



Designing Bushfire Protection Measures

Reference: J23/0620
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10 February 2025

Michael Robinson
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Dear Michael

Re: Lot 3 DP 805710, 181 Forest Way Belrose (subject site)

We have been engaged by *Regis Aged Care Pty Ltd* to review the proposed minor modifications to the Court approved Seniors Housing development located at the above address.

We understand that the General Terms of Approval were re-issued by the NSW RFS in response to a Section 4.56 Court Consent - Modification of Development Consent DA2018/1654 on 29th September 2022, and that the recommended consent conditions listed in the BFSA were not consistent with the Court approved conditions and would impact on the ecological values of the site.

In response, we provided the attached suggested amendments to the wording of the BFSA to maintain consistency with the Court conditions and compliance with the performance criteria outlined in Planning for Bushfire Protection 2006.

Subsequently, the NSW RFS reviewed the submitted information and re-issued the 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*, was re-issued on 12 February 2023 with revised conditions.

The National Construction Code (NCC) sets the minimum requirements for building design and construction across Australia. In its 2022 edition, the NCC introduced specific provisions to enhance bushfire resilience, particularly for Class 9 buildings, which include structures like healthcare facilities, schools, and aged care centres. These amendments are detailed in Specification 43, titled "Bushfire protection for certain Class 9 buildings." This specification outlines mandatory bushfire protection measures, such as ensuring minimum distances from potential fire sources, providing clear access pathways, and establishing safe external areas for emergencies.

However, the approved proposal cannot meet PBP Addendum 2022 and associated Specification 43 Clause S43C14 Vehicular Access. It is understood that the RFS can grant an exemption from this clause by re-issuing the General Terms of Approval Bush Fire Safety Authority where it can be demonstrated that the proposal conforms to Table 6.8B of PBP 2019.

In this case the RFS have already provided Access requirements in the BFSA as follows;

1. The proposed maintenance & fire egress path along the southern boundary and eastern elevation of the building shall comply with section 4.1.3 (3) of Planning for Bush Fire Protection 2006. The proposed access road on the southern aspect shall be constructed to 5.5m in width.
2. Access along the Crown Road Reserve to the point of entry into the site on the northern boundary shall comply with section 4.1.3 (3) of Planning for Bush Fire Protection 2006. No further clearing of the existing 3.5m wide access road in Crown Reserve is required.
3. The proposed turning areas for emergency vehicles located on the northern & eastern elevations of the building shall be suitably designed to enable a MRV – Category 1 Tanker to turn around.

It is requested that the NSW RFS re-issue the BFSA using the same wording and including an Exemption from PBP 2022 Access given the terrain at the northeast of the proposal is too steep to extend the roadway to meet the new requirements. It is noted that the proposal has been designed to meet the RFS requirements listed above in the Site Plan by Morrison Design Partnership Revision O dated 15/08/2022.

Should you require further information please let me know



Catherine Gorrie | Accredited Bushfire Planning and Design Practitioner

Fire Protection Association Australia BPAD-Level 3 (BPAD 20751)

(a person who is recognised by the NSW Rural Fire Service as a suitably qualified consultant in bush fire risk assessment)

Grad Dip Bushfire Protection (UWS 2010)

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NOTES:

1. *This advice is valid for 12 months from the date of issue.*
2. *The Council is the Consent Authority, and will make the final determination of the BAL.*
3. *This document may only be used for the purpose for which it was commissioned, the scope of which was determined with the client by time and budgetary constraints and the availability of data relating to the subject site. Any recommendation or advice expressed in this report is made in good faith and in accordance with the relevant legislation for bushfire prone development in New South Wales. Bushfire Consulting Services Pty Ltd does not warrant or represent that the document is free from error or omissions and does not accept liability for any errors or omissions. It should be borne in mind that the measures recommended in this report cannot guarantee that a building will survive a bushfire event on every occasion. This is due to the degree of vegetation management, the unpredictable behaviour of bushfires and extreme weather conditions. As such, the author is not liable to any person for any damage or loss whatsoever which has occurred or may occur in relation to the person taking action or not taking action based on the recommendations of this report.*

