

DEVELOPMENT ASSESSMENT REPORT –DA181/21

SUBDIVISION 21 LOTS INTO 7

909 Jenolan Caves Road, Good Forest

1. PROPOSAL

Development Application DA181/21 seeks development consent for the subdivision of rural land at 909 Jenolan Caves Road, Good Forest to create 7 new lots. The proposal involves the consolidation, reconfiguration and realignment of the existing boundaries of 22 lots into the 7 new lots. Each of the proposed lots will have a minimum area of 40 hectares. Three of the existing lots contain dwellings which will be retained separately on each of the new lots with four of the new lots having the opportunity to contain future new dwellings (subject to separate development consent). The application has been made by the current landowner Mice Eat Cheese Pty Ltd.

The configuration of the 7 new lots is illustrated in the plan extract below. The new lots will be configured as follows:

- Lot 1 – 42 hectares
- Lot 2 – 43 hectares (contains an existing dwelling)
- Lot 3 – 40 hectares (contains an existing dwelling)
- Lot 4 – 60 hectares (contains existing stables)
- Lot 5 – 44 hectares
- Lot 6 – 41 hectares
- Lot 7 – 45 hectares (contains an existing dwelling)

The existing lot configuration is shown on the map extract in Figure 1 below. The proposed reconfigured lot layout is shown in the plan extract in Figure 2.

