A Guide to Preparing Local Environmental Plans' and Council's Local Environmental Study 2007.

I have also enclosed a CD containing copy of the Planning Proposal.

Mr & Mrs Lloyd under separate cover will by making payment of Council's fees.

Should Council have any queries please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to be "M. Scott", written over the "Yours faithfully" text.

Malcolm Scott M.P.I.A. C.P.P.

Enc

Cc Mr & Mrs Lloyd

MALCOLM SCOTT B.A. & D.U.R.P. (UNE) M.P.I.A. C.P.P.
CONSULTANT TOWN PLANNER

8 Beardow St Lismore 2480 NSW (ABN 37 057 633 138)
Ph/Fax 0266 246 051 Mobile Ph 0427 202170 Email mscott@spot.com.au

General Manager
Byron Shire Council
PO Box 219
Mullumbimby NSW 2482

16 June 2010

Dear Sir

Re Preparation of Planning Proposal
Lot 193 DP 755695, Cemetery Rd Byron Bay NSW

Declaration Section 147(4) & (5) of the Environmental Planning and Assessment Act 1979

I act on behalf of the Landowners, Mrs Caroline & Mr Max Lloyd, PO Box 1987 Byron Bay NSW in regards to the above matter and provide the following information pursuant to Section 147(4) & (5) of the Environmental Planning and Assessment Act 1979.

Name of person making disclosure statement

Malcolm Roy Scott
8 Beardow St
Lismore 2480 NSW
Ph: 02 6624 6051
Fax: 02 6624 6051
Email: mscott@spot.com.au

Planning Application Reference

Preparation of the Planning Proposal for Lot 193 DP 755695, Cemetery Rd, Byron Bay NSW.

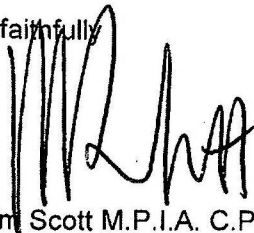
Persons Interest in the Application

Malcolm Roy Scott for the purposes of the Application is the consultant Town Planner on behalf of the Landowners.

Reportable Political Donations or Gifts made by Person

Malcolm Roy Scott has made no reportable political gifts or donations over the period 23 September 2006 to 16 June 2010 to any Councillor or Council employee of Byron Shire Council.

Yours faithfully



Malcolm Scott M.P.I.A. C.P.P.
Cc Mrs & Mr Lloyd

'GATEWAY' PLANNING PROPOSAL

Land

Lot 193 DP 755695

Cemetery Road

Byron Bay NSW

Proposal

Rezone the land for 'environmental living' (residential) and 'environmental conservation' purposes

Prepared by

Malcolm Scott MPIA CPP

Consultant Town Planner

8 Beardow St

Lismore 2480 NSW

14 June 2010

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1 Introduction

This Planning Proposal has been prepared for land known as Lot 193 DP 755695, Cemetery Road, Byron Bay, NSW. The Planning Proposal is to rezone the land for 'environmental living' (residential) and 'environmental conservation' purposes.

Byron Shire Council resolved at its meeting of 17 December 2009 that applicants be invited to proceed with applicant initiated rezoning proposals, if they wished to proceed under the gateway process, by employing a private planning consultant.

Council has advised the Landowners that they can proceed with the rezoning of their land under the 'gateway process' and that the planning proposal be prepared in accordance with the Department of Planning guidelines 'A Guide to Preparing Planning Proposals' and 'A Guide to Preparing Local Environmental Plans' and Council's Local Environmental Study 2007.

The land has been identified in the Byron Local Environmental Study 2007 (LES 2007) and draft Local Environmental Plan 2008 (dLEP 2008) as suitable for 'environmental living' (residential) and 'environmental conservation' purposes.

The land has an area of approximately 6.9ha, approximately 0.5ha is suitable for 'environmental living' (residential) purposes.

Map No. 1 shows the location of the land. Map No. 2 shows the land and the approximate boundaries of that part proposed to be rezoned for 'environmental living' (residential) purposes.



