



NSW RURAL FIRE SERVICE

Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Your reference: (CNR-55097) DA 2023.259.1
Our reference: DA20230511002017-CL55-2

ATTENTION: Chris Gardiner

Date: Thursday 21 December 2023

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Strata Title Subdivision
CHANCELLORS DR THURMSTER NSW 2444, 400//DP1208753

I refer to your correspondence dated 26/10/2023 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

Intent of measure: to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

1. At the issue of a subdivision certificate, and in perpetuity, the site must be maintained as an inner protection area in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019* as follows:

- Stage 3- north western boundary, from lot 1-19, for a distance of 19 metres;
- Stage 2- north western boundary, from lot 20-26, for a distance of 21 metres;
- Stage 1- eastern boundary, from lot 27-31, for a distance of 14.82 metres; eastern boundary, from lot 32-36, for a distance of 14.2 metres; and eastern boundary, from lot 37-38, for a distance of 12 metres.

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;

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- shrubs should not form more than 10% ground cover;
- 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. 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.

Construction Standards

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

3. New construction for the following allotments and elevations must comply with section 3 and section 7 (BAL 29) of the Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*:

- All elevations of lots 25-26;
- North eastern, south western and north western elevations of lots 1-24; and
- North eastern, south eastern and south western elevations of lots 27-38.

4. New construction for the following allotments and elevations must comply with section 3 and section 6 (BAL 19) of the Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

- South eastern elevations of lots 1-26; and
- North western elevations of lots 27-38.

5. New construction for the following allotments and elevations must comply with section 3 and section 5 (BAL 12.5) of the Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

- All elevations of lots 39-65.

Access – Public Roads

Intent of measure: 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:

- 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;
- where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;
- 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 2419.1:2005 - *Fire hydrant installations System design, installation and commissioning*.

7. Non-perimeter roads 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.

8. Perimeter trail must comply with the following requirements:

- is an all-weather surface;
- 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;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided; and
- a passing bay is to be provided along the north western boundary of the site.

Water and Utility Services

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

9. The provision of water, electricity and gas services must comply with the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available,
- all above-ground water service pipes external to the building 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,
- 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

The recommendations are based on the information supplied through Councils referral to the NSW RFS.

- The plans prepared by DKO Architecture, job no. 00012626, revision D, dated 12-10-2023,
- Civil Drawings prepared by Lewis Developments Pty Ltd, Rev H, dated 19-10-2023,
- Landscape Plans prepared by Place Design Group Pty Ltd, Rev 04, dated 13-10-2023, and
- The bush fire assessment prepared by Midcoast Building and Environmental, dated March 2023.

Council is advised that if an amendment to the proposal is submitted, to use its discretion in determining whether the proposed changes warrant re-assessment by the NSW RFS.

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 14/07/2023.

For any queries regarding this correspondence, please contact Khatera Tokhi on 1300 NSW RFS.

Yours sincerely,

Michael Gray
Manager Planning & Environment Services
Built & Natural Environment



NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision – Strata Title Subdivision
CHANCELLORS DR THRUMSTER NSW 2444, 400//DP1208753
RFS Reference: DA20230511002017-CL55-2
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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 DA20230511002017-CL55-1 issued on 14/07/2023 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*.

Michael Gray

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

Thursday 21 December 2023