



# NSW RURAL FIRE SERVICE



The Council of the Municipality of Kiama  
PO Box 75  
KIAMA NSW 2533

Your reference: PP\_2018\_KIAMA\_002\_03  
Our reference: SPI120200401000060

Friday 1 May 2020

**Attention:** James Rousell

Dear Sir,

**Strategic Planning Instrument  
LEP Amendment – Planning Proposal**

Rezoned Lot 3 DP 1018217 from RU1 Primary Production to part R2 Low Density Residential and part E2 Environmental Conservation:

- To impose minimum allotment sizes of 450m<sup>2</sup> in respect of the land zoned R2;
- To impose a maximum building height limit of 8.5m in respect of the land zoned R2;
- To impose a maximum FSR of 0.45:1 in respect of the land zoned R2; and
- To amend part of the Terrestrial Biodiversity Map to apply to the part of the land zoned E2.

I refer to your correspondence dated 31/03/2020 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The NSW RFS is not currently satisfied that the Planning Proposal is consistent with the 4.4 directions issued in accordance with Section 9.1(2) of the Environmental Planning and Assessment Act 1979. In Particular, the objectives of the direction outlined under 4.4 (5a, b & c).

A review of the information provided notes that a number of performance-based alternate solutions were relied upon to demonstrate how future development can comply with the relevant specifications and requirements of Planning for Bush Fire Protection 2019 (PBP 2019). The use of performance-based alternate solutions may impact the ability for future development to conform with the deemed-to-satisfy requirements of the BCA and, the presence of a listed EEC within the site may result in conflicting land-use objectives.

With regards to the Bush Fire Assessment Report prepared by Set Consultants Pty Ltd, the parameters used in the site assessment could not be verified, and the results cannot be supported without further justification. In particular, the assessment of the effective slopes and classified hazard surrounding the site used to determine the APZ requirements.

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Prior to the Planning Proposal progressing, the applicant should provide amended concept plans that incorporate the APZs defined in Table A1.12.2 and public access arrangements that comply with Table 5.3b of PBP 2019. Please note, a fire trail is not a substitute for a road, nor is it considered an appropriate trade-off for the provision of perimeter, non-perimeter or property road access requirements.

For any queries regarding this correspondence, please contact Anna Jones on 1300 NSW RFS.

Yours sincerely,

Bradley Bourke  
**Team Leader, Dev. Assessment & Planning**  
**Planning and Environmental Services**