Map No. 1 Location of the land
Source base map Google Maps

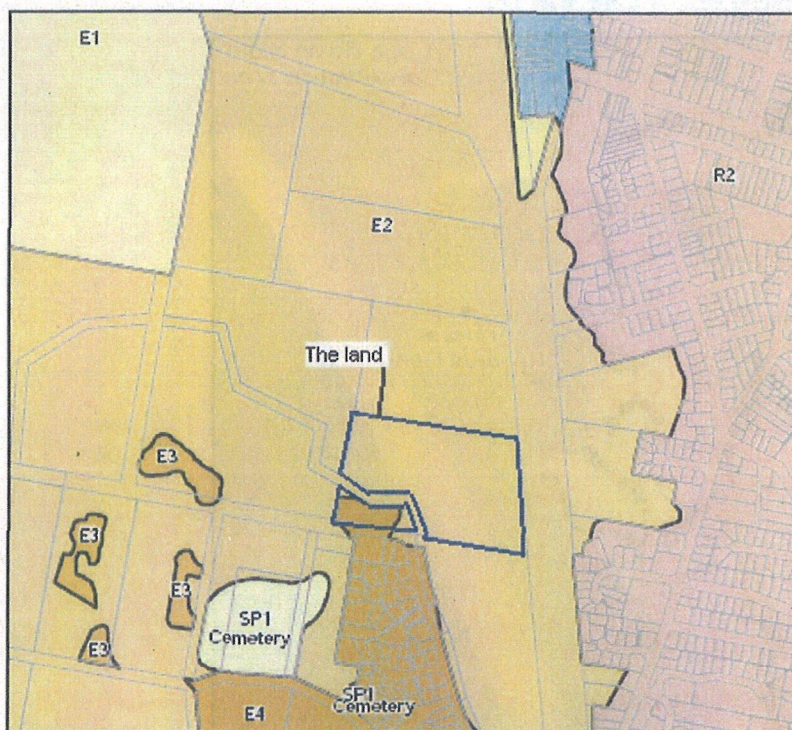


Map No. 2 The land

Source base image Google Earth

Map No. 3 is a part of the dLEP 2008 Zone Map (LZN-014) showing the proposed zoning of the land as:

- 'E2 - environmental conservation' and
- 'E4 - environmental living'.



Map No. 3 Proposed zoning of the land (dLEP 2008)

Source Byron Shire Council - dLEP 2008 Map LZN-014

2 Proposal objectives and outcomes

2.1 Objectives

The objectives are:

1. to rezone that part of the land currently zoned 1(d)(Investigation) to 2(a)(Residential) to enable its future use for low scale 'environmental living' (residential) purposes and
2. to retain the 7(a)(Wetlands) zone on the other part of the land for continued 'environmental conservation' purposes.

