

All communications to be addressed to:

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The General Manager
Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

CESSNOCK CITY COUNCIL
Approved plans for
Development Consent No. 8/2017/438/2
Date of Approval: 20/11/2019
General Manager Per: LM

Your Ref: 8/2017/438/2
Our Ref: D19/1009
DA19032718015 MA

ATTENTION: Kristen Wells

5 April 2019

Dear Kristen

Integrated Development Application - 2//1201274 - 23 Phillips Lane Nulkaba 2325

I refer to your correspondence dated 26 March 2019 seeking general terms of approval for the above Integrated Development Application in accordance with Section 4.55 of the 'Environmental Planning and Assessment Act 1979'.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the 'Environmental Planning and Assessment Act 1979', and a Bush Fire Safety Authority, under Section 100B of the 'Rural Fires Act 1997', are now issued subject to the following conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the issue of subdivision certificate and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
2. At the issue of subdivision certificate a 10 metre asset protection zone (APZ) is to be provided from the northern boundary of proposed Lots 401-410 and from the western boundary of proposed lots 410-412 of the development as outlined in 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

In accordance with section 88 of the 'Conveyancing Act 1919', a suitable instrument shall be placed on these lots requiring the provision of this APZ and prohibiting the construction of residential dwellings within the APZ. This restriction can be lifted upon commencement of any future development on the adjacent lot, only if the hazard is removed as part of the development. The named authority to vary, modify or delete this instrument shall be Cessnock City Council.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

3. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

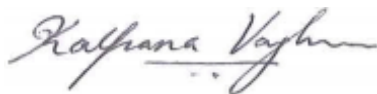
4. Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.
5. A temporary 12 metre wide turning circle shall be provided until such a time as the proposed roads to the west and south are completed to the satisfaction of Council.

General Advice – consent authority to note

This approval is for the subdivision of the land only. Any further development application for class 1,2 & 3 buildings as identified by the 'Building Code of Australia' may be subject to separate application under section 4.14 of the EP & A Act and address the requirements of 'Planning for Bush Fire Protection 2006'.

Should you wish to discuss this matter please contact Matthew Apps on 1300 NSW RFS.

Yours sincerely



Kalpana Varghese

Team Leader, Development Assessment and Planning

For general information on bush fire protection please visit www.rfs.nsw.gov.au