




Reference number 4482

Member of the Fire Protection Association of Australia

Lot 5, DP 590990, 5 Portions, Lovett Bay, NSW 2105.

Friday, 29 September 2023

Prepared and certified by:	Matthew Willis <i>BPAD – Level 3 Certified Practitioner</i> Certification No: BPD-PA 09337		29/09/2023 05/12/2023
Can this proposal comply with AS3959-2018 (inc section 7.5, 7.5.1, 7.5.2, 7.5.3, 7.5.4 (where applicable) of the Rural Fire Services document Planning for Bushfire Protection 2019)?	Yes		
What is the recommended AS 3959-2018 level of compliance?	BAL-FZ		
Is referral to the RFS required?	Yes		
Can this development comply with the requirements of PBP?	Yes		
Plans by "Richard Leplastrier" (Appendix 1) dated.	Attached		

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Bushfire Risk Assessment

Friday, 29 September 2023

Contact

Richard Leplastrier

4 Lovett Bay

Lovett Bay NSW 2105

Subject Property

Lot 5, DP 590990

5 Portions

Lovett Bay NSW 2105

BUSHFIRE RISK ASSESSMENT CERTIFICATE

THIS FORM IS TO BE COMPLETED BY A RECOGNISED CONSULTANT IN BUSHFIRE RISK ASSESSMENT IN ACCORDANCE WITH SECTION 4.14 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT.

Property Address	Lot 5, DP 590990, number 5 Portions Lovett Bay
Description of the Proposal	Construction of a new dwelling
Plan Reference	Attached
BAL Rating	BAL-FZ
Does the Proposal Rely on Alternate Solutions?	Yes

I, **Matthew Willis of Bushfire Planning Services Pty Ltd** have carried out a bushfire risk assessment on the above-mentioned proposal and property. A detailed Bushfire Assessment Report is attached which includes the submission requirements set out in Planning for Bushfire Protection 2019 together with recommendations as to how the relevant Specifications and requirements are to be achieved.

I hereby advise, in accordance with Section 4.14 of the Environmental Planning and Assessment Act 1979 No 203:

1. That I am a person recognised by the NSW Rural Fire Service as a qualified consultant in bushfire risk assessment; and

2. That subject to the recommendations contained in the attached Bushfire Risk Assessment Report the proposed development conforms to the relevant specifications and requirements*

*The relevant specifications and requirements being specifications and requirements of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department of Planning and any other document as prescribed by Section 4.14 of the Environmental Planning and Assessment Act 1979 No 203.

I am aware that the Bushfire Assessment Report, prepared for the above-mentioned site is to be submitted in support of a development application for this site and will be relied upon by Northern Beaches Council as the basis for ensuring that the bushfire risk management aspects of the proposed development have been addressed in accordance with Planning for Bushfire Protection 2019.

REPORT REFERENCE	<i>Friday, 29 September 2023</i>
REPORT DATE	<i>Friday, 29 September 2023</i>
CERTIFICATION NO/ACCREDITED SCHEME	<i>FPA A BPAD A BPD-PA 09337</i>

Attachments:

- Bushfire Risk Assessment Report
- Recommendations

SIGNATURE: ---  ----- **DATE:** -----Friday, 29 September 2023

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1 Executive Summary.

Bushfire Planning Services has been requested by Mr Richard Leplastrier to supply a bushfire compliance report on lot 5, DP 590990, 5 Portions, Lovett Bay.

Note to RFS. Please pay particular attention to the recommended conditions for this proposal. The proposal will incorporate some “out of the ordinary” design features that will need the input of a fire engineer as they will not meet the DTS requirements of either the NASH Standard or AS3959.

If the ability to address the building using alternate pathways is not included in the DA approval this will cause undue expenses and time delays to the proponent during the CC and construction stages.

The works proposed for the subject lot are for the construction of a new dwelling and detached class 10 studio, see attached plans for details.

The subject lot is towards the north-western end of the developed part of Lovett Bay. At its closest point to the hazard the proposed new work for the dwelling has a separation distance to the south-east of approximately 13.6m.

