



# Building Code & Bushfire Hazard Solutions

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Neal Bannister  
PO Box 3410  
RHODES NSW 2138

3<sup>rd</sup> May 2021  
Our Ref. 211232

**Re: ALTERATIONS & ADDITIONS – SECTION 4.55  
PROPOSED SWIMMING POOL AND STAIR & INCLINATOR RELOCATION  
LOT 1 DP 634291 / 201 MCCARRS CREEK ROAD, CHURCH POINT NSW  
BUSHFIRE ASSESSMENT STATEMENT**

Dear Neal,

We thank you for engaging us to undertake this assessment for you.

We understand that you are compiling the submission documents for the proposed section 4.55 modifications to the approved alterations and additions to the sole occupancy dwelling at 201 McCarrs Creek Road, Church Point (DA N0297/03).

We have reviewed the plans supplied and understand that the proposed modifications relate to the deletion of a turret and the addition of a swimming pool and the relocation of a stairway and inclinator. There is no change to the building footprint proposed as part of this modification.

It is acknowledged that since the time the original development application was lodged *Planning for Bush Fire Protection 2019* has come into effect and is applicable to all applications lodged on or after 1<sup>st</sup> March 2020.

The purpose of this statement is to ascertain compliance or otherwise with Australian Standard 3959 - 2018 'Construction of buildings in bushfire-prone areas' and 'Planning for Bush Fire Protection' 2019. This type of development is considered infill and assessed under section 4.14 of the Environmental Planning and Assessment Act 1979.

Properties considered to be affected by possible bushfire impact are determined from local Bushfire Prone Land Map's as prepared by Council and or the Rural Fire Service. All property development within affected areas is subject to the relevant specifications and requirements detailed in the document 'Planning for Bush Fire Protection - 2019' (PBP).

Set back distances for the purpose of creating an Asset Protection Zones (APZ) and / or determining separation distance form a hazard interface must be assessed and any buildings must then conform to corresponding regulations detailed in Australian Standard 3959 – 2018 'Construction of buildings in bushfire prone areas' (where applicable).

The most appropriate method of determining the site bushfire hazard under the terms of PBP is to consider the site in a singular form.

*Bushfire prone areas are defined as those areas;*

- *containing or within 100m of Category 1 Vegetation; or*
- *containing or within 30m of Category 2 or 3 Vegetation.*

Northern Beaches Council's Bushfire Prone Land Map identifies the subject property as containing Category 1 & 2 Vegetation the associated buffer zones therefore the application of Planning for Bush Fire Protection - 2019 (PBP) must apply in this instance.

