

Le Mottee Group

Pty Limited ABN 38 136 535 156

* SURVEYING * CIVIL ENGINEERING * TOWN PLANNING * PROJECT MANAGEMENT *

* STRATA CERTIFICATION * ECOLOGY * BUSHFIRE ASSESSMENT *

BUSHFIRE THREAT ASSESSMENT

PROPOSED REZONING

LOT 1 DP 1014480

600 SEAHAM ROAD, NELSON PLAINS

OUR REF: 5596

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LMG Ref: 5596

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Annex A – Proposed Rezoning Plans

1. INTRODUCTION

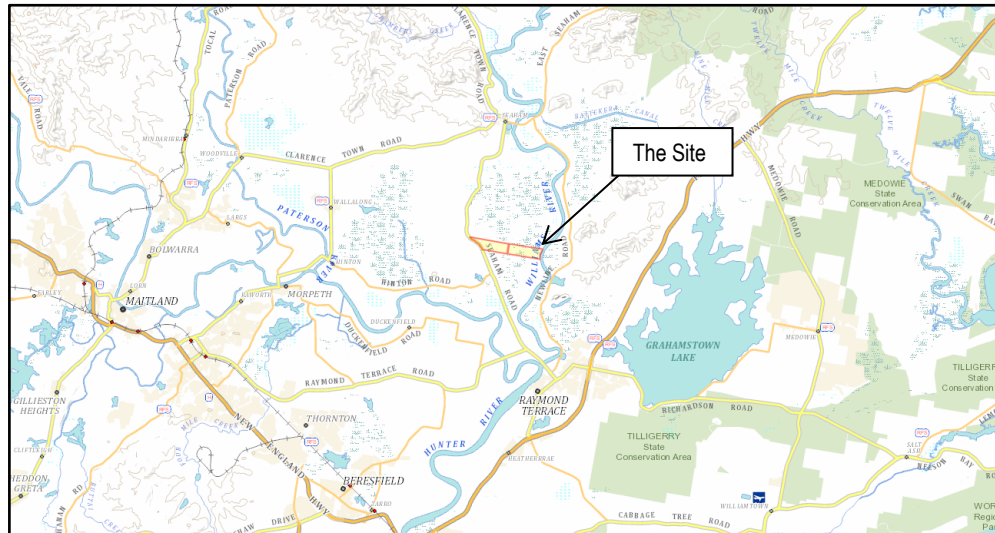
1.1 BACKGROUND

Le Mottee Group (LMG) has been commissioned by Portree Park Pty Ltd to undertake a bushfire threat assessment of Lot 1 DP 1014480 also known as 600 Seaham Road, Nelson Plains. For the purpose of this report Lot 1 shall be referred to as 'the site'.

The Bushfire Report shall accompany a Planning Proposal to rezone part of the western side of the site to permit the future subdivision of this area into Large Lot Residential lots of 4000m².

The site is located within the Port Stephens Local Government Area (LGA). Refer to *Figure 1* below.

Figure 1-Site Locality

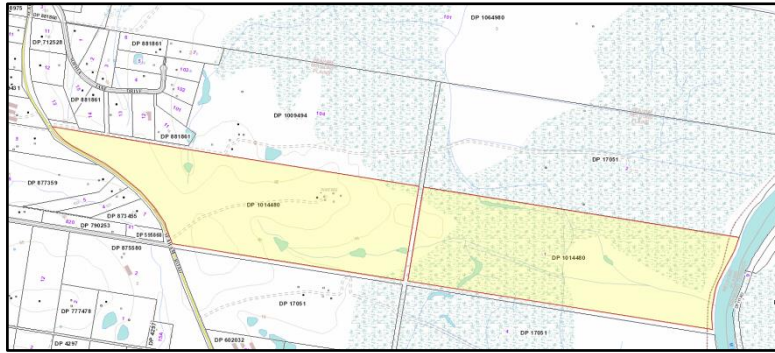


1.2 THE SITE

Lot 1 DP 1014480 covers an area of approximately 113.2 hectares and is bound by the Williams River to the east and Seaham Road to the west. Access to the site is from Seaham Road.

The site is physically separated into two parcels of land by an unformed road (refer to *Figure 2* below).

Figure 2 – Existing Site Layout



1.3 THE PROPOSED DEVELOPMENT

To facilitate the future subdivision of the subject land into 4000m² allotments, the Port Stephens Local Environment Plan Land Zoning Map must be amended from either:

- 1(a) Rural Agriculture zone to 1 c(4) Rural Small Holdings under the LEP 2000; or
- RU1 Primary Production zone to R5 Large Lot Residential zone under the Draft LEP 2013.

Amending the existing zoning enables the subject land to be subdivided into approximately 60 large lot residential allotments with a minimum lot size of 4000m². Refer to *Annex A* for a copy of the proposed rezoning plans.