The vegetation that is considered to be the hazard to this proposal is situated on land that slopes down slope away from the property at an angle of approximately 4.45°.

For the purposes of this assessment this vegetation is considered to be Forest.

The majority of the remaining vegetation within the study area is contained within the boundaries of established allotments and is managed land and of low threat to this proposal.

The calculations and assumptions outlined in this report show that the development will be required to comply with the construction requirements of AS 3959-2018 BAL-FZ and any additional construction requirements contained within section 7.5, 7.5.1, 7.5.2, 7.5.3, 7.5.4 (where applicable) of the Rural Fire Services document Planning for Bushfire Protection 2019.

The following table is a summary of the pertinent findings of this assessment.

Aspect	North	East	South	West
Vegetation type	Managed land/forest	Forest	Managed land	Managed land/forest
Slope	All Upslope and Flat Land	5-10 degrees downslope	N/A	N/A
Setback within lot 5	N/A	13.6m	N/A	N/A
Setback outside lot 5	N/A	0m	N/A	N/A
Total setback	N/A	13.6m	N/A	N/A
Bal level	N/A	BAL-FZ	N/A	N/A

Note: The above table is a summary of the significant variables used to determine the highest BAL for this proposal. THIS TABLE IS NOT INTENDED FOR CONSTRUCTION!

Aspect	North	East	South	West
<i>Only the highest BAL level is shown, aspects marked as N/A will still have a BAL. Refer to section 11 for construction requirements for these other aspects.</i>				

2 General.

This proposal relates to the construction of a new dwelling and detached class 10 Studio on the subject lot and its ability to comply with the rules and regulations for building in a bushfire prone area.

The methodology used on this report is based on Planning for Bushfire Protection 2019 (PBP) as published by the New South Wales Rural Fire Service.

Any wording that appears in *blue italics* is quotes from Planning for Bushfire Protection 2019. Some of the measurements used in this report have been taken from aerial photographs and as such are approximate only.

3 Block Description.

The subject block is situated towards the north-western end of the developed area of Lovett Bay.

The lot is currently vacant.

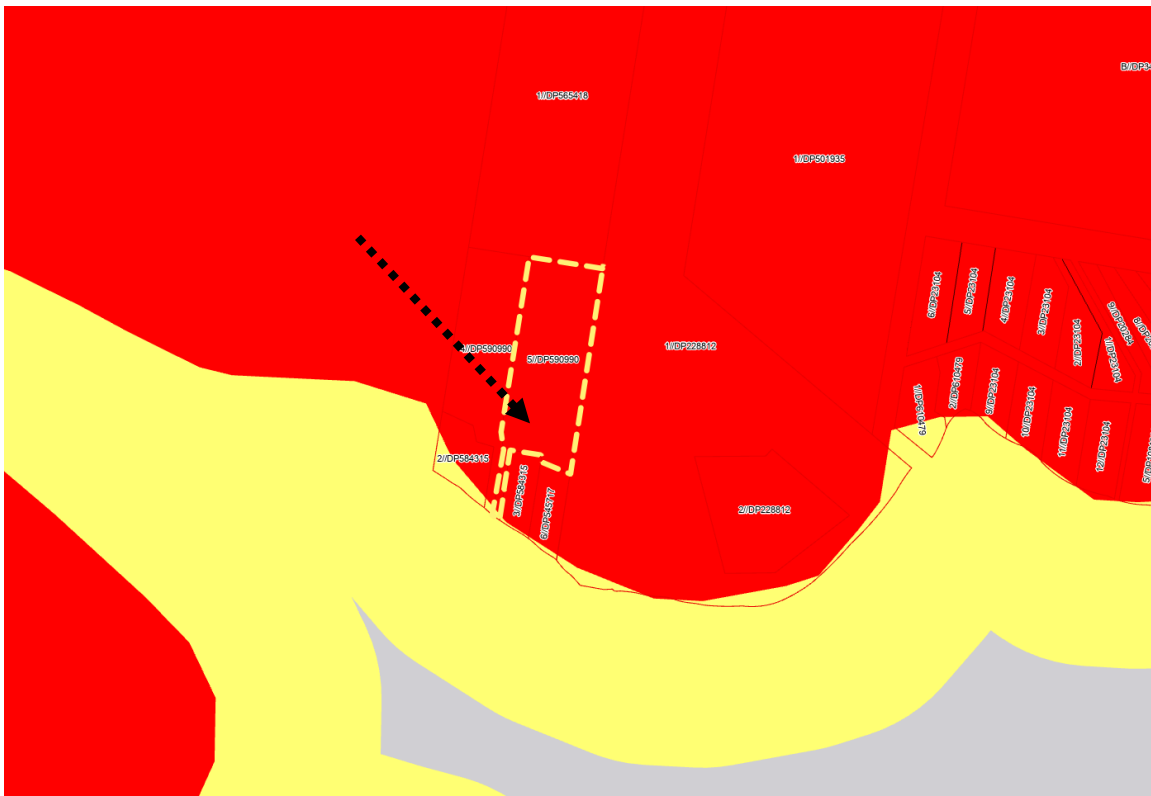
The lands surrounding the proposed site on the subject lot to a distance of at least 13.6m will contain future/existing development or land that is otherwise not considered to be a significant bushfire hazard.

