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Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Your reference: (CNR-78568) MA2025/1009
Our reference: DA20220116000374-S4.55-3

ATTENTION: Elizabeth Downing

Date: Tuesday 25 February 2025

Dear Sir/Madam,

**Integrated Development Application
s100B - Subdivision - Subdivision
41 Main Road Badagarang NSW 2540, 1//DP1289976**

I refer to your correspondence dated 05/02/2025 seeking general terms of approval for the above Integrated Development in accordance with s4.55 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the submitted amended information. General Terms of Approval are now re-issued, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions.

General Conditions

1. The development proposal is to comply with the subdivision layout identified on the drawing titled Staging Plan, drawing No. MKR00145-00-SK057, Revision 5 dated 19 April 2023, prepared by Maker Engineering, and as modified by
 - Lot Layout Plans Stages 6 and 7 prepared by Colliers International Engineering & Design NSW Pty Ltd, Drawing Nos. 479-23G ST7 L01 [00] – PLAN and 9-23G ST8 L02 [00]- PLAN dated 09/07/2024 (Rev 00); and
 - Lot Layout Plans (Lots 500 – 555) Stage 4 prepared by Colliers International Engineering & Design NSW Pty Ltd, Drawing No. Drawing Nos. 479-23G ST7 L01 [00] – PLAN and 9-23G ST8 L02 [00]- PLAN dated 09/07/2024.

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

2. At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, all the proposed residential lots, except the riparian corridor on proposed Lots Pt 1 and Pt 2 DP1256748 and Lot 1271 DP1264383 demarcated for Wetlands A and B, must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

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3. At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, temporary asset protection zones (APZ) of 10 metres within proposed Lots 550-555, Lots 804 and 755 along the eastern subdivision boundary; and 24 metres along the C3 zoned land within 104 Taylors Lane (Lot 3 DP 851823) along the northern and part western boundary must be provided as shown on Figure 08 of the Bushfire Assessment Report (dated 23 June 2022, reference: 220551B, prepared by Building Code and Bushfire Hazard Solutions), to be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. A suitably worded instrument(s) must be created pursuant to section 88 of the *Conveyancing Act 1919* over the proposed lots which prohibit the construction of buildings other than class 10b structures within the temporary APZ. The instrument may be lifted upon commencement of any future proposed development on the adjoining land 104 and 126 Taylors Lane Cambewarra, but only if the bush fire hazard is removed as part of the proposal. The name of authority empowered to release, vary or modify the instrument shall be Shoalhaven City Council.

4. A Plan of Management must be prepared for the potential open space on part of proposed Lot Pt 2 DP1256748 along the eastern boundary of proposed residential Lots 742 - 747 within Stage 6, which will require the lot to be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 metres above the ground;
- tree canopies should be separated by 2 to 5 metres;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover; and
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

Access - Public Roads

The intent of measures is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

5. Access roads must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- subdivisions of three or more allotments have more than one access in and out of the development;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;
- a minimum vertical clearance of 4 metre to any overhanging obstructions, including tree branches, is provided;
- proposed access Road No. 11 is a two-way sealed road with minimum 8 metre carriageway width kerb to kerb;



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- all other proposed access roads are two-way sealed roads with minimum 5.5 metre carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- all roads are through roads;
- dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are
- clearly sign posted as a dead end;
- where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;
- where access/egress can only be achieved through forest, woodland and heath vegetation, secondary access shall be provided to an alternate point on the existing public road system;
- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
- the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles; bridges/causeways are to clearly indicate load rating.
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
- hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - *Fire hydrant installations System design, installation and commissioning*; and
- there is suitable access for a Category 1 fire appliance to within 4 metre of the static water supply where no reticulated supply is available.

6. At each stage of the subdivision, temporary turning heads must be provided to temporary dead end roads incorporating either a minimum 12 metre radius turning circle or turning heads compliant with A3.3. Vehicle turning head requirements of *Planning for Bush Fire Protection 2019*. The turning areas may be removed upon opening of future proposed through roads.

Water and Utility Services

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

7. The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
 - a. lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and
 - b. no part of a tree is closer to a power line than the distance set out in accordance with the specifications in *ISSC3 Guideline for Managing Vegetation Near Power Lines*.



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- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used.

Landscaping Assessment

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

8. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

General Advice - Consent Authority to Note

- Development applications lodged on lots created within this subdivision may be subject to further assessment under the *Environmental Planning & Assessment Act 1979*. Future dwellings on bush fire prone land are required to address the requirements of *Planning for Bush Fire Protection 2019*.

This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated 01/10/2024.

For any queries regarding this correspondence, please contact Rohini Belapurkar on 1300 NSW RFS.

Yours sincerely,

Michael Gray
Manager Planning & Environment Services
Built & Natural Environment



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BUSH FIRE SAFETY AUTHORITY

Subdivision – Subdivision

41 Main Road Badagarang NSW 2540, 1//DP1289976

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This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Michael Gray

**Manager Planning & Environment Services
Built & Natural Environment**

Tuesday 25 February 2025

