



The General Manager
Orange City Council
PO Box 35
ORANGE NSW 2800

Your reference: PP_2016_ORANG_002_00
Our reference: R19/40

22 August 2019

Attention: Craig Mortell

Dear Sir/Madam,

Planning Proposal - Orange LEP 2011 Amendment 13 'Rosedale Gardens'

Reference is made to Council's correspondence dated 12 July 2019 seeking comment in relation to the Planning Proposal seeking to amend Orange Local Environmental Plan 2011 to rezone the subject land from the RU1 Primary Production zone to a mixture of zones.

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 2006*,
- (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 requires additional information to support the proposal as follows:

- > The supporting document *Bushfire Assessment in Support of a Planning Proposal – Proposal to Amend the Orange Local Environmental Plan 2011 in Respect of Land at Leeds Parade, Clergate*, prepared by Bob Healy & Company, Ref: 215322_REP_003A, dated February 2016, has not fully assessed the hazard influencing the proposed subdivision. The existing/proposed vegetation in the public open spaces and riparian corridors and any grassland hazard occurring on adjacent lands shall be assessed and suitable asset protection zones nominated.
- > An amended Bushfire Assessment Report shall be provided which identifies the extent to which the proposed development conforms with or deviates from the specifications set out in *Planning for Bush*

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Fire Protection 2006 or any subsequent version. This assessment shall address all the requirements set out in clause 44 of the *Rural Fires Regulation 2013*.

If you have any queries regarding this advice, please contact Josh Calandra, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely,



Nika Fomin
Manager,
Planning and Environment Services (East)