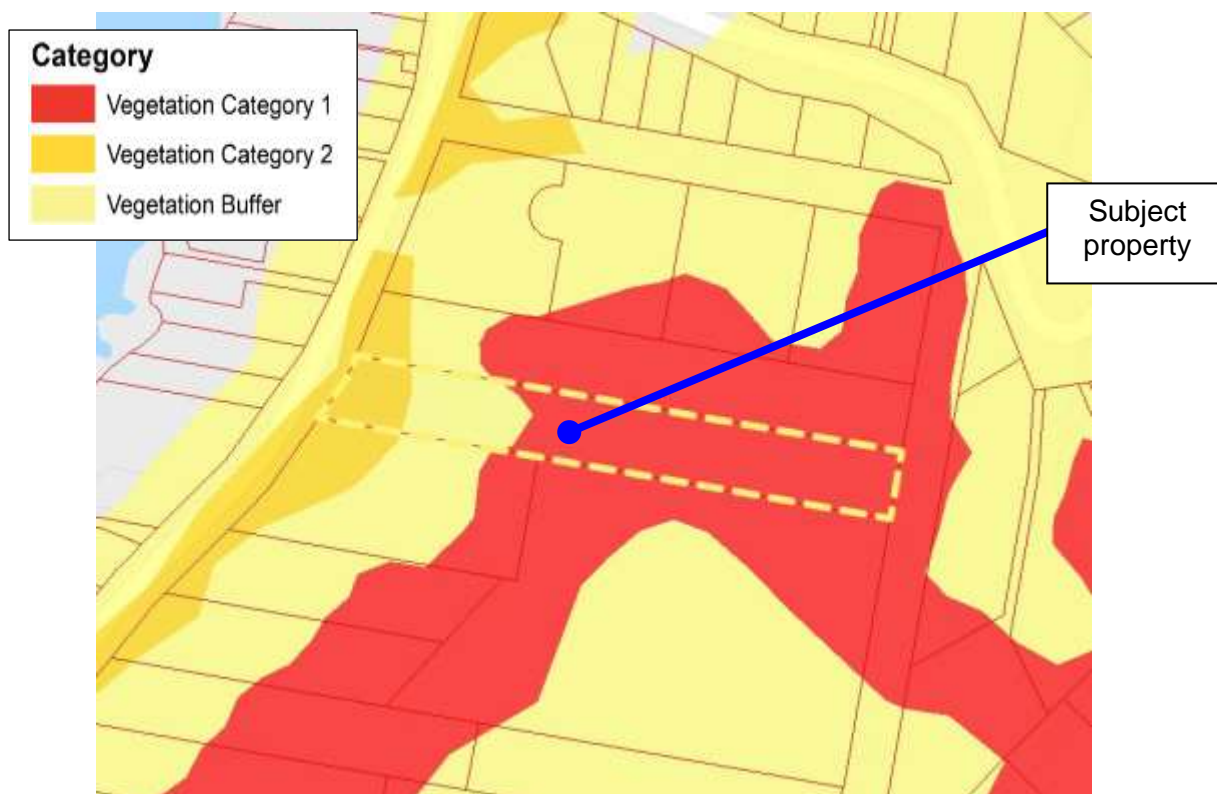


Image 01: Extract from Northern Beaches Council's Bushfire Prone Land Map



Image 02: Aerial view of the subject area c/- Nearmap – April 2021

The approved dwelling has progressed significantly and it would be onerous to bring the completed works up to the current standard. The removal of the turret component does not alter the findings of the previous report and would not adversely impact the previously determined BAL.

In relation to the proposed swimming pool, relocated stair and inclinator section 8.3.2 of PBP states:

*The NCC defines a Class 10 building as a non-habitable building or structure such as a:*

- a. Class 10a – a non-habitable building being a private garage, carport, shed or the like; or*
- b. Class 10b – a structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like; or*
- c. Class 10c – a private bush fire shelter*

*There is no bush fire protection requirements for Class 10a buildings located more than 6m from a dwelling in bush fire prone areas. Where a Class 10a building is located within 6m of a dwelling it must be constructed in accordance with the NCC.*

The proposed swimming pool, relocated stair and inclinator will be located less than 6 metres from any dwelling. The proposed swimming pool, relocated stair and inclinator will be constructed entirely from non-combustible materials, which satisfies the requirements of PBP 2019 and AS3959 by means of the above.

## Recommendations

### Construction

1. That the swimming pool, relocated stair and inclinator shall be constructed entirely from non-combustible materials.

In consideration of the site specific bushfire risk assessment it is my opinion that there is a reasonable level of bushfire protection to the subject development.

We are therefore in support of the proposal. Should you have any enquiries regarding this project please contact me at our office.

Prepared by  
Building Code & Bushfire Hazard Solutions



**Duncan Armour**  
Bushfire Consultant

Reviewed and endorsed by  
Building Code & Bushfire Hazard Solutions



David McMonnies, AFSM. / M I Fire E  
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Quote from Planning for Bush Fire Protection 2019, 'While the material within this publication is current at the time of writing changes in circumstances after the time of publication may impact on the accuracy of the material. Individuals are responsible for ensuring they have the most current version of this publication.'

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Similarly the interpretations and opinions provided by Building Code and Bushfire Hazard Solutions in regard to bushfire design, protection and mitigation are also given in the same good faith.