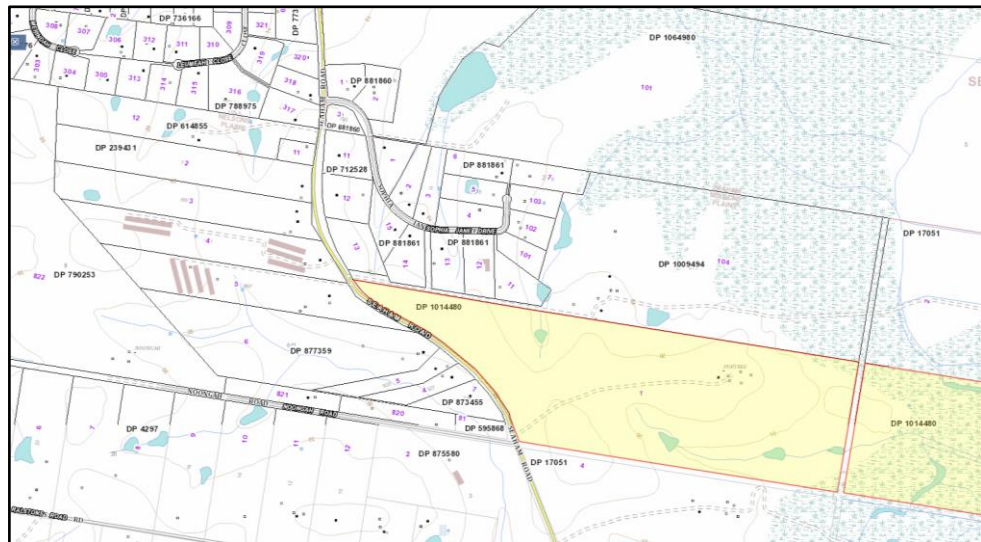
1.4 EXISTING DEVELOPMENT

Existing development on the site includes a house, pool, garage, sheds and other rural infrastructure. This existing infrastructure is located on the western side of the road reserve but is mainly appurtenant to the land on the Eastern side of the Road Reserve where the majority of agricultural activity occurs.

1.5 SURROUNDING DEVELOPMENT

The land surrounding the site includes similar rural properties and development. However, land north and north-west of the site has been subdivided into rural- residential lots as shown on *Figure 4* below.

Figure 3 – Surrounding Land



1.6 PURPOSE OF THIS REPORT

The purpose of this report is to:

- Determine whether the proposed development satisfies the objectives of the Planning for Bushfire Protection document prepared by the Rural Fire Service (RFS);
- Evaluate the potential bushfire threat presented to future development on the site; and
- Recommend mitigation measures to lessen the potential bushfire threat to human life and property.

1.7 LEGISLATIVE CONSIDERATIONS

1.7.1 ENVIRONMENTAL PROTECTION & ASSESSMENT ACT 1979 AND RURAL FIRES ACT 1997

The *Rural Fires and Environmental Assessment Legislation Amendment Act 2002* amends both the *Environmental Protection and Assessment Act 1979* (EP&A Act) and the *Rural Fires Act 1997* to provide a stronger, more streamlined system for planning for bushfire protection.

The site has been identified on Port Stephens Councils Bushfire Prone Land Map as bushfire prone land. Any subdivision on bushfire prone land will require a bushfire safety authority (BSA) under *Section 100B* of the *Rural Fires Act 1997*. The consent authority for the BSA is the NSW Rural Fire Services (RFS). Pursuant to *Section 91* of the EP&A Act, the proposal is integrated development.

1.7.2 **PLANNING FOR BUSHFIRE PROTECTION**

The *Planning for Bushfire Protection* (PBP) 2006 guidelines developed by the NSW RFS have been used in this assessment of bushfire risk. PBP applies to all DA's on land that is deemed 'bushfire prone'.

A development on bushfire prone land must satisfy the broad aims and objectives of PBP guidelines, the specific objectives for the development type and the detailed performance criteria for proposed bushfire protection measures (RFS, 2006).

The broad aims of the guideline are to:

- (i) Afford occupants of any building adequate protection from exposure to a bushfire;
- (ii) Provide for a defensible space to be located around buildings;
- (iii) Provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent direct flame contact and material ignition;
- (iv) Ensure that safe operational access/egress for emergency service personnel and residents relocating is provided and/or available;
- (v) Provide for ongoing management and maintenance of bushfire protection measures, including fuel loads in the asset protection zone (APZ);
- (vi) Ensure that utility services are adequate to meet the needs of fire-fighters (and others assisting in bushfire fighting).

The proposed development is able to satisfy the aims and objectives of Planning for Bushfire Protection.

2. **BUSHFIRE THREAT ASSESSMENT**

2.1 **METHODOLOGY**

The methodology employed to undertake the bushfire threat assessment was in accordance with *Planning for Bushfire Protection 2006, Addendum: Appendix 3 PBP (2010)* and AS 3959-2009. The assessment involved a desk top study to assess the physical attributes of the site such as vegetation structure, existing assets and surrounding land use. This study was done through the use of aerial photographs, photographs taken on site and mapping.