- Lot; 5
- DP; 590990.
- LGA; Northern Beaches.
- Area; 5456m².
- Address; 5 Portions, Lovett Bay.

This section has been left blank.



Map 1 shows the cadastral layout around the subject lot.



Map 2 is an extract from the councils' bushfire prone land map. The map shows lot 5 to contain category 1 bushfire vegetation.

4 Vegetation.

The study area for the vegetation is 140m surrounding the subject block.

The vegetation within the study area for this development is considered to be a mixture of managed land and native forest.

To the north of the development site is forest.

The closest potential hazard to this development is the vegetation within an area of undeveloped land to the south-east.

For the purpose of this assessment and compliance with Planning for Bushfire Protection this area of undeveloped land is considered to be Forest and is the hazard to this proposal.



Photo 1 - An overview of the vegetation within the general area.

This area has been left intentionally blank.



Photo 2 is a closer view of the vegetation in the area. The proposed house footprint is shown in white.

Table 1 outlines the vegetation orientation and distance from the development area.

Aspect	North	East	South	West
Vegetation type	Managed land/forest	Forest	Managed land	Managed land/forest
Setback within lot 5	N/A	13.6m	N/A	N/A
Off-site setback	N/A	0m	N/A	N/A
Total setback	N/A	13.6m	N/A	N/A

Table 1 - Any aspect marked with "N/A" in the table above indicates that it is considered there is none or only a secondary hazard in that direction.

This area has been left intentionally blank.

5 Known constraints on subject block.

The development is constrained due to its proximity to neighbouring un-managed vegetation to the east.

6 Slope.

The slope of the land beneath the hazard that is most likely to influence bushfire behaviour has been calculated by topographical map analysis to a distance of 100m from the subject lot.

An extract of the topographical map for the area is shown below and the relevant slope analysis is shown in the following table.



ID	Start	End	Length	Diff	Degrees
1	21.98	79.48	100.20	57.49	29.85
2	23.31	57.38	99.07	34.06	18.97
3	13.57	4.00	100.27	-9.57	-5.45
4	15.05	12.11	100.33	-2.94	-1.68
5	16.38	16.28	99.88	-0.09	-0.05
6	16.57	32.72	100.13	16.15	9.16

7 Utilities.

7.1 Water.

The subject block will not be serviced by a reliable reticulated water supply.

7.2 Electricity

Main's electricity is available to the block.

7.3 Gas

It is unknown if bottled gas is to be installed in this proposal.

8 Access/Egress.

Access to the lot is via water with easy access to several pontoons situated along the foreshore close to the subject lot.

The proponent has at least one boat with access to others owned by neighbours. Access is also available via water taxi and there is a public ferry wharf in Lovett Bay serviced by regular ferries.

Analysis of development and recommendation.

9 Compliance with Planning for Bushfire Protection setbacks.

Based on the development design, vegetation classification, effective slope estimates and setback distance already outlined in this report the subject development will be required to comply with the deemed to satisfy construction requirements of AS 3959-2018 BAL-FZ and the RFS requirements on all fire prone aspects.

