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**Sent:** 28/03/2025 2:41:53 PM  
**Subject:** NSW RFS Determination - Your Reference - CNR-78991 DA2025/0110  
**Attachments:** DA20250218000618-Original-1 - 28-03-2025 14\_10\_15 - Determination Letter.pdf;



**NSW RURAL FIRE SERVICE**



**Attention:** Anaiis Sarkissian

**Your Reference:** CNR-78991 DA2025/0110

**Application Details:** s100B – Subdivision – Original

**Site Address:**

40 Bungan Head Road  
Newport NSW 2106

Please find attached correspondence relating to the above development.

Should you wish to discuss this matter please contact Craig Casey on 1300 NSW RFS and quote DA20250218000618-Original-1.



Planning and Environment Services

**NSW RURAL FIRE SERVICE**

Locked Bag 17 Granville NSW 2142

**P** 1300 NSW RFS **E** [records@rfs.nsw.gov.au](mailto:records@rfs.nsw.gov.au)

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**PREPARE. ACT. SURVIVE.**



# RFS



Northern Beaches Council  
PO Box 882  
MONA VALE NSW 1660

Your reference: CNR-78991 DA2025/0110  
Our reference: DA20250218000618-Original-1

**ATTENTION:** Anaiis Sarkissian

Date: Friday 28 March 2025

Dear Sir/Madam,

**Integrated Development Application**  
**s100B - Subdivision - Torrens Title Subdivision**  
**40 Bungan Head Road Newport NSW 2106, 7//DP236330**

I refer to your correspondence dated 21/02/2025 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, to ensure ongoing protection from the impact of bush fires, the entire site 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.
- 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.

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#### **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](http://www.rfs.nsw.gov.au)



# RFS



2. At the issue of a subdivision certificate, if the land immediately to the south of proposed lots 101 and 102, has not been developed for residential purposes and the bush fire hazard removed, a suitably worded instrument(s) must be created pursuant to section 88 of the *Conveyancing Act 1919* over the lots which prohibit the construction of buildings other than class 10a or 10b structures for a distance of 16 metres of the southern site boundary. 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 Northern Beaches Council.

### 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**

3. 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*:

- reticulated water is to be provided to the development where available;
- 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:

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*.

- 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;
- 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. Any further development application for class 1,2 & 3 buildings as identified by the *National Construction Code of Australia* may be subject to separate application under section 4.14 of the *EP & A Act* and address the requirements of *Planning for Bush Fire Protection 2019*;
- The assessment was based on the proposed Plan of Subdivision as prepared by David A Stutchberry, Plan of Subdivision of Lot 7 in Dp236330, Surveyors Reference: 11604/22 Rev 2 and dated 30/01/2025; and,
- The proposal was based on the Bushfire Consultants Australian Bushfire Consulting Services Pty Ltd, Bush Fire, Assessment Report, Wayne Tucker, Ref; 22-165 and report dated 17 January 2025, and their use of a performance based alternate solution AS3959-2018 Method 2 Modelling to determine the radiant heat levels (25m separation distance, comprising 9m off site, carriage way and verge area and 16m within the subject allotments).

For any queries regarding this correspondence, please contact Craig Casey on 1300 NSW RFS.

Yours sincerely,



# RFS



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



# RFS



## BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision  
40 Bungan Head Road Newport NSW 2106, 7//DP236330  
RFS Reference: DA20250218000618-Original-1  
Your Reference: CNR-78991 DA2025/0110

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 Services  
Built & Natural Environment

Friday 28 March 2025