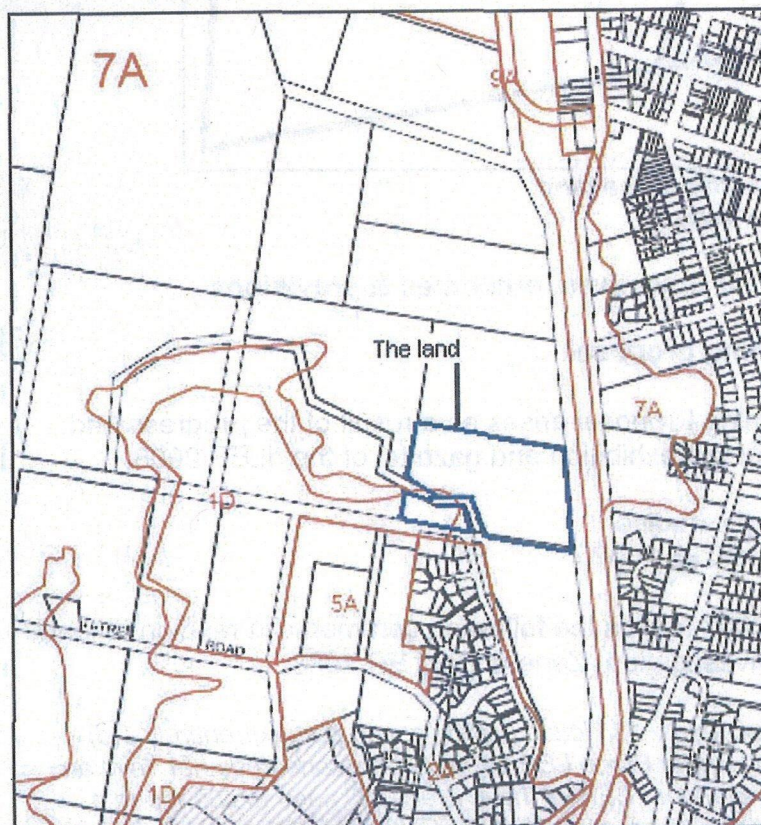
2.2 Outcomes

The outcomes will be the use of the suitable area of the land for low scale 'environmental living' (residential) purposes and the on-going protection of ecologically sensitive and important land for 'environmental conservation' purposes.

3 Explanation of provisions in local plan

The land is currently zoned 1(d)(Investigation) and 7(a)(Wetlands) under the Byron Local Environmental Plan 1988 (LEP 1988).

Map No. 4 is a section of the LEP 1988 map showing the current zoning of the land.

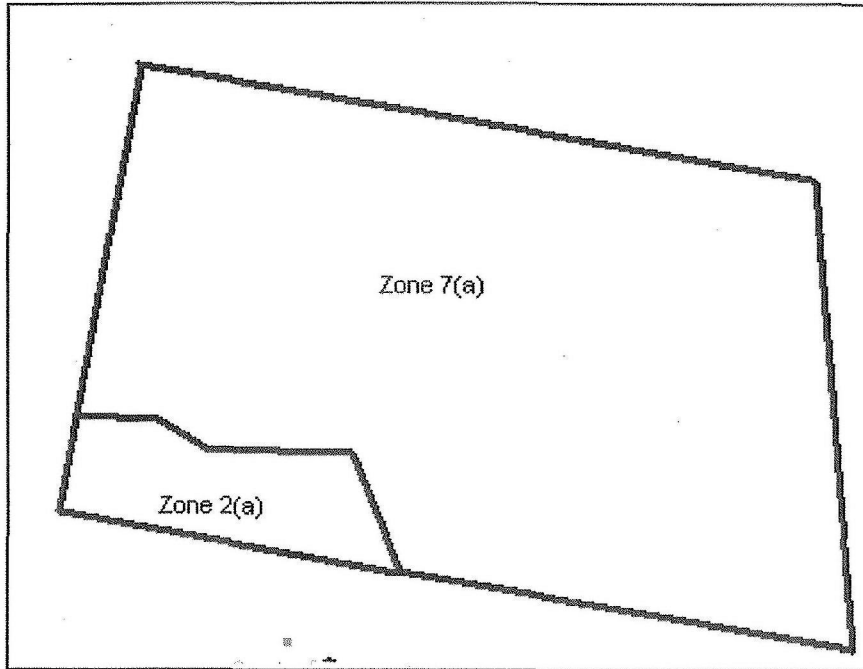


Map No. 4 Existing zoning of the land (LEP 1988)
Source Byron Shire Council LEP Map 0814

The Planning Proposal seeks the rezoning of the land under the LEP 1988 equivalent to what is proposed under the dLEP 2008.

The rezoning seeks to amend the LEP 1988 Zoning Map in accordance with the zoning shown on Map No. 5.

The cleared area in the land is proposed to be rezoned to 2(a)(Residential) Zone (E4 - environmental living) and remainder to the land zoned 7(a)(Wetlands) (E2 - environmental conservation).



Map No. 5 Proposed zoning of the land
Source base map Google Maps

4 Justifications for objectives, outcomes & provisions

4.1 Need for planning proposal

The need for the Planning Proposal arises as a result of the progress and unknown time frame for the exhibition and gazettal of the dLEP 2008.

4.1.1 Previous strategic studies

The land is included the LES 2007.

Section 7.6.7 of LES 2007 makes the following comments in relation to lands currently zoned 1(d)(Investigation) Zone under LEP 1988.

