



NSW RURAL FIRE SERVICE

Bega Valley Shire Council
PO Box 492
BEGA NSW 2550

Your reference: (REF-197) PP-2021-2146
Our reference: SPI20210508000058

ATTENTION: Sophie Thomson

Date: Thursday 24 June 2021

Dear Sir/Madam,

Strategic Planning Instrument
LEP Amendment – Planning Proposal
Reinstate dwelling entitlements for deemed concessional lots.
Amend Clause 4.2A , 4.2D & Insert new Clause 6.12

I refer to your correspondence dated 04/05/2021 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 New South Wales Rural Fire Service (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:

- (a) 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
- (b) to encourage sound management of bush fire prone areas.

The direction provides that a planning proposal must:

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

Based upon an assessment of the information provided, the NSW RFS is not satisfied that the proposal is consistent with the directions.

- Prior to progressing the Planning Proposal, a bush fire hazard assessment of any land expected to gain a dwelling entitlement as a result of the amended LEP clauses is required. The bush fire assessment shall demonstrate effected lots can comply with *Planning for Bush Fire Protection 2019*.
- As an alternative to undertaking the bush hazard assessment, should proposed clause 6.12 (2)(k) be amended to read, *the dwelling house will not be located on land mapped as bush fire prone*, the NSW RFS can support the progression of the Planning Proposal.

The NSW RFS is of the opinion that the proposal should not progress in its current form.

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

Yours sincerely,

Alan Bawden
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Built & Natural Environment