

Danjera Dam APU Camping Ground Public Authority submissions

NSW Rural Fire Service Submission (Planning Proposal)



NSW RURAL FIRE SERVICE

Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Your reference: PP049
Our reference: SPI20200422000074

ATTENTION: Dale Richardson

Date: Wednesday 20 May 2020

Dear Sir/Madam,

**Strategic Planning Instrument
LEP Amendment – Planning Proposal**

Pre-exhibition Agency Consultation – Planning Proposal PP049 – Danjera Dam Additional Permitted Use (Camping Ground)

I refer to your correspondence dated 17/04/2020 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the proposal with regard to Section 4.4 of the directions issued in accordance with Section 9.1 of the 'Environmental Planning and Assessment Act 1979'.

The objectives of the direction are:

- a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- b) to encourage sound management of bush fire prone areas.

The direction provides that a planning proposal must:

- a) have regard to 'Planning for Bushfire Protection 2019',
- b) introduce controls that avoid placing inappropriate developments in hazardous areas, and
- c) ensure that bushfire hazard reduction is not prohibited within the APZ.

Given the high bush fire risk, isolated nature of the site and inherent access constraints, the progression of the planning proposal is premised on future development achieving an equivalent or higher level of bush fire protection provided in the concurrent Development Application DA19/2186. The bush fire protection measures associated with DA19/2186 are outlined in the Bushfire Assessment prepared by Peterson Bushfire dated 13 December 2018, ref: 18047 and, as amended by the bush fire safety authority issued by the NSW RFS dated 20 May 2020. The NSW RFS relied upon the advice from Council that the site has an existing lawful use to determine the planning proposal resulted in a better bush fire outcome.

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NSW Rural Fire Service
Locked Bag 17
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For any queries regarding this correspondence, please contact Bradley Bourke on 1300 NSW RFS.

Yours sincerely,

Martha Dotter
Team Leader, Dev. Assessment & Planning
Planning and Environment Services



NSW Rural Fire Service Submission (previous relevant advice)



NSW RURAL FIRE SERVICE

Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

Your reference: (CNR-3656) DA19/2186
Our reference: DA20200117000185-Original-1

ATTENTION: Elliott Weston

Date: Wednesday 20 May 2020

Dear Sir/Madam,

Integrated Development Application
s100B – SFPP – Camping Ground
Yalwal Rd Yalwal New South Wales 2540 AUS, 1//DP252335, 4//DP252335, 5//DP252335

I refer to your correspondence dated 09/01/2020 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 for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:

1.

Prior to the occupation of the site and in perpetuity, all land within the designated campsites, the area around the proposed refuge building and the 30-metre asset protection zone as illustrated on figure 5 of the Bushfire Assessment prepared by Peterson Bushfire dated 13 December 2018, ref: 18047, shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

2.

Prior to the occupation of the site and for the life of the development, all land within 140-metres of the designated campsites and the proposed refuge building shall be managed to ensure surface and overall fuel loads do not exceed 10t/ha and 15 t/ha respectively.

Construction Standards

1

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The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

3.

In recognition of the isolated, high-risk nature of the site, all construction associated with the proposed refuge building shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas - 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

4.

Any new Class 10b structures as defined per the 'Building Code of Australia' situated within 6 metres of the proposed refuge building shall comply with the relevant Bushfire Attack Level under Australian Standard AS3959.

Access - Internal Roads

The intent of measures is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

5.

Prior to the occupation of the site, all access within the site shall be upgraded to comply with the recommendations outlined in the Bushfire Assessment prepared by Peterson Bushfire dated 13 December 2018, ref: 18047, and the following:

- Internal roads are two-wheel drive, all-weather roads;
- There is a minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches;
- roads are through roads. Dead end roads are not more than 100 metres in length from a through road, incorporate a minimum 12 metres outer radius turning circle, and are signposted as a dead end;
- traffic management devices are constructed to facilitate access by emergency services vehicles;
- roads are clearly signposted, and bridges clearly indicate load ratings; and,
- road surfaces and bridges have a capacity to carry fully-loaded fire fighting vehicles (15 tonnes).