"There are approximately 185 lots currently zoned partly or entirely 1(d) Investigation zone under Byron LEP 1988. As this zone does not have an equivalent in the Standard LEP all these areas will need to change to a different zone. (It should be noted that the RU6 Transition zone in the standard LEP is not an investigation zone).

Many of the 1(d) areas have been specifically addressed in the settlement strategies for Mullumbimby, Bangalow, Brunswick Heads, and Byron Bay/Suffolk Park. For these lands the recommendations of the settlement strategies have been followed as per Council's resolution that they be considered as an input into the preparation of the new Shire wide LEP. Each lot was specifically evaluated and its constraints examined according to the best available information on Council's geographic information system. An assessment was made of the existing prevailing zones in the locality and the proposed prevailing zones in the locality. An assessment was made of the land use in the area. Whether the land had been acquired by the NPWS for inclusion in a National Park or Nature Reserve was also considered.

Recommendation

The findings of each assessment and the zone/s recommended for the new Shire wide LEP are documented in Table 1 in Appendix M."

Table 1 in Appendix M of LES 2007 makes the following comments in regards to the land.

"Lot 193 (7ha) has a single dwelling with a small cleared curtilage. It lies immediately to the north of the residential land at Lilly Pilly. This lot is part of Investigation Site 7 in the Byron Bay and Suffolk Park Settlement Strategy which is not recommended for significant urban development. The cleared area should be zoned E4 (consistent with Lilly Pilly) and the remainder E2 consistent with its HCV vegetation, SEPP 14 and floodprone status. (Submission #501230 & #585908)"

4.1.2 Achieving objectives, outcomes & alternatives

The objectives and intended outcomes of the Planning Proposal are best achieved by amending the LEP 1988 Zoning Map so that the future use and conservation of the land can be resolved now and in a manner proposed in the LES 2007 and dLEP 2008.

4.1.3 Community benefits

Additional 2(a) zoned land will be available for housing and other appropriate land uses permissible in the 2(a) with the Development Consent of Council.

4.2 Relationship to strategic planning framework

4.2.1 Regional strategy

The Far North Coast Regional Strategy 2006 - 31 (Strategy 2006 - 31) is the regional strategy applicable to the land. The Strategy consolidates and builds on the previous regional strategy and Byron Shire Council's Byron Bay and Suffolk Park Settlement Strategy 2002 (Settlement Strategy 2002).

The land area proposed to be rezoned 2(a) is too small to be specifically identified as 'Proposed Future Urban Release' land on the Housing Map of the Strategy 2006 - 31.

The rezoning of the land is not inconsistent with the Strategy 2006 - 31.

4.2.2 Local strategic plans

Settlement Strategy 2002 is the local strategy applicable to the land.

Settlement Strategy 2002 identifies the land as 1(d) Investigation Zone, Site 7 and states the following in relation to the land.

"Investigation Site 7

17.7 hectares of land adjacent to the cemetery. Constraints to residential development include poor drainage, fire risk, and flora and fauna values. Less than 5ha is unconstrained. Access is through an established residential area which does not include tourist accommodation.

Outcome 33: Environmental protection zoning; zone unconstrained land in accordance with environmental and agricultural attributes."

