



RFS



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

Your reference: (CNR-79360) DA 2025.97.1
Our reference: DA20250228000760-S38-3

ATTENTION: Pat Galbraith-Robertson

Date: Monday 2 March 2026

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Torrens Title Subdivision
169B OCEAN DRIVE KEW NSW 2439, 33//DP754405

I refer to your correspondence dated 19/12/2025 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, Lots 1-22 & 24-115, road reserves and water quality basins shall be managed 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 IPA 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 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation 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; and
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.

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



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- 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.

2. Staged developments must provide a temporary Asset Protection Zones within adjacent stages that have not commenced. The asset protection zone must be maintained as an Inner Protection Area (IPA) for a minimum distance of 25 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;
- 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.

3. Prior to the issue of the subdivision certificate, section 88B easement under the 'Conveyancing Act 1919' are to be created. The easements are to burden Lots 91, & 110-115 inclusive to restrict the user from the construction of any Class 1, 2 and 3 building and any Class 10a building within 6 metres of a Class 1, 2 or 3 building within 11 metres of road frontage boundary. The easement is to ensure the lot accommodates the required distances for Asset Protection Zones for the future dwelling located on the lots, as indicated in the plan titled "Woodlands North Subdivision Asset Protection Zones, DA Stages 1-4", prepared by by Hopkins, revision k dated 12/12/2025. The restriction can be removed only when the identified bushfire hazard has been removed. The name of the authority empowered to release, vary or modify any instrument is Port Macquarie Hasting Council.

4. Prior to the issue of the subdivision certificate, section 88B easement under the 'Conveyancing Act 1919' are to be created. The easements are to burden Lots 15-16, 34-35, 56-64, 70-72, 79-81, 102-109 inclusive to restrict the user from the construction of any Class 1, 2 and 3 building and any Class 10a building within 6 metres of a Class 1, 2 or 3 building within 5 metres of road frontage boundary. The easement is to ensure the lot accommodates the required distances for Asset Protection Zones for the future dwelling located on the lots, as indicated in the plan titled "Woodlands North Subdivision Asset Protection Zones, DA Stages 1-4", prepared by by Hopkins, revision k dated 12/12/2025. The restriction can be removed only when the identified bushfire hazard has been removed. The name of the authority empowered to release, vary or modify any instrument is Port Macquarie Hasting Council.

5. Prior to the issue of the subdivision certificate, section 88B easement under the 'Conveyancing Act 1919' are to be created. The easement are to burden Lot 10 (DP 1250178 11 Resort Road, Lakewood) to create a 10 metre wide APZ as indicated in the plan titled "Woodlands North Subdivision Asset Protection Zones, DA Stages 1-4", prepared by by Hopkins, revision k dated 12/12/2025. The restriction can be removed only when the identified bushfire hazard has been removed. The name of the authority empowered to release, vary or modify any instrument is Port Macquarie Hasting Council.



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6. Prior to the issue of the subdivision certificate, section 88B easement under the 'Conveyancing Act 1919' are to be created. The easement are to burden Lot 23 to create an APZ and restrict the user from the construction of any Class 1, 2 and 3 building and any Class 10a building within 6 metres of a Class 1, 2 or 3 building within that APZ. The APZ shall be as indicated in the plan titled "Woodlands North Subdivision Asset Protection Zones Lot 33 DP754405 DA Stages 1-4", prepared by by Hopkins, revision k dated 12/12/2025. The easement is to ensure the lot accommodates the required distances for Asset Protection Zones for the future dwelling located on the lot. The restriction can be removed only when the identified bushfire hazard has been removed. The name of the authority empowered to release, vary or modify any instrument is Port Macquarie Hasting Council.

7. At the issue of a subdivision certificate and in perpetuity, the land around the existing dwelling (lot 23) must be managed as an inner protection area (IPA) for a distance of 50 metres (or to the boundary, whichever is the lesser) in accordance with Appendix 4 of *Planning for Bush Fire Protection 2019*.

Construction Standards

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

8. Fences and gates must comply with Section 7.6 of *Planning for Bush Fire Protection 2019*. New fences and gates are to be made of either hardwood or non-combustible material. Where a fence or gate is constructed within 6m of a dwelling or in areas of BAL-29 or greater, they must be made of non-combustible material only.

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

9. Public roads are to comply with the plan set prepared by Hopkins, **revision K dated 12/12/2025** and the following:

- a. traffic management devices are constructed to not prohibit access by emergency services vehicles;
- b. 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;
- c. the eastern dead end road is to incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;
- d. hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
- e. hydrants are provided in accordance with the relevant clauses of AS 2419.1:2021 - Fire hydrant installations System design, installation and commissioning;
- f. curves of roads have a minimum inner radius of 6m;
- g. a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

10. 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*. Temporary turning heads are to be clearly sign posted as a 'No Through' road. 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



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11. 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 2419.1:2021;
- 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 2419.1:2021;
- 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:
 - i. lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - ii. 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.

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

9. Landscaping of future public land (road and open reserves, basins, etc) shall comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. Fences and gates must comply with Section 7.6. of *Planning for Bush Fire Protection 2019*.

General Advice - Consent Authority to Note

The assessment has considered the referred documents identified below;

- The plan set titled 'Woodlands North Subdivision DA Stages 1-4', prepared by Hopkins, reference 6849-029-001-16 , revision K, dated 12/12/2025.

Council is advised that where a minor amendment to the above-noted documents are proposed, Council may use its discretion to determine whether the minor amendment warrants further assessment by the NSW RFS to reissue a bush fire safety authority/an approval.

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 25/11/2025.

For any queries regarding this correspondence, please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely,

Allyn Purkiss



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



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BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision
169B OCEAN DRIVE KEW NSW 2439, 33//DP754405
RFS Reference: DA20250228000760-S38-3
Your Reference: (CNR-79360) DA 2025.97.1

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 DA20250228000760-S38-2 issued on 25/11/2025 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*.

Allyn Purkiss

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

Monday 2 March 2026