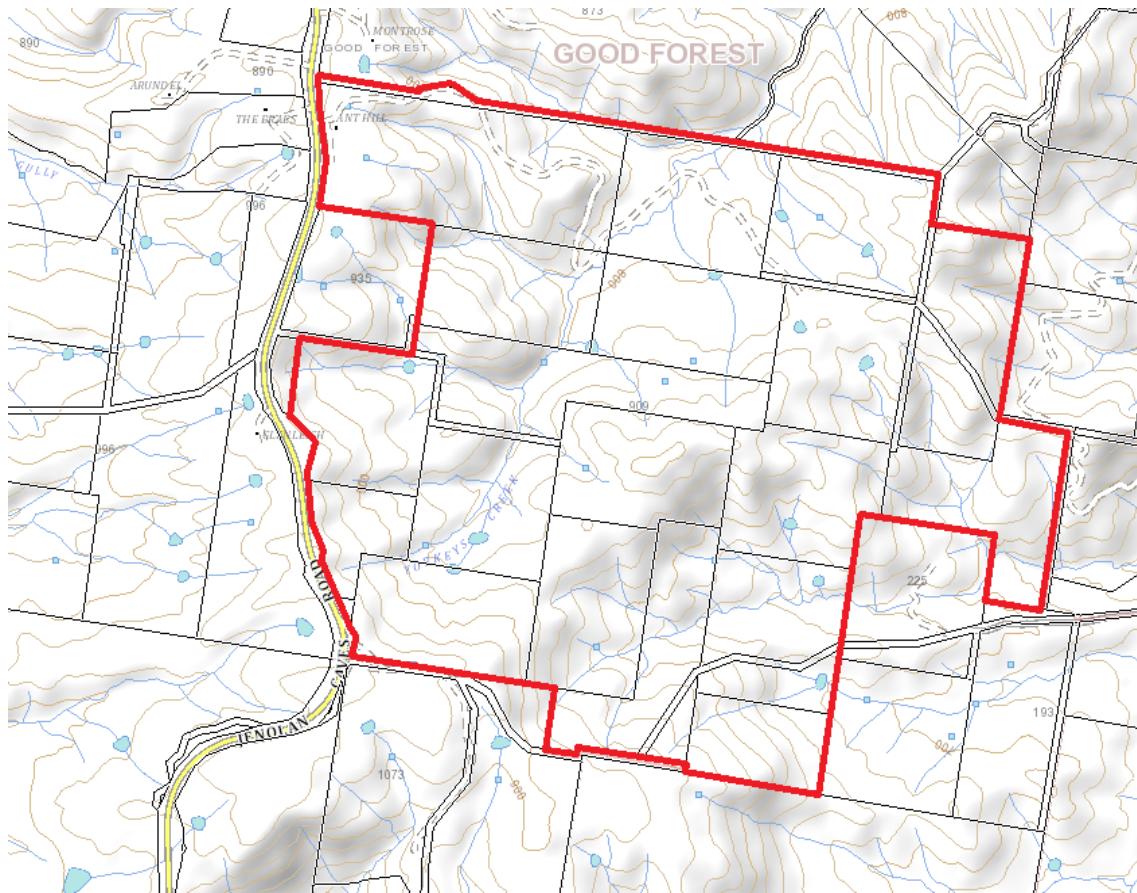
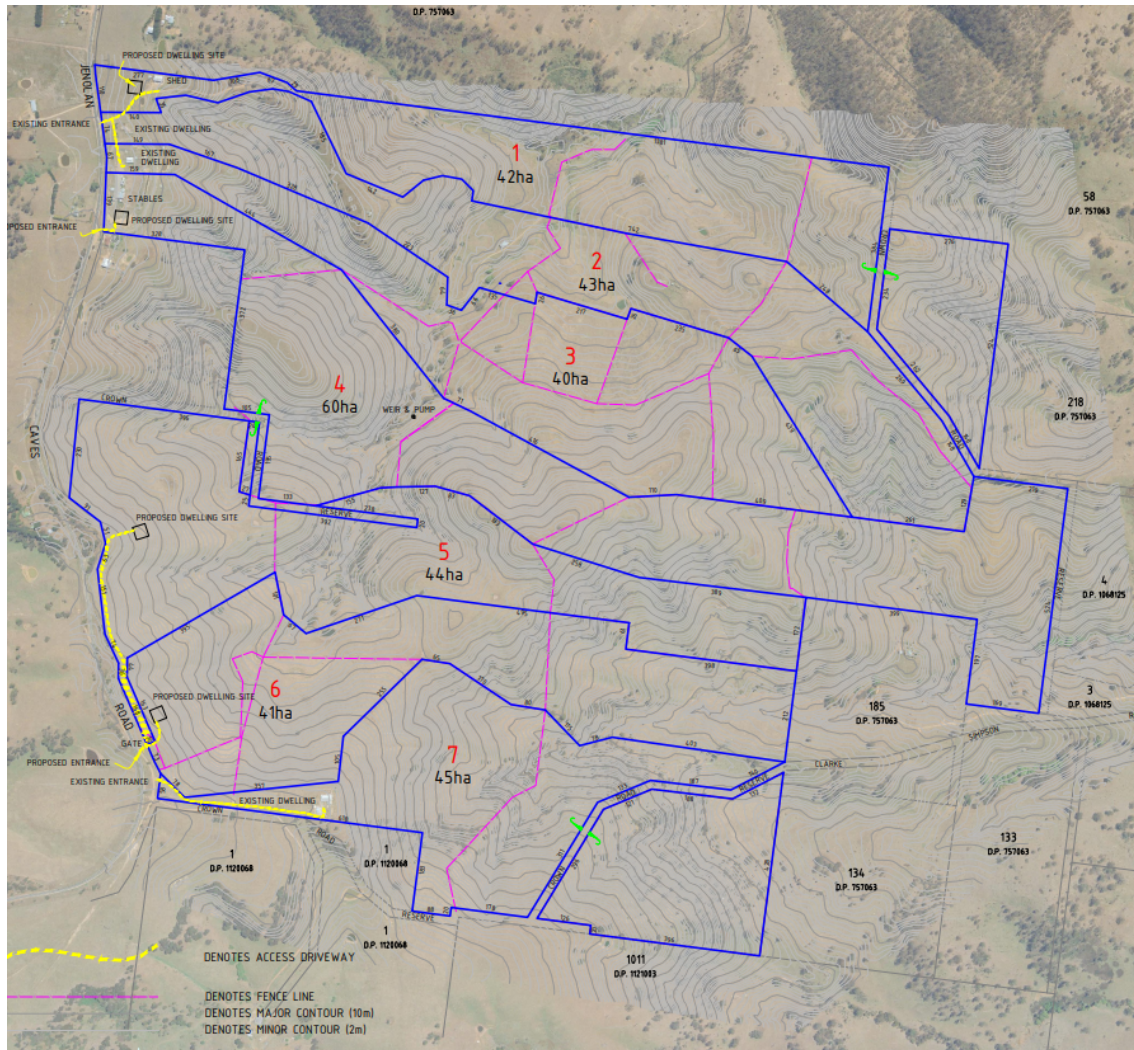


Figure 1 – Subject land showing existing lot layout



2. SUMMARY

To assess DA181/21. with recommendation for approval subject to conditions.

3. LOCATION OF THE PROPOSAL

Legal Description: Lots 1 & 2 DP 240481, Lot 112 DP 657516, Lots 6, 31, 51-53, 59, 90, 121, 135, 145, 173, 187-189, 212, 220, 224, 225, 240 DP 757063

Property Address: 909 Jenolan Caves Road, Good Forest

4. ZONING

The land is zoned RU1 Primary Production under the *Lithgow Local Environmental Plan 2014* (LLEP).