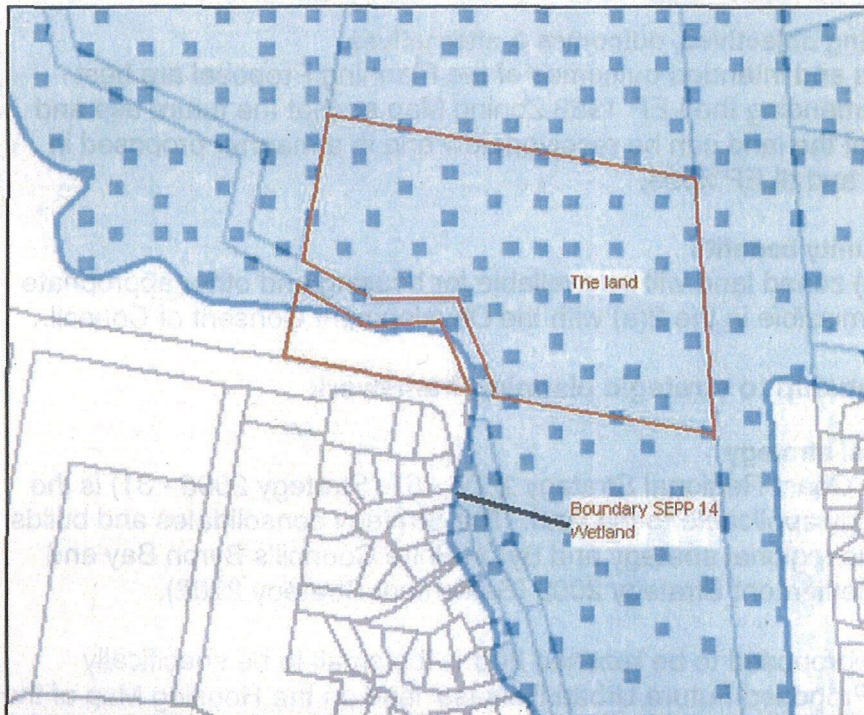
LES 2007 and dLEP 2008 further considered the appropriate uses of the land and the proposed rezoning is consistent with that study and draft plan.

4.2.3 State environmental planning policies

A number of State Environmental Planning Policies (SEPPs) apply to the land. The following identifies each of the key Policies and makes brief comment in regards to each.

SEPP 14 Coastal Wetlands

The land immediately adjoins SEPP Wetland No. 80 and the Cambedin Swamp to the north. Map No. 6 shows the location of the SEPP wetland.



Map No. 6 SEPP 14 Wetland

Source Bay, Suffolk Park and Ewingsdale Local Environmental Study 2004 Map 10

Potentially, polluted stormwater from development on the land proposed to be zoned 2(a) may impact on the wetland. Low density development and

contemporary engineer design stormwater management systems minimise potential for impact. Designed stormwater management systems will need to be approved at the time development is proposed on the 2(a) rezoned land.

SEPP 26 Littoral Rainforests

There are no identified SEPP 26 littoral rainforests on or near the land.

SEPP 44 Koala Habitat Protection

The land is subject to the provisions of the Policy as the land is greater than 1ha in area. The land area proposed to be rezoned 2(a) does not contain any Koala food trees.

SEPP 55 Remediation of Land

The land has been used for rural small holding residential purposes since it was partially cleared. A preliminary land contamination assessment will need to be undertaken and approved at the time development is proposed on the 2(a) rezoned land.

4.2.4 Ministerial directions

A number of Ministerial Directions made under Section 117 of the Environmental Planning and Assessment Act 1979 apply to the land. The following identifies each of the key Directions which are relevant to the land and Planning Proposal and makes brief comment in regards to each.

Direction 1.2 - Rural Zones

The land to be rezoned 2(a) is too small and not of an agricultural class to be considered farmland of State and Regional Significance or significant non-contiguous farmland or prime crop and pasture land. The justification for the inconsistency with the Direction that land currently zoned rural not be rezoned 2(a) are that; the area of land is small, not prime crop and pasture land and of minor significance.

Direction 1.5 - Rural Lands

The land to be rezoned 2(a) is too small and not of an agricultural class to be considered farmland of State and Regional Significance or significant non-contiguous farmland or prime crop and pasture land. The justification for the inconsistency with the Direction that land currently zoned rural is zoned for investigation purposes and that; the area of land is small, not prime crop and pasture land and of minor significance.

Direction 2.1 - Environment Protection Zones

The proposed zoning of the land facilitates the protection of high conservation swamp sclerophyll vegetation on the land utilising the existing zone and special provisions of the LEP 1988. The proposed zoning of the land does not seek to change the LEP 1988 other than the Zone Map. A small (<900m²) cleared area of the land is proposed to be zoned from 7(a)(Wetland) to 2(a)(Residential) by aligning the proposed zone boundary with the boundary of the SEPP 14 wetland area (refer to Map 6). The justification for the inconsistency with the Direction that land currently zoned for environmental protection not be re-zoned 2(a) are that; the area of land is small and of minor significance as the majority of it is cleared.