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:

6.

The provision of all new and the modification of any existing water, electricity, and gas services shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

7.

In recognition that an unreliable water supply exists, minimum 20,000-litre water supply shall be provided on-site in accordance with 'Planning for Bush Fire Protection 2006' and the following:

- Aboveground tanks shall be constructed of non-combustible material;
- A 65mm metal storz fitting and ball or gate valve shall be installed in any tank;
- The gate or ball valve, pipes and tank penetration shall be adequate for full 50mm inner diameter water flow through the Storz fitting and shall be metal rather than plastic;



- A minimum 5hp or 3kW petrol or diesel-powered pump shall be made available to the water supply. A 19mm (internal diameter) fire hose and reel shall be connected to the pump;
- A standard Static Water Supply (SWS) marker shall be obtained from the District NSW Rural Fire Service as part of the Static Water Supply Program once the tank water supply has been installed. The marker once issued is to be:
 - (a) fixed in a highly visible location;
 - (b) positioned adjacent to most appropriate access for the static water supply;
 - (c) fixed facing the roadway on a gatepost, fence or dedicated post, at the right-hand side of the entranceway to the Static Water Supply;
 - (d) fixed no less than 600mm from the ground surface to the base of the sign and no higher than 1200mm from the ground surface to the base of the sign; and,
 - (e) fixed with suitable screws or nails.

Landscaping Assessment

The intent of measures is for landscaping. To achieve this, the following conditions shall apply:

8.

Landscaping of the site should comply with following principles of Appendix 5 of 'Planning for Bush Fire Protection 2006':

- Suitable impervious areas are provided immediately surrounding the building such as courtyards, paths and driveways.
- Grassed areas, mowed lawns or ground cover plantings are provided in close proximity to 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 should be isolated or located in small clusters).
- Landscape species are chosen in consideration needs of the estimated size of the plant at maturity.
- Species are avoided that have rough fibrous bark, or which keep/shed bark in long strips or retain dead material in their canopies.
- Smooth bark species of tree are chosen which generally do not carry fire up the bark into the crown.
- Planting of deciduous species is avoided which may increase fuel at surface/ ground level (i.e. leaf litter).
- Climbing species are avoided to walls and pergolas.
- Combustible materials such as woodchips/mulch and flammable fuel are stored away from the building.
- Combustible structures such as garden sheds, pergolas and materials such timber garden furniture are located way from the building.
- Low flammability vegetation species are used.

Emergency and Evacuation Planning Assessment

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

9.

Prior to the occupation of the site, a Bush Fire Emergency Management and Evacuation Plan shall be prepared for the site in accordance with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014' (or equivalent). The Plan shall acknowledge the isolated nature of the site, that fire fighting assistance may be limited in the event of a bush fire, and evacuation may not be possible as escape routes may be blocked. The Plan shall be updated on an annual basis following an audit of bush fire protection measures, including maintenance of asset protection zones, water supplies and access roads within the subdivision.

The Plan shall:

- Outlined the minimum training requirements for the on-site caretaker to monitor conditions, liaise with fire authorities and execute the Plan. The caretaker will be responsible for the Plan, campers welfare and will be trained in the operations of the Plan as required by the guidelines;
- identify communication methods for checking fire weather warning and contacting emergency services;
- Identify permissible activities that may occur within the site on days of forecasted extreme and catastrophic fire weather;
- Identify trigger points for implementation of the emergency evacuation plan; and
- Identify the procedure to contact the NSW RFS District Office / NSW Fire Brigade and inform them of proposed actions (i.e. early evacuation/on-site refuge).

The proposed on-site refuge building shall:

- Comply with the site criteria as outlined in section 7 of the NSW RFS document 'Guidelines for the Identification and Inspection of Neighbourhood Safer Places in NSW' dated April 2017;
- provide for the maximum capacity of the site (being the total number of all accommodation guests, day visitors, staff, and event attendees etc);
- be clearly signposted as a place of refuge; and
- Comply with the occupancy levels permissible for a Class 9b Assembly Building ('Public Hall') and 'area per person' requirements (being 1 square metre per person) as specified under the Building Code of Australia.