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Figure 1: Court Approved Site Plan (Revision J, September 2020) as provided in the Bushfire Assessment Report by Travers bushfire & ecology

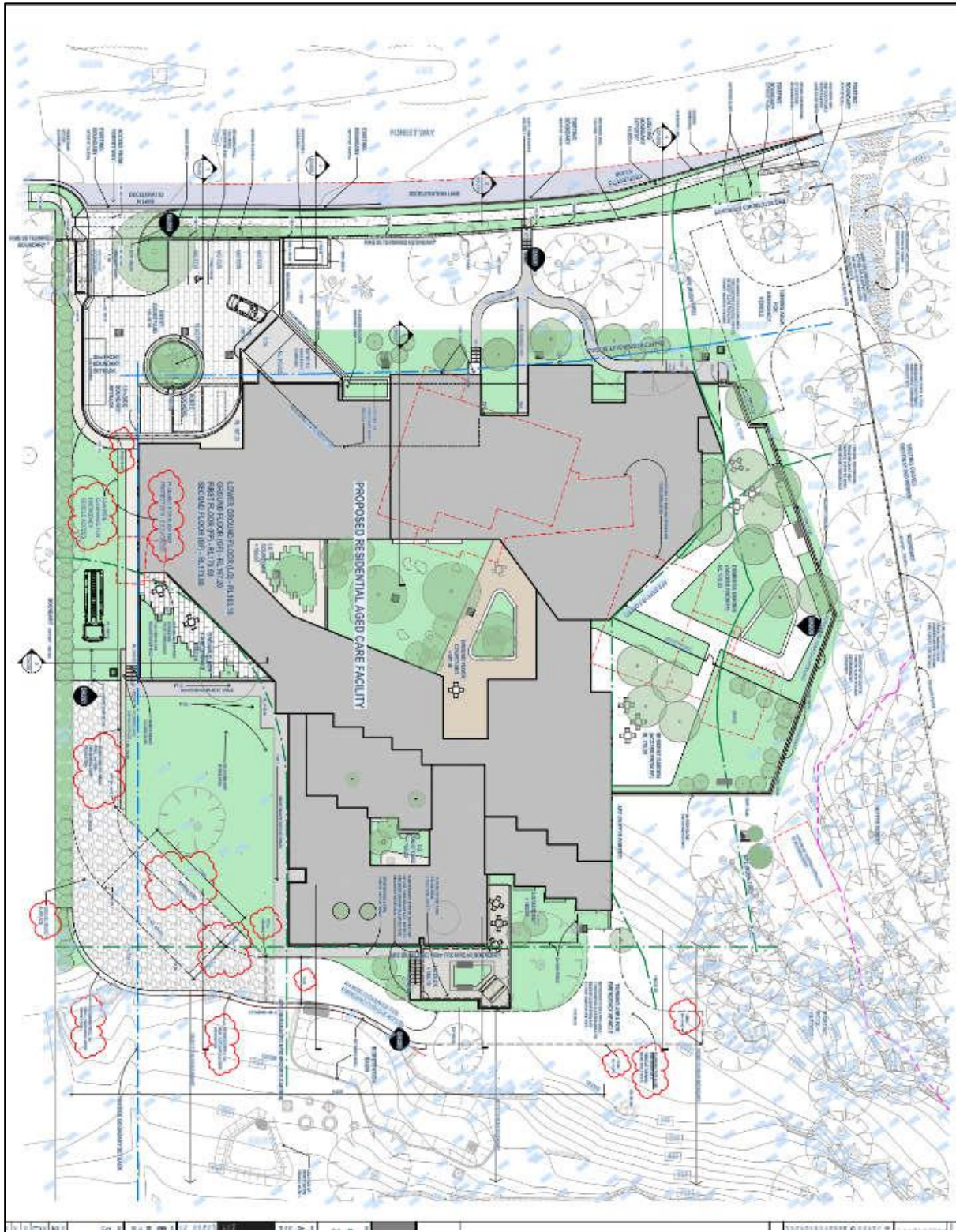


Figure 2: Current Site Plan (Morrison Design Partnership Architects. Project no. 3169, dwg no. DA050, dated Revision O dated 15/08/2022)