Direction 2.2 - Coastal Protection

The land is approximately 1.4km from the coast and landward of the 1km coastal zone. The Direction does not apply.

Direction 3.1 - Residential Zones

The proposed zoning of the land facilitates the provision of the land utilising the existing zones and special provisions of the LEP 1988. Residential development of the land should not be permitted until land is adequately serviced, which can be undertaken at the time of subdivision. LEP 1988 contains provisions restriction development of land unless it is properly serviced with water, sewer and storm water drainage. The Planning Proposal is consistent with the Direction.

Direction 4.1 - Acid sulfate Soils

The land has been identified as having potential acid sulfate soils (Class 2). Management of development on potential acid sulfate soils is subject to existing special provisions of the LEP 1988. No acid sulfate soil investigations have been undertaken, therefore the Planning Proposal is inconsistent with the Direction. The justification for the inconsistency with the Direction that acid sulfate soil investigations be undertaken is that the land proposed to be zoned 2(a) is small in area and the existing special provisions of the LEP 1988 require acid sulfate soils investigations.

Direction 4.3 - Flood Prone Land

The land has been identified as flood prone. The land is not in a floodway. Management of development on flood prone land is subject to existing special provisions of the LEP 1988. No flood studies have been undertaken, therefore the Planning Proposal is inconsistent with the Direction. The justification for the inconsistency with the Direction that a flood study be undertaken is that the land proposed to be zoned 2(a) is small in area and of minor significance.

Direction 4.4 - Planning for Bushfire Protection

The land has been identified as containing bushfire prone vegetation. Management of development in bushfire prone land is subject to existing provisions of Section 79BA of the Environmental Planning and Assessment Act 1979 and Section 100B of the Rural Fires act 1997. The advice of Barry Eadie Consulting Pty Ltd was sought by the Landowners in relation to the rezoning of the land and is attached as Appendix No. 1. Council is to consult with the Commissioner of the NSW Rural Fire Service as part of the assessment of the Planning Proposal.

Direction 5.1 - Implementation of Regional Strategies

The land area proposed to be rezoned 2(a) is too small to be specifically identified as 'Proposed Future Urban Release' land on the Housing Map of the Strategy 2006 - 31. The rezoning of the land is not inconsistent with the Strategy 2006 - 31. The Planning Proposal is consistent with the Direction.

Direction 5.3 - Farmland or State and Regional Significance on the NSW Far North Coast

The land to be rezoned 2(a) is too small and not of an agricultural class to be considered farmland of State and Regional Significance or significant non-contiguous farmland. The Planning Proposal is consistent with the Direction.

Direction 6.1 - Approval and Referral Requirements

The proposed rezoning of the land does not seek to any additional approval and referral requirements or change the LEP 1988 other than the Zone Map. The Planning Proposal is consistent with the Direction.

Direction 6.3 - Site Specific Provisions

No detailed subdivision or other site specific developments are provided in the Planning Proposal. The Planning Proposal is consistent with the Direction.

4.3 Environmental social and economic impact

4.3.1 Critical habitat, threatened species

The LES 2007 (Fig 5) shows that the land supports 'high conservation value' vegetation. Vegetation of 'high conservation value' was identified in the Byron Conservation Strategy. The land proposed to be rezoned 2(a) is cleared land and is not known to contain critical habitat or threatened species.

No ecological studies have been undertaken. Ecological studies and assessment will need to be undertaken and assessed at the time subdivision or other development is proposed on the 2(a) rezoned land.

4.3.2 Environmental effects and management

There is no environmental effect of the continued zoning of that part of the land presently zoned 7(a) wetland Zone (E2 - environmental conservation).

The key possible environmental effects of the use of part of the land for low scale residential purposes are as follows.

Acid sulfate soils

Acid sulfate soil investigations will have to be undertaken and an Acid Sulfate Soils Management Plan approved at the time subdivision or other development is proposed on the 2(a) rezoned land.

