

Scheduel 5 - Bushfire Safety
Authority issued by RFS

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The General Manager
Wollondilly Shire Council
PO Box 21
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Your Ref: 010.2015.00000935.00
Our Ref: D16/0677
DA16030801005 MD

WOLLONDILLY SHIRE COUNCIL	
TRIM NO.	DB10.2015.935.1
PROP. No.	
- 4 MAY 2016	
AUTH. No.	
ASSIGNED TO:	Andre

ATTENTION: A Vernez

4 May 2016

Dear Sir / Madam

Integrated Development for 1 - 41 Marsh Road Silverdale 2752

I refer to your letter dated 29 February 2016 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

1. The proposal shall generally comply with the subdivision layout identified on the plans prepared by Siteplus as follows:
 - Plan titled 'Overall Subdivision Plan', referenced 15137.DA.PO1 Rev P, dated 10 February 2016;
 - Plan titled 'Non Residential Lot Plan', referenced 15137.DA.P13 Rev P, dated 10 February 2016; and
 - Plan titled 'Construction Staging Plan', referenced 15137.DA.PO2 Rev P, dated 10 February 2016.

,unless amended by conditions of this Bush Fire Safety Authority (BFSA) and/or conditions of any development consent issued by the consent authority. Where an inconsistency exists between the requirements of any development consent issued and this BFSA, the conditions of this BFSA prevail to the extent of the inconsistency.

2. In accordance with the recommendations of the Bushfire Protection Assessment prepared by Australian Bushfire Protection Planners Pty Ltd, issue date 10/12/2015, the developer is to prepare a Fire Management Plan in consultation with the NSW Rural Fire Service Southern Highlands Team for the maintenance of the residual lots created in the staged subdivision.

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:

3. At the issue of subdivision certificate for each stage of the development and in perpetuity, the entire area within the stage identified as being for future residential lots as shown on the plan referenced in condition 1 of this BFSA (i.e excluding land identified to be managed for conservation and/or drainage reserves and/or managed reserves) shall be created and maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
4. At the issue of subdivision certificate for each stage of the development, a temporary Asset Protection Zone (APZ) to a minimum distance of 50 metres from the perimeter of the stage being released (this APZ shall not be required to extend outside of the areas identified as being future residential lots, as shown on the plan referenced in condition 1 of this BFSA) is to be provided and managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

A suitable mechanism pursuant to section 88B of the 'Conveyancing Act 1919' shall be placed on the title of residue lots to provide for the 50m APZs outlined above to be lawfully maintained until such time as the hazard is removed via development of the adjoining Stage/s whereby the 88B instrument may be extinguished.

5. If the land adjacent to the south is not developed for residential land use prior to the release of the subdivision certificate for residential lots adjacent to the southern property boundary there shall be created and maintained a temporary APZ of 35 metres inside the development site as shown on the plan referenced in condition 1 of this BFSA. This temporary APZ shall be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. A temporary fire trail shall be established within the temporary APZ and shall be designed and constructed to accommodate a heavy rigid vehicle with an all weather pavement width of 4 metres and provide a turning circle at its termination point that has a minimum inner radius of 6 metres and outer radius of 12 metres.

Prior to the release of the subdivision certificate for any lots affected by the APZs required above, a restriction to the land use pursuant to section 88B of the 'Conveyancing Act 1919' shall be placed on all lots affected requiring the creation and on going maintenance of the APZ.

As this APZ is temporary, the 88B instrument may be extinguished when the land to the south is residentially developed and the hazard is removed.

6. There shall be provided a minimum 30 metre wide APZ for the full length of the north-eastern edge of the estate, adjoining proposed lot 1301 (being land zoned E2 Environmental Conservation) as shown on the plan referenced in condition 1 of this BFSA. The APZ is to be maintained as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

A suitable mechanism pursuant to section 88B of the 'Conveyancing Act 1919' shall be placed on the title of future lots affected by the APZs required above identifying the land to be managed as an IPA for the life of the development.

7. There shall be provided a minimum 33 metre wide APZ for the full length of the western and south-western edge of the estate, as shown on the plan referenced in condition 1 of this BFSA. This APZ shall include the managed width of the road reserve and building setback from the lot boundaries and shall be maintained as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

A suitable mechanism pursuant to section 88B of the 'Conveyancing Act 1919' shall be placed on the title of future lots affected by the APZ required above, identifying the land to be managed as an IPA for the life of the development.

8. There shall be provided and maintained a minimum 29 metre wide APZ for the full length of the lots adjacent to the bushfire hazard in the Warragamba Recreation Reserve (being proposed lots 740, 828, 829, 830 and 831). This APZ shall include the managed width of the Production Avenue road reserve and building setback from the lot boundaries and shall be maintained as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. A suitable mechanism pursuant to section 88B of the 'Conveyancing Act 1919' shall be placed on the title of future lots affected by the APZ required above, identifying the land to be managed as an IPA for the life of the development.

Water and Utilities

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:

9. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for public roads 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:

10. Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.

The intent of measures for fire trails is to provide suitable access for fire management purposes and maintenance of APZs. To achieve this, the following conditions shall apply:

11. The proposed fire trail in the north west of the site shall be constructed in accordance with the specifications in section 4.1.3 (3) Fire Trails of 'Planning for Bushfire Protection 2006'.

Landscaping

12. In accordance with the recommendations of the Bushfire Protection Assessment prepared by Australian Bushfire Protection Planners Pty Ltd, issue date 10/12/2015 the following management regime is to be provided for the lots specified, life of the development. Proposed lots 1001, 1002, 1003, 1004, 1006, 1007, 1302 and 1303, being lots proposed for use as either a drainage reserve or a managed reserve, shall be designed, constructed and maintained to provide a low bushfire fuel levels within the vegetation. This shall be achieved by ensuring:

- mature tree crowns are separated by a minimum of 5 metres;
- trees are not planted in continuous rows;
- shrubs shall be planted in small discontinuous clumps having a minimum of 5 metres separation; and
- grasses and ground covers shall be species which are low growing with a maximum height of 150mm.

General Advice – consent authority to note

This approval is for the subdivision of the land only. Any further development application for class 1,2 & 3 buildings as identified by the 'Building Code of Australia' must be subject to separate application under section 79BA of the EP & A Act and address the requirements of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Martha Dotter on 1300 NSW RFS.

Yours sincerely



Amanda Moylan

Team Leader Development Assessment and Planning

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.