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**Sent:** 8/10/2024 1:33:59 PM  
**Subject:** NSW RFS Determination - Your Reference - CNR-72773 DA2024/1079  
**Attachments:** DA20240829003542-Original-1 - 08-10-2024 12\_23\_52 - Determination Letter.pdf;



**NSW RURAL FIRE SERVICE**



**Attention:** Northern Beaches Council

**Your Reference:** CNR-72773 DA2024/1079

**Application Details:** s100B – Subdivision – Original

**Site Address:**

53A Warriewood Road  
Warriewood NSW 2102

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 DA20240829003542-Original-1.



Planning and Environment Services

**NSW RURAL FIRE SERVICE**

Locked Bag 17 Granville NSW 2142

**P** 1300 NSW RFS **E** [records@rfs.nsw.gov.au](mailto:records@rfs.nsw.gov.au)

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**PREPARE. ACT. SURVIVE.**



# RFS



Northern Beaches Council  
PO Box 882  
MONA VALE NSW 1660

Your reference: CNR-72773 DA2024/1079  
Our reference: DA20240829003542-Original-1

**ATTENTION:** Northern Beaches Council

Date: Tuesday 8 October 2024

Dear Sir/Madam,

**Integrated Development Application**  
**s100B - Subdivision - Community Title Subdivision**  
**53A Warriewood Road Warriewood NSW 2102, 2//DP1115877, 3//DP1115877**

I refer to your correspondence dated 06/09/2024 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**

***Intent of measures: to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.***

1. At the commencement of building works or the issue of a subdivision certificate (whichever comes first), and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire site, (excluding proposed Lot 1 Public Reserve), must be managed as an Inner Protection Area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. The instrument may be extinguished from the lot where a lot has been developed and the hazard has been removed. The name of authority empowered to release, vary, or modify the instrument must be Northern Beaches Council.

When establishing and maintaining an IPA the following requirements apply in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:

- 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;

1

**Postal address**

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

**Street address**

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

**T** (02) 8741 5555  
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- shrubs should not form more than 10% ground cover;
- 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.

2. At the issue of subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, A suitably worded instrument(s) created pursuant to section 88 of the *Conveyancing Act 1919* must be placed on the Proposed Lot 1 which requires the area identified in *Figure 2: Bushfire Hazard Assessment* prepared by Eco Logical Australia (Project No:24NEW8684, Version 2; dated 8 August 2024) to be managed as an Asset Protection Zone (IPA). The instrument may be extinguished from the lot where a lot has been developed and the hazard has been removed. The name of authority empowered to release, vary, or modify the instrument must be Northern Beaches Council..

3. At the issue of subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, A suitably worded instrument(s) created pursuant to section 88 of the *Conveyancing Act 1919* must be placed on the Proposed Lots 3 and 4 which requires the area identified in *Figure 2: Bushfire Hazard Assessment* prepared by Eco Logical Australia (Project No:24NEW8684, Version 2; dated 8 August 2024) to be managed as an Asset Protection Zone (IPA) and prohibits the construction of buildings other than class 10b structures within the APZ. The name of authority empowered to release, vary, or modify the instrument must 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. At the issue of subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, a restriction to the land use pursuant to section 88B of the *Conveyancing Act 1919*, shall be placed on proposed Lot 2 and proposed Lots 3 & 4, immediately abutting Lorikeet Grove, requiring the construction of any dwelling, to be not less than BAL 29, under Australian Standard AS3959-2018 *Construction of buildings in bush fire-prone areas*.

### Access – Public Roads

***Intent of measures: to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.***

5. Perimeter roads, such as the extension of Lorikeet Grove, must comply with the following requirements of Table 5.3b of *Planning for Bush Fire Protection 2019*:

- are two-way sealed roads;
- minimum 8m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees; and



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- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

6. Non-perimeter roads, including the widening of Pheasant Place, must comply with the following requirements of Table 5.3b of *Planning for Bush Fire Protection 2019*:

- minimum 5.5m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

7. Cul-de-sac turning heads, must be provided to dead end roads incorporating either a minimum 12 metre radius turning circle or turning heads compliant with A3.3. Vehicle turning head requirements of *Planning for Bush Fire Protection 2019*.

## Water and Utility Services

***Intent of measures: 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.***

8. The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are and not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:
  - a) lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
  - b) 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;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, 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.

## General Advice - Consent Authority to Note



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- This approval is for the subdivision of the land only. Any further development application for subdivisions and or class 1,2 & 3 buildings as identified by the *National Construction Code of Australia* may be subject to separate application under section 4.14 of the *EP & A Act* and address the requirements of *Planning for Bush Fire Protection 2019*;
- The Short Fire Run methodology has been utilised to demonstrate compliance with the performance criteria of Chapter 5 *Residential and Rural Residential Subdivisions* within *Planning for Bush Fire Protection 2019*, including modelling parameters of a Forested Wetland fuel load and a modelled 1.5° effective downslope;
- The proposed public road linking Lorikeet Grove on the subjects sites north western and south eastern site boundaries has been conditioned, as per compliance with *PBP 2019* Section 3.4 Access arrangements, 3.4.1 Perimeter roads, 5.3.2 Access, Table 5.3b minimum 8m carriageway width kerb to kerb and parking provided outside of the carriageway width;
- Council is also advised that this assessment and the above conditions, were based on the proposed subdivision plans, as prepared by YSCO Geomatics Pty Ltd, Plan of proposed Subdivision of 53A & B Warriewood Road, Warriewood, Reference No: 6321/15B and 6321/16C, dated 17 April 2024 and revision dated 27/7/24); and,
- Where an amendment to the plan(s) occurs, it is at the discretion of the consent authority to determine whether the changes require re-referral to the NSW Rural Fire Service.

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**



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## BUSH FIRE SAFETY AUTHORITY

Subdivision – Community Title Subdivision  
53A Warriewood Road Warriewood NSW 2102, 2//DP1115877, 3//DP1115877  
RFS Reference: DA20240829003542-Original-1  
Your Reference: CNR-72773 DA2024/1079

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*.

**Adam Small**

Manager Planning & Environment Services  
Built & Natural Environment

Tuesday 8 October 2024