10.

The Local Emergency Management Committee and the Shoalhaven District Office of the NSW RFS shall be consulted during the creation of the Bush Fire Emergency Management and Evacuation Plan. Any resulting changes shall be adopted into an amended version of the Plan for use with the development. The Plan provided to the Shoalhaven District Office shall include a site map that clearly illustrates the location of all firefighting water supplies (including the provision of equipment housed on-site) and access through the site.

For any queries regarding this correspondence, please contact Bradley Bourke on 1300 NSW RFS.

Yours sincerely,

Martha Dotter
Team Leader, Dev. Assessment & Planning
Planning and Environment Services



NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

SFPP – Camping Ground

Yalwal Rd Yalwal New South Wales 2540 AUS, 1//DP252335, 4//DP252335, 5//DP252335

RFS Reference: DA20200117000185-Original-1

Your Reference: (CNR-3656) DA19/2186

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*.

Martha Dotter

**Team Leader, Dev. Assessment & Planning
Planning and Environment Services**

Wednesday 20 May 2020

DPIE Environment, Energy and Science Submission (Planning Proposal)



Our ref: DOC20/345920
Senders ref: PP049

Dale Richardson
Strategic Planner
Shoalhaven City Council
E-mail:
dale.richardson@shoalhaven.nsw.gov.au

Dear Mr Richardson

Subject: Danjera Dam Additional Permitted Use Planning Proposal – Preliminary Consultation

Thank you for your email of 15 April 2020 requesting comments on the abovementioned planning proposal. We understand that the proposal comprises adding “camping ground” at Danjera Dam Camping & Recreation Area as an additional permitted use under Shoalhaven LEP 2014. We do not object in principle, subject to appropriate environmental assessment for the proposed use at the DA stage.

We have reviewed the Biodiversity Development Assessment Report (BDAR) and commend Council on the quality of this document. We note an updated BDAR will be required to accompany the Development Application and we are happy to provide further advice if required. For the purposes of the Planning Proposal we support the outcomes of the BDAR, subject to the comments and suggestions provided below:

- The critically endangered orchid, *Pterostylis ventricosa*, has been recorded in close proximity to the development site. The BDAR indicates that surveys were carried out in December 2018 however this species should be surveyed March-May in accordance with survey requirements in the Bionet Threatened Biodiversity Data Collection. Further surveying should also be carried out in accordance with newly released survey guidelines: <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/surveying-threatened-plants-and-habitats-nsw-survey-guide-biodiversity-assessment-method-200146.pdf>. The BDAR must demonstrate adequate assessment of *Pterostylis ventricosa* was carried out, and in accordance with current guidelines.
- Maps showing species polygons for those species credit species requiring an offset were not included in the BDAR. We recommend the updated BDAR accompanying the DA include maps indicating polygons for glossy black cockatoo, large-eared pied bat, little eagle, southern myotis, barking owl and masked owl.
- The BDAR does not clearly address whether any threatened species, not listed in the BAM Calculator, have been recorded in the local area in previous studies. Any additional species which require assessment should be added to the BAM Calculator assessment and addressed in the BDAR. Refer to BAM Operational Manual, Part 3: Assessing habitat suitability for threatened species for further information.
- We note that three options for formalisation of the campground and associated asset protection were considered by Council (BDAR, Section 2.1.1). This was carried out prior to the 2019/2020 bushfires and we question whether observations and experience from this event will lead to a requirement for further clearing for asset protection. We suggest Council



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update the BDAR to address these recent events, providing justification for any changes required.

Finally, we note that the Danjera Dam camping area is adjacent to the Morton National Park and suggest that any subsequent development application take into consideration the requirements of the Guidelines for Land Adjoining Land Managed by OEH, available at the link below:

<https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines>

If you have any questions about this advice, please do not hesitate to contact me via calvin.houlison@environment.nsw.gov.au or 4224 4179.

Yours sincerely

A handwritten signature in black ink, appearing to read "Calvin Houlison".

Calvin Houlison

**Senior Conservation Planning Officer
Biodiversity & Conservation Division
Environment, Energy and Science**