



NSW RURAL FIRE SERVICE

Clarence Valley Council
Locked Bag 23
GRAFTON NSW 2460

Your reference: (CNR-51242) SUB2023/0001
Our reference: DA20230130000385-CL55-2

ATTENTION: James Hamilton

Date: Tuesday 23 January 2024

Dear Sir/Madam,

Integrated Development Application

s100B – Subdivision – Subdivision

52-54 MILES STREET YAMBA NSW 2464, 47//DP751395, 46//DP751395

I refer to your correspondence dated 02/01/2024 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 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:

1. For each stage of the subdivision, prior to the issue of a subdivision certificate and in perpetuity, the development area of that stage shall be managed as an Inner Protection Area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019. Where relevant to each stage, asset protection zones as depicted in the Bushfire Risk Management Plan, prepared by BUSHFIRESAFE (Aust) PTY LTD, dated December 2022 Revision 2 (including 'Attachment 1: Asset Protection Zones & Vegetation Communities' dated December 2022), shall also be managed as an inner protection area.

2. Unless bounded by a road, for each completed stage of the subdivision, a temporary asset protection zone shall be provided within any adjacent stage that has not commenced construction. The temporary asset protection zone shall be maintained along the common boundary of the stages and be managed as an Inner Protection Area (IPA) for a distance of 10 metres 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;

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- 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;
- 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.

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:

3. Internal public access roads for subdivision developments must comply with the following requirements of Table 5.3b of 'Planning for Bush Fire Protection 2019':

- a. subdivisions of three or more allotments have more than one access in and out of the development;
- b. traffic management devices are constructed to not prohibit access by emergency services vehicles;
- c. 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;
- d. all roads are through roads;
- e. 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;
- f. where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;
- g. 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;
- h. 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;
- i. hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
- j. hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations System design, installation and commissioning;
- k. Perimeter roads are:
 - i. are two-way sealed roads;
 - ii. minimum 8m carriageway width kerb to kerb;
 - iii. parking is provided outside of the carriageway width;
 - iv. hydrants are located clear of parking areas;
 - v. are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
 - vi. curves of roads have a minimum inner radius of 6m;
 - vii. the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
 - viii. the road cross fall does not exceed 3 degrees; and
 - ix. a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.
- l. Non-perimeter roads are:
 - i. minimum 5.5m carriageway width kerb to kerb;
 - ii. parking is provided outside of the carriageway width;
 - iii. hydrants are located clear of parking areas;

- iv. roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- v. curves of roads have a minimum inner radius of 6m;
- vi. the road cross fall does not exceed 3 degrees; and
- vii. a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

4. At each stage of the subdivision, temporary turning heads shall be provided to temporary dead end roads incorporating either a minimum 12 metre radius turning circle or turning bay with arms of 15 metres deep and 6 metres wide from the centreline of the road and have a turning radius of no less than 6 metres. The turning area can 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:

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

- a. reticulated water is to be provided to the development where available;
- b. fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- c. hydrants are not located within any road carriageway;
- d. reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- e. fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- f. all above-ground water service pipes are metal, including and up to any taps;
- g. where practicable, electrical transmission lines are underground;
- h. where overhead, electrical transmission lines are proposed as follows:
 - 1. lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - 2. 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.
- i. 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;
- j. all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- k. connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- l. above-ground gas service pipes are metal, including and up to any outlets.

General Advice - Consent Authority to Note

The above conditions are based on the following plans and documents:

- Plan prepared by Mortons Urban Solutions, titled 'Yamba Gardens Overall Sketch', Drawing No: 33801-ALL-SK045, dated 20 June, 2023 (Amendment C);
- The 'Bushfire Risk Management Plan' prepared by BUSHFIRESAFE (Aust) PTY LTD dated December 2022 Revision 2 (including Attachment 1: Asset Protection Zones & Vegetation Communities dated December 2022); and
- Plans prepared by Zone Landscape Architecture titled 'Landscape Strategy - Yamba Gardens - Miles Street, Yamba' Project Reference: L22133, dated 23 November, 2023 (Revision E).

Council is advised that where an amendment to the above noted documents is proposed, Council may use its discretion to determine whether the amendment warrants re-referral to the NSW RFS.

This approval is for the subdivision of the land only. Any further development application for class 1, 2 or 3 buildings as identified by the 'National Construction Code' may be subject to separate assessment under section 4.14 of the *Environmental Planning and Assessment Act, 1979* and address the requirements of 'Planning for Bush Fire Protection 2019' or any subsequent version.

This advice is in response to additional information submitted and supersedes our previous correspondences dated 22 March, 2023 and 4 October, 2023.

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 04/10/2023.

For any queries regarding this correspondence, please contact Neil Pengilly on 1300 NSW RFS.

Yours sincerely,

Alan Bawden
Manager Planning & Environment Services
Built & Natural Environment



NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision – Subdivision

52-54 MILES STREET YAMBA NSW 2464, 47//DP751395, 46//DP751395

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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 supersedes the previous Bush Fire Safety Authority DA20230130000385-CL55-1 issued on 04/10/2023 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*.

Alan Bawden

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

Tuesday 23 January 2024