5. PERMISSIBILITY

The subdivision of land requires development consent under clause 2.6 of the *Lithgow Local Environmental Plan 2014* (LEP). A proposal for a subdivision must address the relevant LEP requirements for consent to be granted.

5.1 POLICY IMPLICATIONS (OTHER THAN DCPs)

Lithgow Community Participation Plan

Surrounding landowners have been notified of the proposal and given the opportunity to provide submissions in accordance with the Lithgow Community Participation Plan. Three submissions have been received in response to the notification. These submissions are addressed further below.

5.2 LEGAL IMPLICATIONS

Rural Fires Act 1997

The proposal involves the subdivision of bushfire prone land and requires approval in the form of a Bushfire Safety Authority issued by the Rural Fire Service under section 100B of this Act. The application was referred to the Rural Fire Service for a bushfire safety authority which was issued on 27 October 2021 subject to conditions.

Environmental Planning and Assessment Act 1979

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. These matters for consideration are as follows:

5.3.1 Any Environmental Planning Instruments

Lithgow Local Environmental Plan 2014

LEP 2014 – Compliance Check		
Clause		Compliance
Land Use table	RU1 Primary Production	Yes
4.1	Minimum subdivision lot size	Yes
5.16	Subdivision of land in rural zones	Yes
7.4	Terrestrial biodiversity	Yes
7.6	Riparian land and watercourses	Yes
7.7	Sensitive lands	Yes
7.10	Essential Services	Yes

Zone Objectives

The objectives of the RU1 zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

- *To minimise the environmental and visual impact of development on the rural landscape.*
- *To provide for recreational and tourist development and activities of an appropriate type and scale that do not detract from the economic resource, environmental or conservation value of the land.*
- *To maintain or improve the water quality of receiving water catchments.*

The proposed subdivision will consolidate 22 existing poorly configured rural lots and involve the creation of 7 new lots having areas exceeding 40 hectares each. This is consistent with the zone objectives and will facilitate future uses and development of the land that is also consistent with the objectives.

Minimum Lot Size

Clause 4.1 of the LLEP requires that any lot created by the subdivision of any land shown on the Lot Size Map is not to be less than the minimum lot size shown on the Lot Size Map in relation to that land.

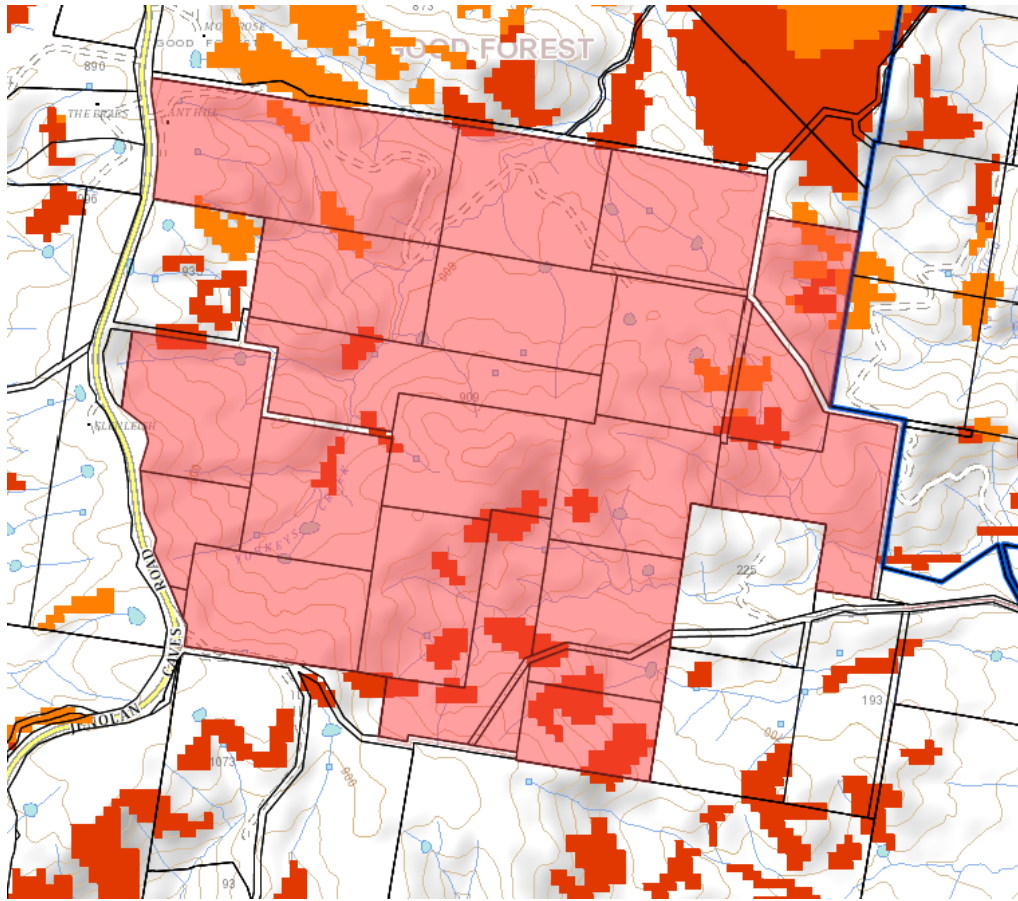
The subject land is fully within the area on the Lot Size Map having a minimum subdivision lot size of 40 hectares. Each of the proposed lots has an area greater than 40 hectares and complies with the requirements of LLEP clause 4.1.