Chapter 4 of PBP outlines a number of acceptable solutions that must be considered when subdividing bushfire prone land. Whether the proposed subdivision complies with the acceptable solutions has been assessed throughout this report.

The “effective” slope within 100m of the site was determined in each direction and the structure of surrounding vegetation was classified over 140m.

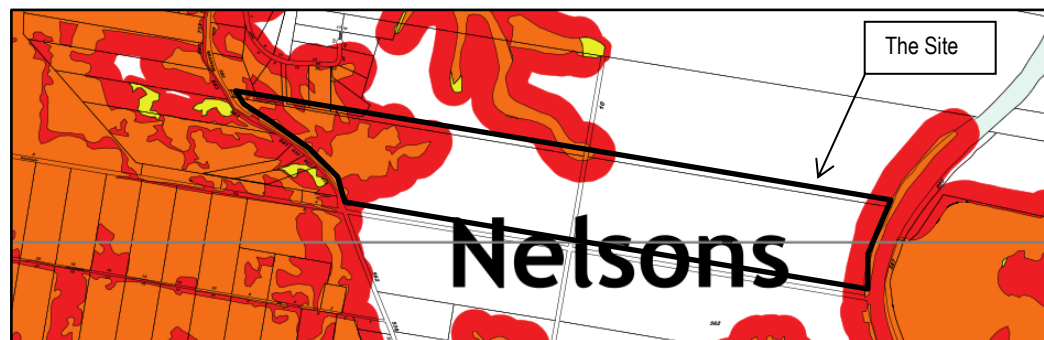
2.2 **EXISTING VEGETATION**

The majority of the site has been previously cleared for agricultural use and rural land practices. A low regularly grazed grass/herb layer is supported over the majority of the site with some scattered trees. A relatively small patch of trees supported on the north-west corner of the site are mapped as a bushfire threat. This vegetation is separated from vegetation further west by Seaham Road.

Land north and south of the site has been subject to extensive vegetation removal and the land is generally not considered a bushfire threat. This land supports a regularly grazed groundcover comprising of pasture grasses, herbs and weeds. .

Some areas north of the site that are mapped as bushfire prone land by Port Stephens Council are inaccurately mapped. These are dams or flood plain areas that are not considered a bushfire threat.

Figure 4: extract from bushfire prone land mapping from Port Stephens Council (www.portstephens.nsw.gov.au).



2.3 FIRE DANGER INDEX

Fire weather assessment assumes a credible worst case scenario and an absence of any other mitigating factors relating to aspect or prevailing winds (RFS, 2006).

The fire danger index (FDI) rating for the site is 100.

2.4 SLOPE

The land generally grades downslope east toward the Williams River.

3. BUSHFIRE PROTECTION MEASURES

3.1 ASSET PROTECTION ZONES

An asset protection zone (APZ) or buffer is required between developments in bushfire prone land and vegetation deemed a bushfire threat.

The site has been previously cleared and the existing dwelling is greater than 100m away from vegetation deemed a bushfire threat. There is ample opportunity for future to provide an APZ that complies with the minimum requirement in PBP.

Should Gateway approval be granted a concept subdivision plan shall be prepared. As such time the required APZ's shall be determined, if deemed necessary, and instruments under Section 88b shall ensure future management if necessary.

3.2 ACCESS AND EGRESS

Access to the site shall be from Seaham Road. It is expected the proposed road shall be a "loop" road with one access/egress point off Seaham Road. As the bushfire threat to the site is minimal access to the site shall comply with PBP.

3.3 SERVICES – WATER, ELECTRICITY AND GAS

The proposed rezoning shall provide adequate infrastructure provision and lots shall be at least 4000m² to allow on-site effluent disposal. Hunter Water Corporation has indicated reticulated water is available and sufficient capacity exists to supply the site. Power and telecommunications are already provided to the site.

Existing services to the site are considered adequate for the proposed subdivision and boundary adjustment.

4. CONCLUSION

The site is generally surrounded by cleared rural land that has been subject to extensive agricultural use and regular management. Although forest vegetation in the north-western corner of the site and on properties to the north, is mapped as a bushfire threat, there is ample area to ensure future development is sited well away from vegetation deemed a bushfire threat.

Should Gateway approval be granted a concept subdivision plan shall be prepared. As such time the minimum APZ's shall be determined, if necessary, and instruments under Section 88b of the Conveyancing Act shall guarantee future management requirements.

The proposed rezoning has been assessed against the requirements of PBP and is able to comply with the acceptable solutions outlined in Chapter 4 of PBP.

5. REFERENCES

Australian Standard 3959 (2009). **Construction of buildings in bushfire-prone areas.** Standards Australia.

NSW Rural Bushfire Service (2006). **Planning for Bushfire Protection.** NSW Rural Fire Service.