



## NSW RURAL FIRE SERVICE

Newcastle City Council  
PO Box 489  
NEWCASTLE NSW 2300

Your reference: (PP-2021-2262) Ref-1932  
Our reference: SPI20230118000008

**ATTENTION:** Peter Milles

Date: Friday 10 February 2023

Dear Sir/Madam,

**Strategic Planning Instrument  
Rezoning – Planning Proposal  
Amendment to Newcastle Local Environmental Plan 2012**

I refer to your correspondence dated 18/01/2023 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 raises no specific objections to the proposed amendment to *Newcastle Local Environmental Plan (NLEP) 2012* to rezone the subject site from C4:Environmental Living to R2: Low Density Residential and C2: Environmental Conservation.

It is advised that future subdivision of the land must demonstrate compliance with Chapter 5 - Residential and Rural Residential Subdivision of *Planning for Bush Fire Protection (PBP) 2019*, with due consideration to the following parameters:

1. Preliminary assessment of the subject site and surrounds shows that steeper effective slopes exists beneath the hazard compared to the slopes assessed in the submitted Strategic Bush Fire Study prepared by MJD Environmental (dated: 16/12/2021 and referenced: 19082, version 3).

Following discrepancies are identified:

- effective slopes in 0-5° & 5-10° DS range are assessed beneath the hazard to the south west of the proposed eastern R2 zoned land compared to only upslope assessed in the bush fire report;
- effective slopes in 5-10° and 10-15° DS range are assessed beneath the hazard to the west of the proposed western R2 zoned land as compared to 5-10° assessed in the bush fire report;
- effective slopes in upslope, 0-5°, 5-10°, 10-15° and 15-20° DS range are assessed beneath the hazard to the east of the proposed western R2 zoned land within the proposed C2: Environmental Conservation land as compared to upslope and 0-5° DS assessed in the bush fire report; and
- effective slopes in upslope, 0-5° and 5-10° DS range are assessed beneath the hazard to the south of the proposed western R2 zoned land within the proposed C2: Environmental Conservation land as compared to 0-5° DS assessed in the bush fire report.

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In this regard, bushfire report(s) prepared for the future stages of the proposal should investigate and incorporate the above identified steeper effective slopes and associated Asset Protection Zones (APZs) in accordance with table A1.12.2 of *PBP 2019*. It should be noted that due to the significant variation in the effective slopes as identified, a revised subdivision layout may be required for all the proposed lots to achieve compliance with table 5.3a of *PBP 2019*.

2. The submitted Strategic Bush Fire Study identifies APZ within the proposed C2: Environmental Conservation land which may conflict with the objectives of C2 zone as per the *NLEP 2012*. As such appropriate consultation with council must be undertaken prior to considering the portion of the proposed C2 land as part of the required APZ.

3. Where any future APZs are proposed within the proposed C2 land or land outside the subject site, these must be supported by a Plan of Management or an APZ easement which meets the requirements of section 3.2.5 and/or 3.2.6 of *PBP 2019*.

4. Perimeter roads must be provided to meet the requirements of table 5.3b of *PBP 2019* where three or more residential lots are proposed. At present, not all lots have a perimeter road at the hazard interface. It is therefore recommended that the subdivision layout be amended to incorporate perimeter road at the hazard interface of the proposed residential lots.

It should be noted that the concept subdivision plan included in the Strategic Bush Fire Study, has not been subject to a detailed bush fire risk assessment by the NSW RFS as part of this referral. This will be undertaken at the development application stage.

For any queries regarding this correspondence, please contact Surbhi Chhabra on 1300 NSW RFS.

Yours sincerely,

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