Land Use Conflict

Clause 5.16 of the LLEP requires proposals for subdivision of rural land to consider potential land use conflict between existing and proposed development, particularly where land may be used for the purposes of a dwelling. Each of the proposed reconfigured lots will have capacity for a dwelling house (with 3 existing dwellings contained on the new lots and potential for 4 new dwellings). Each of the lots is configured such that the existing dwellings and any proposed future dwellings can be sited and positioned to avoid and mitigate potential land use conflict.

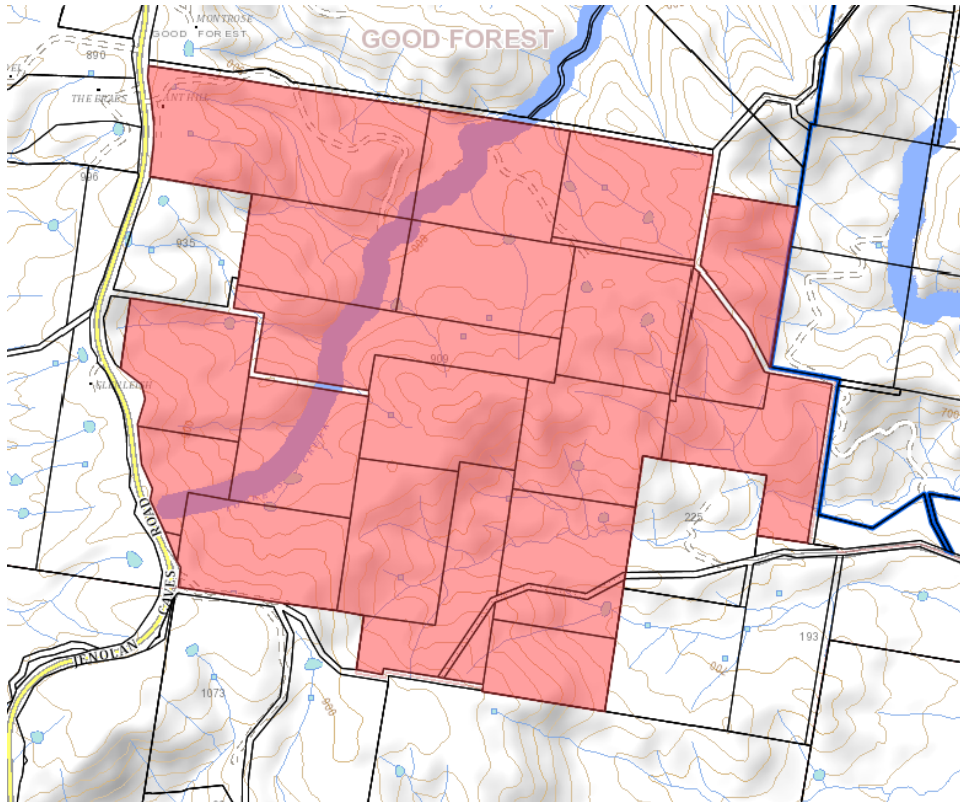
Terrestrial Biodiversity

Clause 7.4 of the LLEP requires the consideration of impacts on terrestrial biodiversity. The land contains scattered locations of native vegetation identified as having moderate to high biodiversity values on the Environmentally Sensitive Areas – Biodiversity Overlay Map (see extract below). The subdivision will only require minor physical works involved with the establishment of new access points off Jenolan Caves Road (using largely existing entry points). None of these works will directly impact on the identified parts of the site containing biodiversity. The proposed lots have sufficient areas not constrained by biodiversity to enable use for rural land uses and future dwellings (which will be subject to separate assessment and development consent).