The following table is an extract from table A1.12.5 of Planning for Bushfire Protection 2019. This table is used to calculate the BAL for a proposal in an area with an FDI of 100.

The variables that have already been outlined in this assessment are highlighted in red with the highest BAL highlighted in yellow.

5-10 DEGREES	Keith Vegetation Formation	BUSHFIRE ATTACK LEVEL (BAL)				
		BAL-FZ	BAL-40	BAL-29	BAL-19	BAL-12.5
	Arid-Shrublands (acacia and chenopod)	< 6	6 -< 8	8 -< 12	12 -< 18	18 -< 100
	Forest (wet and dry sclerophyll) including Coastal Swamp Forest, Pine Plantations and Sub-Alpine Woodland	< 28	28 -< 36	36 -< 49	49 -< 65	65 -< 100
	Forested Wetland (excluding Coastal Swamp Forest)	< 12	12 -< 16	16 -< 23	23 -< 33	33 -< 100

Freshwater Wetlands	< 5	5 -< 6	6 -< 10	10 -< 14	14 -< 100
Grassland	< 10	10 -< 13	13 -< 20	20 -< 28	28 -< 50
Grassy and Semi-Arid Woodland (including Mallee)	< 15	15 -< 20	20 -< 28	28 -< 39	39 -< 100
Rainforest	< 14	14 -< 18	18 -< 26	26 -< 37	37 -< 100
Short Heath	< 9	9 -< 12	12 -< 18	18 -< 25	25 -< 100
Tall Heath	< 15	15 -< 20	20 -< 29	29 -< 40	40 -< 100

For the purpose of this assessment the south-eastern aspect has been chosen as the most potentially hazardous aspect due to the effective slope, potential run of fire and the prevailing fire weather of the area.

10 Siting.

The current site provides adequate separation between the proposed building and surrounding vegetation for a compliant structure to be built.

Recommendation;

Nil.

11 Construction and design.

All new work is to be undertaken in accordance with the relevant requirements of the NCC and AS3959 2018. The following recommendations are a minimum level of construction. Constructing the proposal to a higher level than that recommended is allowable under AS3959.

Recommendation; all new work to the house.

1. Construction to comply with AS3959:2018 Construction of buildings in bushfire-prone areas, the NASH Bushfire Standard 2021, and/or the National Construction Code 2022, on a prescriptive or performance-basis as for Bushfire Attack Level Flame Zone (BAL-FZ), in accordance with the building approvals regulatory framework in NSW. If a performance-based solution is undertaken, then this will need to be by a fire safety engineer registered to practice in NSW.

2. New roofing valleys and guttering should be fitted with a non-combustible leaf protection to stop the accumulation of debris.

3. There are no specific construction requirements for class 10 buildings greater than 6m from a dwelling.

AS-3959 2018 is available as PDF from;

https://infostore.saiglobal.com/en-au/standards/as-3959-2018-122340_saig_as_as_2685241/

12 Utilities.

12.1 Water.

The subject lot will not be connected to a reticulated water supply. As a result, a Static Water Supply (SWS) is required to be established and maintained on site to the following specifications.

4. A 20,000 L water supply is to be made available for firefighting purposes and be constructed in accordance with the following features.
 - 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 material or bush fire-resisting timber (see Appendix F of AS 3959);
 - Unobstructed access can 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;
 - A pump is to be provided with a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; any hose and reel for firefighting connected to the pump shall be 19mm internal diameter; and
 - If fitted, fire hose reels are constructed in accordance with AS/NZS 1221:1997 and installed in accordance with the relevant clauses of AS 2441:2005.
 - A 'SWS' marker shall be obtained from the local NSW Rural Fire Service and positioned for ease of identification by brigade personnel and other users of the SWS. In this regard:
 - a) Markers must be fixed in a suitable location so as to be highly visible; and
 - b) Markers should be positioned adjacent to the most appropriate access for the static water supply.
5. If Lovett Bay is to be used as a SWS recommendation 5 may be ignored however the following applies;
 - A pump is to be provided with a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; any hose and reel for firefighting connected to the pump shall be a minimum of 19mm internal diameter; and

