

## **STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION)**

### **Clearing exemptions under the SEPP**

I own a 10-acre block of land zoned environmental in the Wollongong LGA, which is part of an 8-lot rural residential subdivision in the Illawarra escarpment.

When Council approved this subdivision it included essential infrastructure requirements for all lots through a Section 88B instrument.

The essential infrastructure requirements are: an access road, a perimeter fire trail, asset protection zones, a dam with minimum 100,000 litre storage capacity for firefighting purposes, and access for NSW Fire Brigade or Rural Fire Service fire management vehicles along the road, perimeter fire trail and to these dams.

The essential infrastructure incorporated into this subdivision was to ensure access to all lots, and protection from bushfire risk for the residents and their assets.

The shared access road is privately and proportionally owned by all lot owners in the subdivision. This road provides access to all lots and is connected to the perimeter fire trail forming a loop essential to the bushfire escape plan for the subdivision.

The owners of all lots within the subdivision are burdened with the ongoing maintenance requirements and associated costs of this access road as set out in the section 88B instrument.

Maintenance works are required twice yearly at a minimum and major resurfacing works approximately every five years on the access road. This ensure that access and egress can be maintained to all lots for safety, particularly in times of emergency such as fire.

The lot owners in the subdivision are not a roads authority and will not be able to access road maintenance exemptions provided to public roads authorities such as Councils, DPI-Crown Lands and Roads and Maritime Services (RMS).

Often works will occur on a portion of the road that is owned in part by multiple lot owners. This will require multiple permits to be issued to ensure all owners are complying. It will be extremely onerous and prohibitive to require all lot owners within the subdivision to obtain a permit from Council each time road maintenance or upgrading works are required to be undertaken. This will create a significant amount of work and burden for Council employees.

Other essential bushfire risk management infrastructure such as perimeter fire trail and dams require regular maintenance annually. Lot owners within the subdivision are also burdened with the maintenance of this infrastructure through the requirements of the Section 88B instrument.

Lot owners are not public emergency service agencies and therefore cannot access exemptions available to Emergency Management Authorities to maintain this infrastructure.

As the Section 88B instruments set out the requirements and burdens lot owners to undertake this maintenance they should be able to undertake it without any further need to seek additional approvals from either the Rural Fire Service or Local Government.

Most lot owners within this subdivision have a small number of stock or share a boundary with a larger rural property that is actively being farmed. Construction and maintenance of boundary

fences on all lots within the subdivision are essential to ensure stock management.

I do not believe it appropriate to use Councils limited resources to issue permits for minor clearing of vegetation required to undertake fence line maintenance on all E zoned lands within NSW.

There should be specific exemptions in the SEPP excluding infrastructure covered under existing Section 88B Instruments.

The SEPP should also have exemptions for the maintenance of existing fences and fence lines on E zoned lands, with clear limitations on widths developed to allow owners of acreages to maintain their fences and manage their stock without having to seek permits from Councils each time.