Riparian Land and Watercourses

Clause 7.6 of the LLEP requires the consideration of impacts on the water quality of watercourses and related ecologies. The subject land is bisected by Yorkeys Creek which is identified on the Environmentally Sensitive Areas – Water Overlay Map (see extract below). The subdivision proposal will not directly impact on the identified riparian areas of the site. The proposed lots have sufficient areas not constrained by biodiversity to enable use for rural land uses and future dwellings (which will be subject to separate assessment and development consent).



Sensitive Lands

Clause 7.7 of the LLEP contains provisions to protect, maintain and improve the diversity of landscapes on land subject to instability, inundation, slope and other geophysical limitations. The majority of the land is identified on the Environmentally Sensitive Areas – Land Overlay Map. The proposed subdivision reconfigures the existing fragmented subdivision pattern on the land and creates 7 new suitably sized lots that can continue to be used for agricultural land uses and rural dwellings consistent with the environmental constraints of the land.

Essential Services

The land is currently serviced with basic infrastructure services which are accessible in the vicinity of Jenolan Caves Road. Three existing dwellings will be retained with future provision made for additional dwellings (subject to separate development consent). Access arrangements are proposed for each lot which are satisfactory. Each of the lots has access to electricity and telecommunications infrastructure. As rural land, there are no reticulated water or sewer services. Any future dwelling proposals on the land will need to demonstrate sufficient water supply and wastewater treatment can be achieved on the land. In general, given the size and configuration of the proposed lots, each of the lots can be sufficiently serviced.

State Environmental Planning Policy (Koala Habitat Protection) 2020

The subject land has an area greater than 1 hectare and is subject to the provisions of this SEPP. The subdivision will require no physical works that affect native vegetation or koala habitat. In this regard, this SEPP is satisfied and is not applicable to the proposal.

State Environmental Planning Policy No 55—Remediation of Land

Most recent uses of the land have been for broad scale agricultural activity which will remain unchanged as part of the subdivision proposal. Existing dwellings, outbuildings and rural structures will remain on the land. The new vacant lots have sufficient area

for the erection of future dwellings that will not be constrained by contamination or that cannot be sufficiently remediated for residential use.

State Environmental Planning Policy (Infrastructure) 2007

Clause 101 of this SEPP requires the consent authority to be satisfied that development on land with frontage to a classified road does not affect the safety, efficiency and ongoing operation of the road and it will be not adversely affected by the development. Jenolan Caves Road is a classified road with access to each of the lots reliant on this road. Existing accesses will be maintained and utilised with shared access points proposed. The application has been assessed by Council's development engineer who is satisfied that each of the proposed entrances can achieve an adequate safe intersection sight distance. Based on this, the proposal satisfies the requirements of this SEPP and the safety, efficiency and ongoing operation of Jenolan Caves Road will not be adversely affected by the proposal.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The land is within the Sydney Drinking Water Catchment and is subject to the provisions of this SEPP. Being subdivision only with no physical works or building works proposed, the proposal generally has a neutral effect on stormwater quality. Details of the proposal have been entered into the Water NSW NorBE assessment tool with a satisfactory result.

5.3.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

Nil.

5.3.3 Any Development Control Plan

Development Control	Assessment Comments
Chapter 5 – Subdivision, Consolidation, Boundary Adjustments & Roads	
5.2 Site Selection, Analysis & Design Response	
5.2.1 Site Analysis & Potential Land Use Conflicts	The proposal provides for a reconfiguration of 22 disjointed rural lots into 7 suitably sized lots that can continue to be used for agricultural land uses and rural dwellings consistent with the environmental constraints of the land.
5.2.2 Water, Natural Environmental & Hazards	All proposed 7 lots are of sufficient size (at least 40 hectares) and provide sufficient allowance for water courses and remnant vegetation. Future uses and development of the land for agricultural activities and residential uses can be accommodated on each new lot without compromising or being compromised by natural or geophysical hazards.

5.2.3 Lot Sizes, Dimensions and Suitability	Lot sizes and dimensions are generally consistent with the landform and will facilitate land uses consistent with the LEP zone objectives.
5.2.4 Access & Entrances	Each lot has safe practical access and utilises existing formed entrances as well as proposing shared entrances to minimise vehicular crossings to Jenolan Caves Road.
5.2.5 Utilities/ Easements	Each lot has capacity and access to essential services/utilities. The vacant lots can accommodate a future dwelling house with connectivity and sufficient suitable land area for servicing. Existing dwellings are fully contained within new lot boundaries.

5.3.4 Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4?

None

5.3.5 Any matters prescribed by the regulations that apply to the land

None

5.3.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Adjoining Landuses: The subdivision reconfigures existing fragmented rural land boundaries and will not materially change existing uses of the land and will have no direct impact on adjoining land uses.