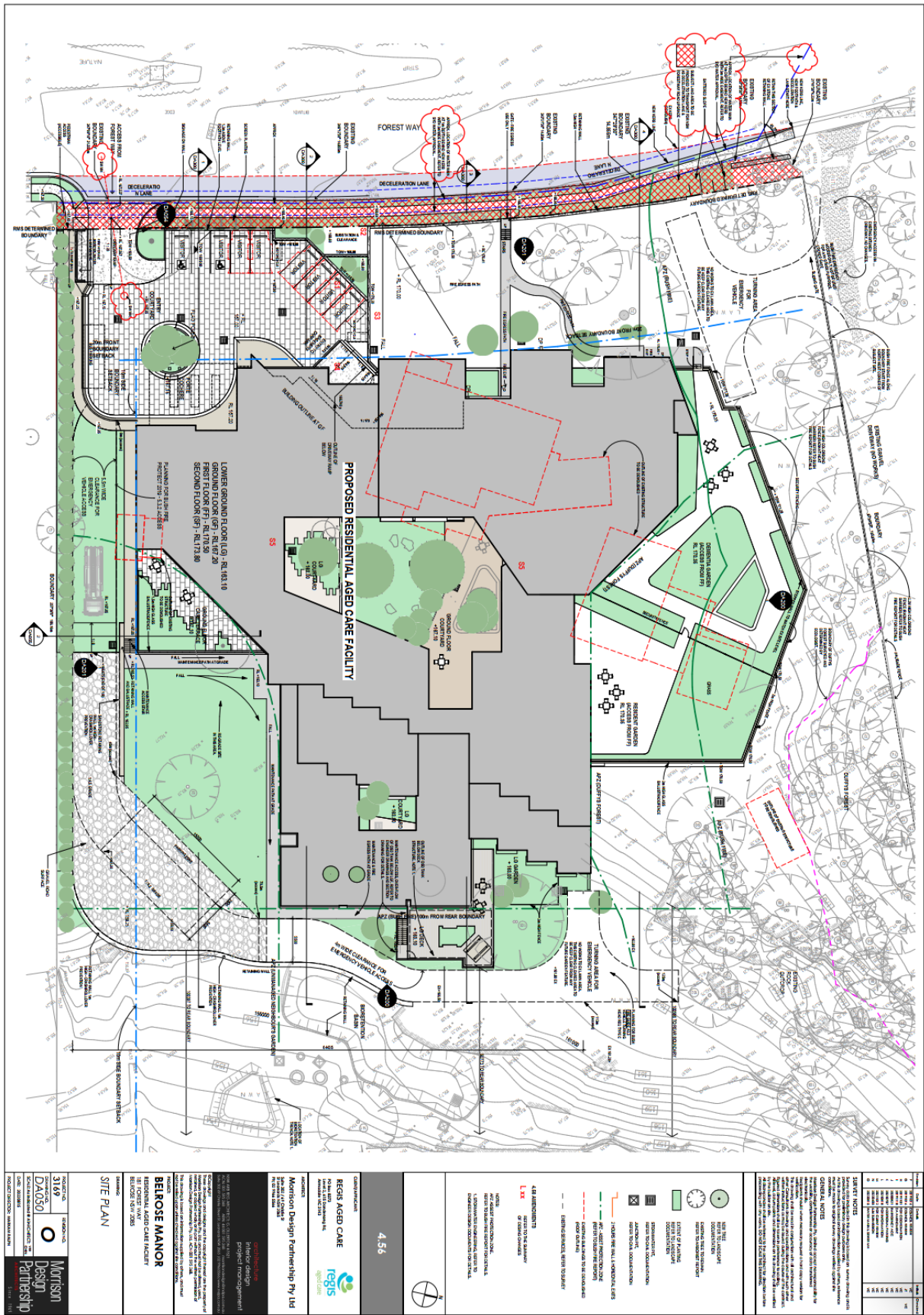


Figure 3: Bushfire Protection Measures from Bushfire Assessment Report by Travers bushfire & ecology

