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**Sent:** 5/02/2024 5:14:08 PM  
**Subject:** NSW RFS Determination - Your Reference - CNR-59026 DA2023/1123  
**Attachments:** DA20231019004709-Original-1 - 05-02-2024 14\_40\_07 - Determination Letter.pdf;



**NSW RURAL FIRE SERVICE**



**Attention:** Northern Beaches Council

**Your Reference:** CNR-59026 DA2023/1123

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

**Site Address:**

102 Wakehurst Parkway  
Elanora Heights NSW 2101

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 DA20231019004709-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.**



## NSW RURAL FIRE SERVICE

Northern Beaches Council  
PO Box 882  
MONA VALE NSW 1660

Your reference: CNR-59026 DA2023/1123  
Our reference: DA20231019004709-Original-1

**ATTENTION:** Northern Beaches Council

Date: Monday 5 February 2024

Dear Sir/Madam,

### Integrated Development Application

s100B – Subdivision – Boundary adjustment

102 Wakehurst Parkway Elanora Heights NSW 2101, 12//DP1014199, 2//DP1177671

I refer to your correspondence dated 23/10/2023 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 issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire site proposed Lot 12, must be managed as an inner protection area (IPA) in accordance with the requirements of 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

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#### Postal address

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

#### Street address

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4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555  
F (02) 8741 5550  
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- leaves and vegetation debris should be removed.

2. At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, the site around the existing building on Lot 2, must be maintained as an inner protection area (IPA) as follows:

- South up to to the lots site boundary;
- West up to the lots site boundary;
- North for a distance of 10m beyond the furthest extent of the existing dwelling being retained and a minimum of 17m beyond the illustrated building envelope as detailed in the updated Bushfire Consultants report; and,
- East up to the lots site boundary.

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;
- 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.

#### **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.***

3. The existing dwelling located on proposed Lot 2 and being retained, 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.

#### **Access - Property Access**

***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.***

4. Property access road (driveway) to access the reconfigured Lot 2, must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- property access roads are two-wheel drive, all-weather roads;
- minimum 4m carriageway width;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- provide a suitable turning area in accordance with Appendix 3; and,
- Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed.

#### **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.***

5. 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

- Future development application lodged for land in this subdivision may be subject to the requirements of *Planning for Bush Fire Protection 2019*. Provision of Asset Protection Zones within the lots boundaries and construction to *AS3959 2018 Construction of Buildings in Bushfire Prone Areas* standards may be required. In this regard it is noted that the subdivision assessment has been based on a performance solution, using bush fire attack modelling and Dry Sclerophyl Forest fuel loads set out in *Planning for Bush Fire Protection 2019*. Future dwelling proposals may need to adopt a similar performance solution to determine construction requirements and will not qualify as complying development.
- The APZs and separation distances, for lot has been based on site specific modelling of potential bush fire impacts provided by Bushfire Planning Services Pty Ltd, Bushfire Risk Assessment, Matthew Willis and report dated 21 December 2023. The Bushfire Consultant has provided an indicative building envelope, on proposed Lot 2 using the same building footprint as the existing dwelling on lot 12. AS 3959 2018, **Method 2 calculations** have been used to justify the BAL of 29 for the indicative building envelope. Desktop Verification of the Bushfire Consultants modelling confirms that any proposed future dwelling located in the illustrated hatched building envelope, as illustrated within Bushfire Planning Services Pty Ltd, Bushfire Risk Assessment, Matthew Willis and letter dated 21 December 2023, would have the ability to accommodate a proposed future dwelling to BAL 29.

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

Yours sincerely,

Nika Fomin  
**Manager Planning & Environment Services**  
**Built & Natural Environment**



NSW RURAL FIRE SERVICE

# BUSH FIRE SAFETY AUTHORITY

Subdivision – Boundary adjustment

102 Wakehurst Parkway Elanora Heights NSW 2101, 12//DP1014199, 2//DP1177671

RFS Reference: DA20231019004709-Original-1

Your Reference: CNR-59026 DA2023/1123

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*.

**Nika Fomin**

**Manager Planning & Environment Services  
Built & Natural Environment**

Monday 5 February 2024