- The pump pick up line is to be positioned such as to allow for water pick up at low tide.
- Unless adequately shielded, all water delivery pipes less than 300mm below the ground are metal, including any fittings;
- Any piping has a diameter sufficient to allow for adequate water flow;
- Unobstructed access can be provided at all times;
- If fitted, fire hose reels are constructed in accordance with AS/NZS 1221:1997 and installed in accordance with the relevant clauses of AS 2441:2005.
- A 'SWS' marker shall be obtained from the local NSW Rural Fire Service and positioned for ease of identification by brigade personnel and other users of the SWS. In this regard:
 - a) Markers must be fixed in a suitable location so as to be highly visible; and
 - b) Markers should be positioned adjacent to the most appropriate access for the static water supply.

12.2 Electricity and Gas.

Recommendation;

6. Any new electricity or gas connections are to comply with the requirements of table 7.4a of Planning for Bushfire Protection.

13 Asset Protection Zone (APZ).

The Asset Protection Zone is *“An area surrounding a development managed to reduce the bushfire hazard to an acceptable level. The width of an APZ will vary with slope, vegetation, and construction level”*.

Recommendation;

7. At the commencement of building works and in perpetuity the property around the building footprint shall be managed as follows and as outlined within Planning for Bushfire Protection 2019 and the New South Wales Rural Fire Service document standards for Asset Protection Zones:
 - North as an Inner Protection Area to at least the currently managed distance.
 - East as an Inner Protection Area to the property boundary.
 - South as an Inner Protection Area to the property boundary.
 - West as an Inner Protection Area to the property boundary.

It should be noted that no additional expansion of the already managed vegetation will be required.

14 Landscaping.

Recommendation;

8. Any new fencing is to be constructed in accordance with section 7.6 of Planning for Bushfire Protection 2019.

9. Any new landscaping to the site is to comply with the principles of Appendix 4 and section 3.7 of Planning for Bush Fire Protection 2019. In this regard the following landscaping principles are, where applicable, to be incorporated into the development¹:

- Suitable impervious areas being provided immediately surrounding the building such as courtyards, paths, and driveways;
- Grassed areas/mowed lawns/ or ground cover plantings being provided in close proximity to the building;
- Restrict planting in the immediate vicinity of the building which may over time and if not properly maintained come in contact with the building;
- Maximum tree cover should be less than 30%, and maximum shrub cover less than 20%;
- Planting should not provide a continuous canopy to the building (i.e., trees or shrubs should be isolated or located in small clusters);
- When considering landscape species consideration needs to be given to estimated size of the plant at maturity;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e., leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas, and materials such timber garden furniture way from the building; and
- Use of low flammability vegetation species.

15 Constraints on the subject block.

None that will affect the outcomes of this assessment.

Recommendation;

¹Refer to referenced documents for a complete description.

Nil.

16 Access/Egress.

Adequate access is available via both private water craft, ferry, and water taxi..

Recommendation

Nil

17 Compliance or non compliance with the specifications and requirements for bushfire protection measures.

<p>APZ</p> <p>A defensible space is provided onsite.</p> <p>An APZ is provided and maintained for the life of the development.</p>	<p>Achievable with the implementation of the recommendations in section 13</p>
<p>SITING AND DESIGN:</p> <p>Buildings are sited and designed to minimise the risk of bush fire attack.</p>	<p>Achievable with the implementation of the recommendations in section 10</p>
<p>CONSTRUCTION STANDARDS:</p> <p>It is demonstrated that the proposed building can withstand bush fire attack in the form of wind, smoke, embers, radiant heat, and flame contact.</p>	<p>Achievable with the implementation of the recommendations in section 11</p>
<p>ACCESS</p> <p>Safe, operational access is provided (and maintained) for emergency services personnel in suppressing a bush fire while residents are seeking to relocate, in advance of a bush fire, (satisfying the intent and performance criteria for access roads in sections 4.1.3 and 4.2.7).</p>	<p>Achievable with the implementation of the recommendations in section 16</p>
<p>WATER AND UTILITY SERVICES:</p> <ul style="list-style-type: none"> adequate water and electricity services are provided for firefighting operations Gas and electricity services are located so as not to contribute to the risk of fire to a building. 	<p>Achievable with the implementation of the recommendations in section 12</p>
<p>LANDSCAPING:</p> <ul style="list-style-type: none"> it is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind driven embers to cause Ignitions. 	<p>Achievable with the implementation of the recommendations in section 14</p>

18 Conclusions.

Based on the above report and with the implementation of the recommendation contained within this report the consent authority should determine that this development can comply with the requirements of AS 3959-2018 and 'Planning for Bushfire Protection' guidelines.

