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Maitland City Council
PO Box 220
MAITLAND NSW 2320

Your reference: (CNR-89002) DA/2024/763:1
Our reference: DA20240927003999-Review of
Determination-1

ATTENTION: Scott Fatches

Date: Wednesday 26 November 2025

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Torrens Title Subdivision
559 Anambah Road Gosforth NSW 2320, 177//DP874171, 55//DP874170

I refer to your correspondence dated 06/11/2025 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, 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 development site of stage 1 subdivision with an exception of the land identified as 'Forested Wetland – Coastal Floodplain Wetland (PCT 4042)' in Figure 12: Asset Protection Zones of the submitted bush fire report, prepared by Bushfire Planning Australia (dated: 22 October 2025, Ref: 2425 Anambah V8) and must be managed as an inner protection area 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:

- 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 m above the ground;
- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in the shrubs layer 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;

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- 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 regularly.

2. At the issue of a subdivision certificate, if the land immediately to the north, south and west of the stage 1 development has not been developed and the bush fire hazard removed, a suitably worded instrument(s) pursuant to Section 88B of the *Conveyancing Act 1919* must be placed within the development area which creates an Asset Protection Zone (APZ) as shown as 'Temporary APZ' in Figure 12: Asset Protection Zones of the bush fire assessment report prepared by Bushfire Planning Australia (dated: 22 October 2025, Ref: 2425 Anambah V8), and prohibits the construction of buildings other than class 10 structures within the proposed APZ. The instrument may be lifted upon commencement of any future proposed development on the adjoining land, 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 Maitland City Council. The APZ must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

3. At the issue of a subdivision certificate, if the land immediately to the east of the subject site has not been developed and the bush fire hazard removed, a suitably worded instrument(s) pursuant to Section 88B of the *Conveyancing Act 1919* must be placed along the southern and eastern boundary of the subject site which creates an Asset Protection Zone (APZ) as shown as 'Asset Protection Zone - 29m & 36m' in Figure 12: Asset Protection Zones of the bush fire assessment report prepared by Bushfire Planning Australia (dated: 22 October 2025, Ref: 2425 Anambah V8), and prohibits the construction of buildings other than class 10 structures within the proposed APZ. The instrument may be lifted upon commencement of any future proposed development on the adjoining land, 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 Maitland City Council. The APZ must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

4. At the issue of a subdivision certificate and in perpetuity, a Vegetation Management Plan (VMP) must be prepared and placed over the land identified as 'Forested Wetland - Coastal Floodplain Wetland (PCT 4042)' in Figure 12: Asset Protection Zones of the submitted bush fire report, prepared by Bushfire Planning Australia (dated: 22 October 2025, Ref: 2425 Anambah V8) which requires the land to be managed to the fuel loads of Forested Wetlands (Riverine forest) as per Comprehensive Fuel Loads prepared by NSW Rural Fire Service (dated: March 2019).

5. 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;



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- 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.

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

6. Access roads must comply with the following 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;
- 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 must 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 (up to 23 tonnes); 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: 2021 - *Fire hydrant installations System design, installation and commissioning*; and
- there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available.

7. Proposed perimeter roads (MC01, MC02, MC04, MC23, MC24, MC25, MC32) at the interface of the proposed riparian corridor and the hazard to the north and south of the development must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- are two-way sealed roads;
- minimum 8m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;



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- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

8. Proposed non-perimeter roads (all the proposed roads with an exception of roads identified in condition 7 and proposed 'Secondary Access Location' as shown in drawing titled - STAGE 01 - BUSHFIRE FIRE ACCESS PLAN prepared by Groundswell Engineers, dated: 20/10/2025, ref: 250055-SK-007-02, Rev: C) must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- minimum 5.5m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

9. 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 minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities

10. 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:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - 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.
- 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;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - *The storage and handling of LP Gas*, the requirements of relevant authorities, and metal piping is used;



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- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

General Advice – Consent Authority to Note

- This approval is for the subdivision of the land only. Future development applications lodged on lots created within this subdivision may be subject to further assessment in relation to the relevant version of *Planning for Bush Fire Protection 2019* or its equivalent.
- The above general terms of approval are based on the assumption that in the future the River Road (public road) will connect to the existing southern development 'Windella' and further to New England Highway based on the information provided by the council.
- Asset Protection Zones recommended in the conditions 1-5 relates to stage 1 of the proposed development. APZs for the all other stages of the development will be assessed in the subsequent development applications lodged for the remainder of the stages.

For any queries regarding this correspondence, please contact Surbhi Chhabra on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager Planning & Environment Srv (Est)
Built & Natural Environment



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BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision
559 Anambah Road Gosforth NSW 2320, 177//DP874171, 55//DP874170
RFS Reference: DA20240927003999-Review of Determination-1
Your Reference: (CNR-89002) DA/2024/763:1

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 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*.

Nika Fomin

Manager Planning & Environment Srv (Est)
Built & Natural Environment

Wednesday 26 November 2025