Land contamination

A preliminary land contamination assessment will need to be undertaken and approved at the time subdivision or other development is proposed on the 2(a) rezoned land.

Flooding

A flood study will need to be undertaken and approved at the time subdivision or other development is proposed on the 2(a) rezoned land to ensure future development does not impact on flood characteristics and is not subject to flood inundation.

Traffic study

A traffic study will need to be undertaken and approved at the time subdivision or other development is proposed on the 2(a) rezoned land to ensure that the land has adequate passenger and emergency vehicular access. The small area of land limits the scale of future development and potential for increase in traffic beyond the capacity of the local network.

4.3.3 Social and economic effects

That part of the land proposed to be rezoned 2(a) will be either subdivided or developed for low scale 'environmental living' (residential) purposes.

The proposed rezoning will provide a small amount of additional land for housing which will be a social and economic benefit to the community.

4.4 State and Commonwealth interests

4.4.1 Public infrastructure

Council has recently approved a Development Application (DA No. 10.2009.563.1) for a 3 lot subdivision of land with an area of 2,950m² immediately to the south.

The land can be serviced by reticulated water and sewer services. Electricity and telecommunication services are available to the land. An engineering assessment for water, sewer and stormwater services and electricity and telecommunication services will need to be undertaken and approved at the time subdivision or other development is proposed on the 2(a) rezoned land to ensure adequate services are provided for any future residential uses.

4.4.2 State and Commonwealth consultation

This section of the Planning Proposal will be completed following consultation with State and Commonwealth agencies identified in the 'gateway exhibition and determination process'.

5 Community consultation

Community consultation was undertaken during the preparation and adoption of the Settlement Strategy 2002. The LES 2007 has been made publicly available since August 2008.

The Planning Proposal will be exhibited in accordance with the Department of Planning guidelines 'A Guide to Preparing Planning Proposals'.

6 Conclusion

This Planning Proposal has been prepared to facilitate, under the 'gateway process', the rezoning of land that has been identified in the Byron Local Environmental Study 2007 and draft Local Environmental Plan 2008 as suitable for 'environmental living' (residential) and 'environmental conservation' purposes.

The area of land that has been identified as suitable for 'environmental living' (residential) purposes is approximately 0.5ha.

The area of land is small and potential for adverse environmental impact as a consequence of its use for 'environmental living' (residential) purposes negligible.

Prior to subdivision of the land for residential or other permissible purposes further detailed and project or development specific environmental, engineering, planning and ecological assessments are required to be undertaken to describe the use and to demonstrate and mitigate its potential environmental impacts.

It is recommended that the land be rezoned in the manner shown on Map No. 5.

References

1. Byron Shire Council. Byron Local Environmental Plan 1988, as amended.
2. Byron Shire Council. Byron Bay and Suffolk Park Settlement Strategy 2002.
3. Byron Shire Council. Byron Bay, Suffolk Park and Ewingsdale Local Environmental Study 2004.
4. Parsons Brinkerhoff & Byron Shire Council. Byron Local Environmental Study 2007.
5. Byron Shire Council. Draft Byron Local Environmental Plan 2008.
6. NSW Dept of Planning. Far North Coast Regional Strategy 2006 - 31 (Strategy 2006 - 31).
7. Department of Planning. 'A Guide to Preparing Planning Proposals' & 'A Guide to Preparing Local Environmental Plans'

Usage note

This Planning Proposal was prepared for the purpose and exclusive use of Mr M Lloyd and Ms C Flatt and is not to be used for any other purpose or by any other person or corporation. Malcolm Scott, Consultant Town Planner, accepts no responsibility for any loss or damage suffered, however so arising, to any person or corporation who may use or rely on this Planning Proposal for a purpose other than that described above.

The source of the maps, development plans and exhibits shown in this Planning Proposal are shown on the maps, development plans and exhibits. They are suitable only for the purposes of this Planning Proposal. No reliance should be placed this information for any purpose other than for the purposes of this Planning Proposal. No extract of this Planning Proposal may be reproduced, stored or transmitted in any form without the prior consent of Malcolm Scott, Consultant Town Planner.