Context and Setting: The subdivision is generally compatible with the rural character of the area and consolidates 22 fragmented rural lots into 7 more functional separate rural holdings suitable for separate residential and agricultural land uses.

Access: Each new lot has sufficient, safe access to Jenolan Caves Road.

Flora and Fauna: The development application is for subdivision works only with minimal physical works required. No direct impacts on flora, fauna or habitats will result from the proposal. Future uses (including dwellings) facilitated by the subdivision will be subject to separate development consent and impact assessment.

Social and Economic Impact: As the proposed development will be generally in keeping with the provisions of the LLEP and a generally positive social and economic outcomes are expected to result.

Natural Hazards: The land is bushfire prone. A Bushfire Safety Authority has been issued by the Rural Fire Service as integrated development under the EP&A Act. The

subdivision will not exacerbate or increase the risk of other existing natural hazards and will facilitate the use and development of the land consistent with the LLEP provisions.

5.3.7 The Suitability of the site for the development

The subject land comprises elevated and undulating rural land generally suitable for small scale agricultural pursuits and rural residential uses. The subdivision consolidates 22 fragmented lots into 7 larger, more functional lots that can be held in separate ownership while retaining a level of agricultural functionality consistent with the LLEP provisions.

5.3.8 Any submissions made in accordance with this Act or the Regulations

The subdivision application was placed on public exhibition with adjoining landowners notified in accordance with the Lithgow Community Participation Plan. Three separate written submissions were received in response to the public exhibition of the proposal. These submissions are summarised in the table below.

Issue Raised	Comments
Narrowness and length of blocks, steep nature of landscape, difficulty in management (weeds and feral animals)	The subdivision proposal reconfigures 22 disjointed lots into 7 lots with boundaries better aligned with the topography of the land. Each lot has been configured to generally provide the easiest and most practical physical access to areas within each lot while also achieving compliance with the LLEP minimum lot size requirements. The proposed lot configuration is considered an improvement to the current fragmented and disjointed lot configuration based on original parish portions that do not reflect the topography of the land.
Changed land uses (reduced agricultural production) will increase pest infestations (weeds and feral animals) and generate nuisance to adjoining landowners	Potential changes to land uses, ownership and management practices are acknowledged and recognised as possible. This issue is not considered particularly relevant for this subdivision proposal and remains regardless of the lot configuration proposed. In addition, regardless of subdivision configuration or land uses undertaken, landowners remain subject to separate legal obligations to manage feral animals and weed species.
Multiple lots with access to Jenolan Caves Road	Accesses to Jenolan Caves Road have been minimised with shared accesses provided. Each lot has direct access to Jenolan Caves Road with sufficient capacity for safe sight distances.

Number of lots and shape making management livestock difficult, land will be prevented from useful agricultural production	The subdivision configuration does not change the existing landform which is currently contained within 22 disjointed and fragmented existing lots that do not demonstrate order or practical function. The proposed 7 lots consolidate the land into separate ownership units but do not necessarily limit the agricultural uses or productivity potential across the land such as through agistment or sharing of resources.
Internal access within the lots will require roads/access tracks which will cause erosion, require culverts and increase erosion/instability risk	The need for access tracks for maintenance is unknown with none proposed as part of the subdivision. It is acknowledged the subdivision will change the way the land is currently accessed and managed. All future land uses and ancillary works such as access tracks and infrastructure will be subject to separate approval or undertaken as exempt development in accordance with the LLEP provisions.
Unworkable nature of the lots will result in demands for further subdivision with access from Clarke Simpson Road	The subject land has no direct frontage or access to Clarke Simpson Road. This will remain unchanged.
The proposal does not satisfy the objectives of the RU1 zone	Compliance with the RU1 zone objectives has been addressed above. It is considered that the consolidation and resubdivision of the existing 22 disjointed and fragmented lots into 7 larger lots with frontage to Jenolan Caves Road and with boundaries that are better aligned with the topography will better facilitate land uses consistent with the zone objectives than the current lot configuration.
Bushfire risk due to steep landform and irregular boundary fences	The proposed reconfigured lot boundaries are generally improved from the current lot configuration and will not directly reduce or increase bushfire risk or access to the land for bushfire protection. Existing dwellings and infrastructure on the land will not be negatively affected or result in an increased bushfire risk from the subdivision configuration proposed. Any future dwellings on the land will be subject to separate development consent and will separately address bushfire risk. Each lot has sufficient area and

