



RFS



Cessnock City Council
PO Box 152
CESSNOCK NSW 2325

Your reference: 55/2024/9/1
Our reference: SPI20240920000197

ATTENTION: Alex Worthing

Date: Thursday 24 October 2024

Dear Sir/Madam,

Strategic Planning Instrument
LEP Amendment – Draft Proposal
Additional Permitted Use of Residential Flat Building

I refer to your correspondence dated 17/09/2024 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 has reviewed the proposal with regard to Section 4.4 of the directions issued in accordance with Section 9.1 of the *Environmental Planning and Assessment Act 1979*.

The objectives of the direction are:

- to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- to encourage sound management of bush fire prone areas.

The direction provides that a planning proposal must:

- have regard to *Planning for Bushfire Protection 2019*,
- introduce controls that avoid placing inappropriate developments in hazardous areas, and
- ensure that bushfire hazard reduction is not prohibited within the APZ.

Based upon an assessment of the information provided, NSW RFS supports the proposal subject to a requirement that future subdivision/development of the land complies with *Planning for Bush Fire Protection (PBP) 2019*.

Future development of the proposed residential flat buildings are required to comply with the requirements of *Planning for Bush Fire Protection 2019*, specifically, Section 8.2.2, Chapter 3 and Chapter 5 including, but not limited to:

- APZs are to comply with Table A1.12.2 and residential lots should not have a direct interface with the hazard and perimeter roads should provide separation from vegetated areas posing a bush fire threat;
- Access provisions ensuring perimeter roads and non-perimeter roads are provided in accordance with Table 5.3b of PBP 2019;

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- Services to be provided in accordance with Table 5.3c of PBP 2019;
- Landscaping where provided is in accordance with Appendix 4 of PBP 2019; and
- Where drainage basins and reserves are proposed, vegetation management plans are to accompany the application providing the classification of the vegetation and details of ongoing management for those areas.

A Bush Fire Assessment Report, addressing the subdivision layout, of the extent to which the proposed development conforms with or deviates from the specifications set out in PBP 2019 is to be provided with future stages of development of the site. This shall include a classification of the vegetation on and surrounding the development (out to a distance of 140 metres from the boundaries of the property) and an assessment of the slope of the land on and surrounding the development (out to a distance of 100 metres).

For any queries regarding this correspondence, please contact Elaine Chandler on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese
**Supervisor Development Assessment & Plan
Built & Natural Environment**