End

14 June 2010

APPENDIX No. 1

Bushfire letter report Barry Eadie Consulting Pty Ltd

Barry Eadie Consulting Pty Ltd

50 Central Avenue Como West NSW 2226 • Ph: 02) 9528 7904 • Fax: 02) 9575 7756 • Mobile: 0432 739 443
email: barryeadie@optusnet.com.au • ABN: 61 111 815 215



25 April 2008

Caroline Lloyd

Re: Lilli Pilli Drive
Byron Bay, NSW

Dear Caroline,

The subject site is located on the Northern side of Lilli Pilli Drive, Byron Bay. To the South of the site is existing rural residential development. West of the site exists pastureland, with SEPP14 Wetlands existing to the North and East of the site.

Currently the SEPP 14 zone is unmanaged and consequently poses a bush fire threat.

The slope of the subject site is generally flat.

The requirements for bushfire Asset Protection Zones (APZ) are based upon a number of issues, namely: as the site shown as bushfire prone on Councils' Bushfire Prone Lands Map, type of vegetation, slope of vegetation and type of proposed development Residential Purposes.

Based on the vegetation types and slope of the land the required Asset Protection Zones in accordance with table A2.5 of Planning for Bushfire Protection 2006 are:

Development Aspect	Hazard/ Vegetation within 140m of Development	Effective Slope of Land	Minimum Width of Asset Protection Zone (IPA + OPA) (table A2.5 and A2.7)
North	Forested Wetlands	Flat	APZ 15m
South	Existing Road then Existing residential	Flat	N/A
East	Forested Wetlands	Flat	APZ 15m
West	Pasturelands	Flat	APZ 10m



These distances are the minimum distance measured from the vegetation line to a residential building, this distance is known as the Asset Protection Zone (APZ). For the purpose of subdivision the APZ should be on your site and can be part of any lot or lots to be managed as an APZ

The final distance for a dwelling from the vegetation will also determine the level of construction for the particular dwelling, the APZ's shown above, being the minimum attract Level 3 construction greater distances could reduce the construction requirements.

There will also be consideration for access e.g.

Where a bushfire hazard exists on or adjacent to the development site, the following access design criteria need to be applied to the development.

4.3.1 Public Roads

a) Description:

- These include the perimeter road and the internal road system of any urban subdivision as well as public roads in rural-residential subdivisions.

b) Design Criteria:

- Roads should be two-wheel drive, all weather roads;
- Roads should be two-way, that is, at least two traffic lane width (8m minimum) with shoulders on each side, allowing traffic to pass in opposite directions;
- The perimeter road should link to the internal road system at an interval of no greater than 500 metres in urban areas;
- Restrict the use of speed humps and chicanes to control traffic;
- Roads should be **through** roads. Dead end roads are not recommended, but if unavoidable, dead ends should be not more than 200m in length, incorporate a minimum 12m radius turning circle, and should be clearly sign posted as dead ends;
- The capacity of road surfaces and bridges should be sufficient to carry fully loaded firefighting vehicles (approximately 28 tonnes or 9 tonnes per axle);
- Curves should have a minimum inner radius of 6m and be minimal in number to allow for rapid access and escape;
- The minimum distance between inner and outer curves should be 6m;
- Maximum grades should not exceed 15° and preferably not more than 10° or gradient specified by road design standards, whichever is the lesser gradient;
- There must be a minimum vertical clearance to a height of 6 metres above the road at all times;
- Roads should provide sufficient width to allow firefighting vehicle crews to work with firefighting equipment about the vehicle;
- Roads should be clearly sign-posted (with easily distinguished names) and buildings should be clearly numbered. Bridges should clearly indicate load rating;



- Roads should have a minimum total reserve width of 20m where they are a perimeter road as defined in section 4.2.2© of this document; and
- Roads should not traverse through a wetland or other land potentially subject to periodic inundation.

Should you have a draft subdivision plan or concept I would be happy to look at it in relation to bushfire to assist you in progressing your plans.

If you have any questions or further information do not hesitate to contact me.

Yours truly,

Barry Eadie