	dimensions to enable dwellings with a suitable level of bushfire protection measures.
Proposed lots do not enhance the character or landscape setting of the locality	The reconfigured lot boundaries are considered an improvement to the existing 22 disjointed and poorly configured lots. The proposal will result in 7 consolidated rural lots that comply with the minimum lot size requirements of the LLEP and that can, in principle, be used for agricultural activities consistent with the RU1 zone objectives and land uses permitted in the zone.
The present sizeable grazing property will be lost with the proposed lots not considered practical or viable for productive agricultural use	The existing holding comprises 22 separate lots that are configured in a form that is not respectful of the landform or current agricultural practices. The reconfigured lots are based more closely to topographic constraints and are of a size that is consistent with the LLEP planning provisions and minimum lot size requirements. Agricultural land uses and activities are not necessarily constrained to cadastral boundaries with options for agistment and shared resources remaining open to future landowners.
New lots will be occupied as rural lifestyle properties with limited capacity for meaningful agricultural production	The proposal is generally consistent with the provisions of the LLEP and land uses facilitated by those provisions.
Traffic impacts from additional residences accessing Jenolan Caves Road	There is no net increase in potential lot yield for the land with the reconfigured lots each providing suitable frontage to Jenolan Caves Road for access. No new land uses are proposed, with Jenolan Caves Road having sufficient capacity and each new lot having potential for safe, legal access to Jenolan Caves Road for the envisaged rural residential and agricultural uses of the land. Any other land uses facilitated by the proposal will be subject to separate traffic impact assessment as part of separate development proposals.

5.3.9 The public interest

The public interest is best served by the orderly and economic use of land for permissible uses and that does not impact unreasonably on the use and development of surrounding land.

In general, the proposal is considered overall to be in the public interest. The reconfiguration of 22 disjointed and fragmented lots that are poorly configured over the site into 7 new lots with boundaries more aligned with the topography, each with frontage to Jenolan Caves Road is considered a favourable outcome. The subdivision will facilitate and enable the ongoing and future use of the land for agricultural activities and associated rural residential uses. The proposal is generally in accordance with the provisions of the LLEP and other relevant planning instruments, regulations and policies as outlined in this report.

6. DISCUSSION AND CONCLUSIONS

The proposal is considered to generally comply with the relevant regulatory requirements and is considered unlikely to have any significant negative impacts upon the environment or upon the amenity of the locality. For these reasons and as outlined in this report, it is recommended that development consent to DA 181/21 be issued subject to the conditions below.

7. ATTACHMENTS

Schedule A- Conditions of consent.

8. RECOMMENDATION

THAT development application DA 181/21 is approved subject to conditions set out in Schedule A.

Report prepared by: Lachlan Sims, 3/11/2021 (revised 13/01/2022)

A handwritten signature in black ink, appearing to read 'Lachlan Sims', is positioned below the text of the report.

REASONS FOR CONDITIONS

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of relevant planning instruments and regulatory requirements.
- Due to the circumstances of the case and the public interest.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure lots are adequately serviced.
- To ensure compliance with the requirements of the Rural Fire Service.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

Schedule A

ADMINISTRATIVE CONDITIONS

1. The development is to be carried out in accordance with the application, Statement of Environmental Effects, accompanying information and plans listed below and any further information provided during the process unless otherwise amended by the following conditions.

The plans and documents approved as part of this application include:

Document Description	Prepared By	Date
Plan of subdivision, Sheet 1 of 1, Revision 3, CAD File No. 20264D03	Voerman & Ratsep Land Surveyors	23/7/2021
Concept building envelopes plans, Sheets 1-3, Revision 1, CAD File No. 20264E01	Voerman & Ratsep Land Surveyors	23/7/2021
Statement of Environmental Effects	Anthony Daintith Town Planning	24/8/2021
Bushfire Assessment Report (Reference 21-158)	Australian Bushfire Consulting Services	21/5/2021

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

2. Application Requirements

An application for Subdivision Certificate is to be lodged with Council including payment of relevant fees, two copies of the registered surveyors plans of subdivision, any associated 88B instrument (if applicable) following the compliance with all conditions of this consent.

3. Rural Addressing

Rural addressing for each of the approved lots has been assigned in accordance with the NSW Address Policy and User Manual as identified in the table below. Details are to be included on the final plans of subdivision submitted for approval with the application for Subdivision Certificate.

