
Sent: 18/01/2024 3:04:19 PM
Subject: NSW RFS Determination - Your Reference - (CNR-64190) DA2023/1794
Attachments: DA20240104000033-Original-1 - 18-01-2024 14_40_53 - Determination Letter.pdf;



NSW RURAL FIRE SERVICE



Attention: Yasmine Fricker

Your Reference: (CNR-64190) DA2023/1794

Application Details: s4.14 – Other – Original

Site Address:

323 McCarrs Creek Road
Terry Hills NSW 2084

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 DA20240104000033-Original-1.



Planning and Environment Services

NSW RURAL FIRE SERVICE

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NSW RURAL FIRE SERVICE

Northern Beaches Council
PO Box 882
MONA VALE NSW 1660

Your reference: (CNR-64190) DA2023/1794
Our reference: DA20240104000033-Original-1

ATTENTION: Yasmine Fricker

Date: Thursday 18 January 2024

Dear Sir/Madam,

Development Application

s4.14 - Other - Single Dwelling - Alterations & Additions

323 McCarrs Creek Road Terry Hills NSW 2084, 369//DP752017, 425//DP752017

I refer to your correspondence dated 04/01/2024 seeking advice regarding bush fire protection for the above Development Application in accordance with section 4.14 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions:

General Conditions

Emergency Management and Evacuation

Intent of measures: to provide suitable emergency and evacuation arrangements for occupants of the proposed Bed and Breakfast development component.

1. A Bush Fire Emergency Management and Evacuation Plan must be prepared and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. The Bush Fire Emergency Management and Evacuation Plan should include planning for the early relocation of occupants, and a copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to occupation of the development.

Asset Protection Zones

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

2. From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the property around the existing dwelling and proposed additions, must be maintained as an inner protection area (IPA), in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*, as follows:

- north east up to the subject lots site boundary;

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NSW Rural Fire Service
Locked Bag 17
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Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

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- south east, projecting back from the furthest part of the proposed works, for a distance of 55m or up to the part south eastern site boundary;
- south west up to the subject lots site boundary; and,
- north west up to the subject lots site boundary abutting McCarrs Creek Road.

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.

3. Prior to the Development approval, and in perpetuity to ensure ongoing protection from the impact of bush fires, a suitable mechanism, such as an instrument pursuant to section 88 of the *Conveyancing Act 1919* or an adopted Council Plan of Management, must be in place over Lot 148 321 McCarrs Creek Road Terry Hills, (lot located abutting the subject site on its north eastern site boundary) to ensure its ongoing management as an Inner Protection Area (IPA) in accordance with 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.

The name of authority empowered to release, vary or modify any instrument shall be Northern Beaches Council.

Construction Standards

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

4. Proposed construction on the existing dwelling and proposed additions, northern, eastern and western elevations and roofing must comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2018 *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 7.5 of *Planning for Bush Fire Protection 2019*.

5. Proposed construction on the existing dwelling and proposed additions, southern elevation must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 *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 7.5 of *Planning for Bush Fire Protection 2019*.

6. The existing dwelling must be upgraded to improve ember protection by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

7. Proposed inground swimming pool and surrounds to be constructed from non combustible materials.

Access – Property Access

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

8. Property access roads must comply with the following requirements of Table 7.4a of *Planning for Bush Fire Protection 2019*:

- property access roads are two-wheel drive, all weather roads;
- the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes), bridges and causeways are to clearly indicate load rating.
- minimum 4m carriageway width;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- property access must provide a suitable turning area in accordance with Appendix 3 of *Planning for Bush Fire Protection 2019*;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6m;
- the crossfall is not more than 10 degrees; and,
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

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 fire fighting activities. To achieve this, the following conditions shall apply:

9. The provision of water, electricity and gas must comply the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- A 20,000 litre minimum capacity static water supply (SWS) must be provided on site;
- a connection for firefighting purposes is located within the IPA or non-hazard side and away from the structure;
- 65mm Storz fitting with a ball valve is fitted to the outlet;
- ball valve and pipes are adequate for water flow and are metal;
- supply pipes from SWS to ball valve have the same bore size to ensure flow volume;
- underground tanks have an access hole of 200mm and a hardened ground surface for truck access is supplied within 4m to allow tankers to refill direct from the tank;
- 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;
- all exposed water pipes external to the building are metal, including any fittings;
- where pumps are provided, they are 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;
- where practicable, electrical transmission lines are underground;

- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - 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 and 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.

Landscaping Assessment

Intent of measures: to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

10. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area, suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building;
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough bark, or which retain bark in strips or 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;
- 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 as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

General Advice – Consent Authority to Note

- Council is advised, that the proposed Change of use of the existing dwelling, to a Bed and Breakfast, would require the approval and the creation of an 88b instrument, over the adjacent parcel of land (located on the subjects sites north eastern site boundary - Lot 147 321 McCarrs Creek Road), to form an easement to enable and facilitate the vegetation management of the land, to a compliant APZ IPA standard, and thereby ensure that its exposure not exceed radiant heat levels of 29kW/sqm and hence achieving compliant separation distances with *PBP 2019* Table A1.12.5.
- In the event that the approval for the easement for vegetation management, cannot be obtained over the adjacent lot, the applicant can if desirous, revise the description of the proposed works, including the change of use of the existing dwelling to an Bed and Breakfast, by virtue of an updated Bushfire Consultants Report, forwarded through to the Consent authority via the NSW Planning Portal, to enable a reassessment of the proposal to be undertaken and if applicable new conditions devised and a advice reissued.

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

Yours sincerely,

Adam Small
Manager Planning & Environment Services
Built & Natural Environment