The recommendations contained within this report are to be implemented in their entirety. Changing one aspect may have an adverse effect on the rest of the recommendations.

Bushfires are affected by many external influences such as climactic conditions, vegetation type, moisture content of the fuel, slope of the land and human intervention to name a few and are difficult to predict.

This report does not intend to provide a guarantee that the subject property will survive if a bushfire should impact the surrounding area. The purpose of this report is to show the developments level of compliance or in some cases non-compliance with the New South Wales legislation regarding building in bushfire prone areas.

Where non-compliance is found measures will be suggested that should make the building less susceptible to the various attack mechanisms of a bushfire and comply with the performance requirements of the Building Code of Australia.

The opinions expressed in this report are based on the writers' experience and interpretation of the relevant guidelines and standards. Notwithstanding the above, these guidelines and standards are open to interpretation. All care has been taken to ensure that the opinions expressed in this report are consistent with past successful outcomes.

Some of the information used in the compilation of this assessment has been provided by the proponent or the proponent's representatives. While we believe this information to be true and have accepted the information in good faith however this company or its representatives will not accept any responsibility if the provided information is determined to be incorrect.

This document is to assist the consenting authorities with their assessment of this proposal. The recommendations contained in this assessment reflect the normal conditions that are typically applied by the consent authority for a proposal such as this however the conditions of consent for the proposal will be supplied by the certifying authority on approval of the development and may not necessarily be the same as the recommendations of this assessment.

The recommendations in this assessment are for planning guidance only, construction details and compliance with all building requirements are the responsibility of the Architect/Designer, Builder and Certifier.

To avoid confusion, unless specifically referenced by the consenting authority, it is strongly recommended that once this proposal has been approved that this document is no longer referenced and that only the official conditions of consent as reflected in documentation by the certifying body are used for construction guidance.

If any further clarification is required for this report, please do not hesitate to contact me using the details above.

Yours Sincerely



Matthew Willis

*Grad Dip Planning for Bushfire Prone Areas
Bushfire Planning Services Pty Limited*

19 References.

- *Australian Building Codes Board (2019). National Construction Code Volume One - Building Code of Australia. ABCB*
- *Australian Building Codes Board (2019). National Construction Code Volume two - Building Code of Australia. ABCB.*
- *Keith, D.A. (2004). Ocean Shores to Desert Dunes: The Native Vegetation of New South Wales and the ACT. NSW Department of Environment and Conservation.*
- *National Association of Steel Framed Housing (2014). "Steel Framed Construction in Bush Fire Areas. NASH*
- *Ramsay, C and Rudolph, L (2003) "Landscape and Building Design for Bush fire Areas". CSIRO Publishing, Collingwood.*
- *Resources and Energy NSW (2016). ISSC 3 Guide for the Managing Vegetation in the Vicinity of Electrical Assets. NSW Government*
- *Rural Fire Service NSW (2005) "Standards for Asset Protection Zones"*
- *Standards Australia (2018). "AS 3959, Construction of buildings in bush fire prone areas".*
- *Standards Australia (2018). "AS/NZS 1530.8.1 Methods for fire tests on building materials, components and structures - Tests on elements of construction for buildings exposed to simulated bush fire attack - Radiant heat and small flaming sources".*
- *Standards Australia (2018). "AS/NZS 1530.8.2 Methods for fire tests on building materials, components and structures - Tests on elements of construction for buildings exposed to simulated bush fire attack - Large flaming sources".*
- *Standards Australia (2014). "AS/NZS 1596 The storage and handling of LP Gas".*

