

Port Stephens Council
PO Box 42
RAYMOND TERRACE NSW 2324

Your reference: (CNR-75936) DA 16-2024-542-1
Our reference: DA20241120004835-S38-1

ATTENTION: Courtney Sargent

Date: Tuesday 22 July 2025

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Community Title Subdivision
4 FLEET STREET SALAMANDER BAY NSW 2317, 1//DP285191

I refer to your correspondence dated 02/07/2025 seeking general terms of approval for the above Integrated Development Application.

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.

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the dwellings are below critical limits and prevent direct flame contact.

1. At the issue of a subdivision certificate, and in perpetuity, the entire site of Lots 1-20 DP 285191, Lots 25-50 DP 285191 and the 50 metre area of Lot 2 DP 791551 subject to an easement must be maintained 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 inner protection area, the following requirements apply:

- a. tree canopy cover should be less than 15% at maturity;
- b. trees at maturity should not touch or overhang the dwelling;
- c. lower limbs should be removed up to a height of 2m above the ground;
- d. tree canopies should be separated by 2 to 5m;
- e. preference should be given to smooth-barked and evergreen trees;
- f. large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards dwellings;
- g. shrubs should not be located under trees;
- h. shrubs should not form more than 10% ground cover;
- i. clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;

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- j. grass should be kept mowed (as a guide, grass should be kept to no more than 100mm in height); and
- k. leaves and vegetation debris should be removed.

Construction Standards

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

2. New construction of Cabins 1 and 2 and Townhouses TH26 - TH33 must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 'Construction of dwellings in bushfire-prone areas' or the relevant requirements of the National Association of Steel Framed Housing Standard (2021) - Steel Framed Construction in Bushfire Areas. New construction must also comply with the construction requirements in Section 7.5 of 'Planning for Bush Fire Protection 2019'.
3. New construction of all other Cabins and Townhouses must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 'Construction of dwellings in bushfire-prone areas' or the relevant requirements of the National Association of Steel Framed Housing Standard (2021) - Steel Framed Construction in Bushfire Areas. New construction must also comply with the construction requirements in Section 7.5 of 'Planning for Bush Fire Protection 2019'.
4. Any Class 10a structure within 6 metres of any dwelling shall be constructed to the same BAL of the dwelling in accordance with Australian Standard AS3959-2018 'Construction of dwellings in bushfire-prone areas' or the relevant requirements of the National Association of Steel Framed Housing Standard (2021) - Steel Framed Construction in Bushfire Areas. New construction must also comply with the construction requirements in Section 7.5 of 'Planning for Bush Fire Protection 2019'.
5. At the issue of the subdivision certificate, the existing dwellings must be upgraded to improve ember protection by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any subfloor areas, openable windows, vents, weep holes and eaves. External doors are to be fitted with draft excluders.

Access – Property Access

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.

6. Internal access roads for subdivision developments must comply with the following requirements of Table 5.3b of 'Planning for Bush Fire Protection 2019':
 - a. traffic management devices are constructed to not prohibit access by emergency services vehicles;
 - b. dead end roads are clearly sign posted as a dead end;
 - c. the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes);
 - d. bridges/causeways are to clearly indicate load rating;
 - e. hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
 - f. roads are two-way sealed roads;
 - g. parking is provided outside of the carriageway width;
 - h. curves of roads have a minimum inner radius of 6m;
 - i. the road cross fall does not exceed 3 degrees; and
 - j. a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Landscaping Assessment

The intent of measures is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the dwellings are below critical limits and prevent direct flame contact.

7. Landscaping is to be designed and managed to minimise flame contact and radiant heat to dwellings, and the potential for wind-driven embers to cause ignitions by complying with the following.

- a. landscaping is in accordance with Appendix 4 of Planning for Bush Fire Protection 2019; and
- b. fencing is constructed in accordance with the following:
 - i. fences in bush fire prone areas should be made of either hardwood or non-combustible material.
 - ii. in circumstances where the fence is within 6m of a dwelling or associated with a dwelling constructed to BAL-29, BAL40 or BALFZ, the fence must be made of non-combustible material only.

General Advice – Consent Authority to Note

The assessment has relied on the referred documents identified below.

- The plan titled 'Masterplan/ Staging Plan', reference 14076, Drawing number 'A01', revision P dated 3 October 2024.
- The Bushfire response prepared by Anderson Environment & Planning (2024). *Bushfire Threat Assessment for Proposed Residential Infill Development at 4 Fleet Street, Salamander Bay, NSW*. Unpublished report for Wanda Beach Estate Pty Ltd, 18 September 2024.

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 07/01/2025.

For any queries regarding this correspondence, please contact Wayne Sketchley on 1300 NSW RFS.

Yours sincerely,

Anna Jones
Manager Planning & Environment Srv (Nth)
Built & Natural Environment



BUSH FIRE SAFETY AUTHORITY

Subdivision – Community Title Subdivision
4 FLEET STREET SALAMANDER BAY NSW 2317, 1//DP285191
RFS Reference: DA20241120004835-S38-1
Your Reference: (CNR-75936) DA 16-2024-542-1

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 supersedes the previous Bush Fire Safety Authority DA20241120004835-Original-1 issued on 07/01/2025 and confirms that, subject to the attached reissued 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*.

Anna Jones
Manager Planning & Environment Srv (Nth)
Built & Natural Environment

Tuesday 22 July 2025