Approved Lot Number	Assigned Property Address
Lot 1	905 Jenolan Caves Road, GOOD FOREST NSW 2790
Lot 2	909 Jenolan Caves Road, GOOD FOREST NSW 2790
Lot 3	915 Jenolan Caves Road, GOOD FOREST NSW 2790
Lot 4	931 Jenolan Caves Road, GOOD FOREST NSW 2790
Lot 5	1051 Jenolan Caves Road, GOOD FOREST NSW 2790
Lot 6	1055 Jenolan Caves Road, GOOD FOREST NSW 2790
Lot 7	1069 Jenolan Caves Road, GOOD FOREST NSW 2790

4. **Property Entrances**

Rural gutter crossings, driveways and entrance gates are to be provided for Lots 4, 5 and 6 as nominated on the approved plans and in accordance with Council Policy 10.18 Specification for the Construction of Driveways, Footpath/Gutter Crossings and Footpaving and Council's Guidelines for Civil Engineering Design and Construction for Development. An application for approval in accordance with the above is to be lodged with Council and approval granted prior to driveway works commencing within the public road reserve.

5. **Easements**

Prior to the issue of a Subdivision Certificate the following easements shall be created on the plan of subdivision:

- (a) Easements for existing electricity infrastructure on the land in accordance with Endeavour Energy's requirements, and
- (b) Easements for access (minimum 10m wide) over Lot 2 in favour of Lots 1 and 3 for the identified access driveways.

GENERAL TERMS OF APPROVAL – NSW RURAL FIRE SERVICE

6. The subdivision is to comply with the General Terms of Approval and Bush Fire Safety Authority issued by the NSW Rural Fire Service on 27/10/2021, reference DA20210916004018 and attached to this consent.



NSW RURAL FIRE SERVICE

City of Lithgow Council
PO Box 19
LITHGOW NSW 2790

Your reference: DA181/21 (CNR-28132)
Our reference: DA20210916004018-Original-1

ATTENTION: Lachlan Sims

Date: Wednesday 27 October 2021

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Subdivision
909 Jenolan Caves Road Good Forest NSW 2790, 224//DP757063

I refer to your correspondence dated 14/09/2021 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

Intent of measures: 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. The land around the existing dwelling/s on proposed Lots 2, 3 and 7 must be managed in perpetuity to a minimum distance of 10 metres 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 be less than 15% at maturity;
- Trees at maturity are not touching or overhang the building;
- Lower limbs are removed up to a height of 2m above the ground;
- Tree canopies are separated by 2 to 5m;
- Preference is given to smooth-barked and evergreen trees;
- Large discontinuities or gaps in vegetation are provided to slow down or break the progress of fire towards buildings;
- Shrubs are not located under trees;
- Shrubs do not form more than 10% of ground cover;
- Clumps of shrubs are separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- Grass to be kept mown (as a guide grass should be kept to no more than 100mm in height);

1

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

- Leaves and vegetation debris are removed; and
- NSW Rural Fire Service's document *Standards for asset protection zones*.

Construction Standards

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

2. The existing dwellings on proposed Lots 2, 3 and 7 must be upgraded to improve ember protection. This can be achieved 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 sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

Access – Property Access

Intent of measures: to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

3. Any new property access road/s for proposed Lot 5 that is required to be constructed by the Council as part the subject subdivision development must comply with Table 7.4a of *Planning for Bush Fire Protection 2019*.

Water and Utility Services

Intent of measures: 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.

4. The provision of water supply for proposed Lots 2, 3 and 7 must each comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- A 20,000 litre static water supply must be provided on site;
- a connection for firefighting purposes is located within the IPA or non-hazard side, and away from the structure;
- 65mm Storz outlet with a ball valve is fitted to the outlet;
- ball valve and pipes are adequate for water flow and are metal;
- supply pipes from tank to ball valve have the same bore size to ensure flow volume;
- underground tanks have an access hole of 200mm to allow tankers to refill direct from the tank;
- a hardened ground surface for truck access is supplied within 4m;
- above-ground tanks are manufactured from concrete or metal;
- raised tanks have their stands constructed from non-combustible materials;
- unobstructed access be provided at all times;
- underground tanks are clearly marked;
- tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters;
- all exposed water pipes external to the building are metal, including any fittings;
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack;
- any hose and reel for firefighting be connected to the pump and be 19mm internal diameter, and fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005;

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

- 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

Future development applications lodged on lots created within this subdivision may be subject to further assessment under the *Environmental Planning & Assessment Act 1979* and need to comply with the requirements of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Simon Derevnin on 1300 NSW RFS.

Yours sincerely,

Adam Small
Supervisor Development Assessment & Plan
Built & Natural Environment



NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision – Subdivision

909 Jenolan Caves Road Good Forest NSW 2790, 224//DP757063

RFS Reference: DA20210916004018-Original-1

Your Reference: DA181/21 (CNR-28132)

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*.

Adam Small

Supervisor Development Assessment & Plan
Built & Natural Environment

Wednesday 27 October 2021